



## KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

### ADMINISTRATIVE REGULATIONS

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**Section: Human Resources**

• **Professional Activities**

**Regulation: CODE OF ETHICS FOR EMPLOYEES**

**Regulation Code: HR-5.1.1**

**Policy Code Reference: HR-5.1**

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This administrative regulation is written in accordance with the guiding principles in Board Policy No. HR-5.1, Code of Ethics for Employees.

#### **1. Ethical Principles for Employees s General**

- 1.1 Employees of the Board shall not use their authority or office for personal gain and shall seek to uphold and enhance Board policy by:
  - 1.1.1 maintaining an unimpeachable standard of integrity in all business relationships both inside and outside the Board;
  - 1.1.2 fostering the highest standards of professional competence amongst those for whom they are responsible;
  - 1.1.3 optimizing the use of resources for which they are responsible so as to provide the maximum benefit to the Board;
  - 1.1.4 complying with the letter and the spirit of federal and provincial laws and regulations, and Board policies;
  - 1.1.5 rejecting and denouncing any business practice that is improper;
  - 1.1.6 respecting confidentiality and accuracy of information;
  - 1.1.7 avoiding any arrangements that would prevent the effective operation of fair competition;
  - 1.1.8 refraining from using any type of influence to obtain personal preferential treatment in any personal business dealings with Board suppliers;
  - 1.1.9 refraining from making purchases through Board suppliers for employees, or any others, for personal use; and
  - 1.1.10 refraining from accepting business gifts other than items of nominal value, e.g., pens, coffee cups, calendars, etc.

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- 1.2 Employees shall not:
- 1.2.1 engage in any business or transaction or have a financial or other personal interest which is, or that reasonably appears to others to be, incompatible with the discharge of the employee's official duties;
  - 1.2.2 place themselves in a position where the employee is, or that reasonably to others appears to be, under obligation to any person who might benefit from special consideration or favour on the employee's part or who might seek in any way preferential treatment;
  - 1.2.3 accord, in the performance of official duties, preferential treatment to relatives or friends or to organizations in which the employee's relatives or friends have, or appear to have, an interest, financial or otherwise;
  - 1.2.4 place themselves in a position where the employee could derive any direct or indirect benefit, enjoyment, or interest from any Board contracts about which the employee can influence decisions;
  - 1.2.5 benefit, or appear to benefit, from the use of information acquired during the course of the employee's official duties which is not generally available to the public;
  - 1.2.6 engage in any outside work or business undertaking that interferes with the performance of the employee's duties as a Board employee;
  - 1.2.7 use Board property, equipment, supplies or services for activities not associated with the discharge of official duties except when covered by an existing policy and payment for such must be made upon the rendering of an account;
  - 1.2.8 demand, accept or offer, or agree to accept from a person who has dealings with the Board, a commission, reward, advantage or benefit of any kind, directly or indirectly, by the employee or through a member of the employee's family or through anyone for the employee's benefit;
  - 1.2.9 participate in any decision or promotion, or make any recommendation to a supervisor, committee, or the Board in which the employee, or the employee's immediate family, has any financial interest except as a resident in the Board's jurisdiction;

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- 1.2.10 use facilities or agencies of the Board to purchase or otherwise acquire goods or services for personal use, benefit, or enjoyment of the employee, or the employee's family;
- 1.2.11 solicit from persons having dealings with the Board, sporadic or casual benefits such as small gifts or entertainment;
- 1.2.12 accept from persons having or seeking to have dealings with the Board, sporadic or casual benefits such as small gifts or entertainment without the consent of Purchasing Services and the employee's supervising superintendent, Director of Education, or designate; and/or
- 1.2.13 disclose any confidential information relating to the affairs of the Board, dealing discreetly with confidential knowledge, and at no time using such information for personal advantage.

Contravention of any of the above points may include discipline up to and including termination of employment. Breach of provision above shall be reported by the immediate supervisor to the supervising superintendent, Director of Education, or designate, who will investigate and, if significant discipline is required, will give a report to the Board.

### 1.3 Employees shall:

- 1.3.1 disqualify themselves from dealing with any type of application from and/or contract with a relative;
- 1.3.2 inform the supervising superintendent, through the employee's immediate supervisor, if a case comes before the employee in which the employee's personal interest is, or may be, involved; and
- 1.3.3 disclose to the immediate supervisor any business, commercial or financial interest where such interest might conceivably be construed as being in actual or potential conflict with the employee's official duties.

## 2. Conflict of Interest of Employees

Further to the general statements regarding ethics, employees of the Board have a duty not to engage in any business or transaction, or have any financial or other personal interest, that is, or that may reasonably appear to others to be, incompatible with the performance of the employee's official duties.

