



**STANDARDS OF CONDUCT RELATED TO RESEARCH:
CONFLICT OF INTEREST – BREACH OF TRUST #1-16**

Revised:	April 30, 2009	by: Ethics Review Committee
Recommended:	January 6, 2010	by: President's Council
Approved:	January 27, 2010	by: Board of Governors
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Policy

North Island College is a publicly-funded institution of learning and all its employees must consistently and always act a manner that instills public trust and confidence in the College, and act in such a way as to uphold honesty, respect, fairness, and equality in all undertakings.

Purpose

This policy applies to all employees of North Island College involved in research, subject to rights and obligations articulated in current collective agreements or in Terms of Conditions of Employment. The requirement to comply with these standards is a condition of employment.

Limits:

This policy does not speak to Close Personal Relationships, which is covered in Policy #2-13.

1. Compromising Situations

- a. Employees should not place themselves in situations where they are obliged to any person or organization who might benefit from, or seek to gain, special consideration or favour. The honesty and impartiality of employees must be above suspicion.
- b. Employees have a responsibility to conduct themselves in a way that does not compromise the ability of the College to accomplish its mandate nor undermine the public's confidence in the employees' ability to fulfill their responsibilities properly.

2. Conflict Between Job Responsibilities and Employees' Private Affairs

- a. Employees