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### 2.1 Examples of Potential Conflict of Interest Situations

Examples are provided with the intention of alerting an employee who should obtain legal counsel concerning the particular circumstances. Although not limited to the following, conflict of interest situations may include circumstances where:

- 2.1.1 an employee conducts business dealings for profit with fellow employees, students, or with the parent(s)/guardian(s) of such students;
- 2.1.2 an employee undertakes a contract with the Board which may require that the employee's responsibility in fulfilling the contract conflicts with the fulfilment of the employee's duties;
- 2.1.3 an employee establishes business dealings with other employees so as to prejudice the employee's impartiality in carrying out the employee's duties;
- 2.1.4 an employee acquires, as an employee of the Board, information which is used to advance personal, family or friends business interests;
- 2.1.5 an employee gives or receives gifts of more than nominal value which are in any way connected with business relationships;
- 2.1.6 an employee loans to or borrows money from individuals or concerns that do business (other than banks and other financial institutions) with the Board;
- 2.1.7 an employee, or a member of an employee's immediate family, benefits personally from any purchase of goods or services for the Board or derives personal gain from transactions made as an employee of the Board, except when offered purchase plans or arrangements to all employees and no conflict of interest is deemed to exist;
- 2.1.8 an employee, or a member of an employee's immediate family, buys from the Board except by public auction sale, and sells to the Board any goods or services without declaring interests and removing themselves from the decision-making process;

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- 2.1.9 an employee, or a member of the employee's immediate family, has any direct or indirect interest in any enterprise doing business with the Board;
- 2.1.10 an employee serving as an officer, director, employee, or consultant, receives income from any enterprise doing business with the Board, or seeking to do so;
- 2.1.11 an employee uses or reveals outside the Board, without proper authorization, confidential information concerning the Board;
- 2.1.12 an employee uses or permits others to use Board employees, materials or equipment improperly and for personal purposes;
- 2.1.13 an employee accepts compensation from outsiders for services or time for which the employee is being paid by the Board; and/or
- 2.1.14 an employee associates the name of the Board with any outside business venture or uses the Board address or telephone number for such a venture.

### 2.2 Supplementary Employment Opportunities

Certain supplementary employment opportunities may provide valuable professional development experience for employees. Furthermore, in many cases, the Board is pleased to co-operate with agencies of the educational community who must use the talents of Board staff.

- 2.2.1 Requests for approval of supplementary employment opportunities shall be submitted to the employee's supervisor for consideration and at the discretion of the supervising superintendent, and/or Director of Education, or designate, and in special circumstances the Director of Education may refer a request to the Board.
- 2.2.2 In accordance with Sections 217 (1), (2), and (3), and 286 (4) R.S.O. 1990, c.E.2 of the Education Act, detailed in Board Policy No. HR-5.1, Code of Ethics for Employees, the Board prohibits its employees from engaging in employment or any business activity which will place the employee in a situation of conflict of interest with the Board and the performance of assigned duties.

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- 2.2.3 The Board prohibits employees who are engaged in business operations from keeping such promotional literature or product samples on Board property.
- 2.2.4 No employee shall make a commitment with any institution or organization that is not directly under the jurisdiction of the Board involving services requiring a commitment of time that interferes with the execution of the employee's duties for the Board, whether voluntary, or for payment, without having approval from the Director of Education, or designate.
- 2.2.5 Where payment is received from an outside agency for an employee's services, such payment will be taken into the General Revenue of the Board.

### 2.3 Disclosure of Conflict of Interest

Concealment creates suspicion and to avoid such, employees should disclose any doubtful situation or transaction to the employee's immediate supervisor.

- 2.3.1 The employee shall disclose to the immediate supervisor any, or any potential, conflicts of interest.
- 2.3.2 The immediate supervisor will report any conflict of interest disclosures received to the supervising superintendent.
- 2.3.3 When a situation which may involve conflict of interest arises, the supervising superintendent, Director of Education, or designate, shall investigate and, where warranted, prepare a report for consideration by the Board.
- 2.3.4 The employee shall distance themselves from the conflict issue until such time as the issue is resolved.
- 2.3.5 When appropriate, the supervisory superintendent, Director of Education, or designate, may arrange for legal advice to employees regarding possible conflict of interest.
- 2.3.6 If it is the conclusion of the supervising superintendent, Director of Education, or designate, that there is no conflict of interest, the employee may, upon request, receive a written statement to that effect.

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It is recognized that some employees may have a duty not to disclose to the Board, or to others, information which employees may have received on a confidential basis from former employers, or others, and policy forbids disclosure of such information and also forbids other employees from soliciting or accepting such information.

### **3. Gifts, Hospitality to Employees**

A gift is defined as any direct or indirect favour or payment, that exceeds the bounds of normal social intercourse. Reasonable hospitality is an accepted courtesy of a business relationship; however, the frequency and nature of gifts or hospitality accepted should not be allowed whereby recipients might be, or might be deemed by others to have been, influenced in making a business decision as a consequence of accepting such hospitality or gifts. Nominal value is a judgmental issue and is considered to be items such as pens, coffee cups, calendars, etc. and may include the cost of a business dinner.

3.1 Employees shall not accept business gifts other than items of nominal value from any person who has done, is doing, or might be reasonably expected at some time to do business with the Board. The frequency and nature of gifts or hospitality accepted should not be allowed where it can be construed that the employee has been influenced in making a business decision based on the acceptance of such hospitality or gifts.

3.2 From time to time, an employee may be given a gift as an expression of appreciation for contributions made to the benefit of the Board. Under no circumstances is the payment of cash to be accepted as a gift. Gifts are to be considered in accordance with this administrative regulation and in keeping with any applicable statutes governed by Canada Customs and Revenue Agency as follows:

3.2.1 The value of a gift or receipt of hospitality will not exceed the nominal value described in this administrative regulation;

3.2.2 The value of a gift or receipt of hospitality must be approved by Purchasing Services and the principal, supervisor, and authorized by the supervising superintendent; and

3.2.3 Request for a gift or gifts of a nominal value for employees shall be initiated by the manager responsible for organizing an event with the completion of an online requisition, which will then be submitted for approval by the authorizing department manager and forwarded to Purchasing Services for processing.

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- 3.3 The facilities or agencies of the Board shall not be used to purchase or otherwise acquire goods, materials, or services for the personal use, benefit, or enjoyment of any individual, except for authorized student use.
- 3.4 No Board purchases or services shall be influenced by the acceptance of gifts by its employees from suppliers of goods and services.
- 3.5 No gifts of money shall be accepted by employees.
- 3.6 No employee shall solicit non-monetary gifts, gratuities, or any other personal benefit or favour from suppliers, students, parent(s)/guardian(s), or other employees.
- 3.7 Gifts and/or donations made to an employee, or groups of employees, without the employee's(s') acceptance, will be donated to a local charity and the donor will be so advised by the employee's(s') immediate supervisor.
- 3.8 Employees may accept samples or invitations of nominal value such as to receptions or lunches so long as doing so does not impose any obligation to buy, receive, or refer on behalf of the Board.
- 3.9 Disclosure of Acceptance of Gifts, and/or Hospitality
- 3.9.1 The employee shall report to the immediate supervisor acceptance of any gifts, gratuities, and/or hospitality.
- 3.9.2 The immediate supervisor will report any disclosure declarations received to the supervising superintendent.
- 3.9.3 If it is deemed that acceptance constitutes greater than nominal value and/or would be compromising, the supervising superintendent, Director of Education, or designate, will make a decision regarding acceptance or return.
- 3.9.4 Whenever an acceptance is being investigated, the employee will refrain from accepting the gift or favour based on the provisions of this policy and administrative regulation.
- 3.9.5 If it is the conclusion of the supervising superintendent, Director of Education, or designate, that the gift or favour is of nominal value and acceptable, the employee may, upon request, receive a written statement to that effect.

#### **4. Gifts, Hospitality to Individuals not Employed by the Board**

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From time to time, an employee may be authorized to provide a gift of nominal value to individuals not employed by the Board, agencies and/or organizations as an expression of appreciation for a presentation, in-service or other contributions made to the benefit of the Board. Under no circumstances is the payment of cash to be considered as a gift. Gifts are to be considered in accordance with this administrative regulation and in keeping with any applicable statutes governed by Canada Customs and Revenue Agency as follows:

- 4.1 The value of a gift for individuals not employed by the Board, agencies and/or organizations as an expression of appreciation for a presentation, in-service or other contributions made to the benefit of the Board will not exceed the nominal value described in this administrative regulation;
- 4.2 The value of a gift must be approved by the principal, supervisor, and authorized by the supervising superintendent; and
- 4.3 Request for a gift shall be initiated by the manager responsible for organizing the event with the completion of an online requisition, which will then be submitted for approval by the authorizing department manager and forwarded to Purchasing Services for processing.

Contravention of any of the above points may include discipline up to and including termination of employment. Breach of provision above shall be reported by the immediate supervisor to the supervising superintendent, Director of Education, or designate, who will investigate and, if termination of employment is effected, will provide a report to the Board.

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March 2, 2010

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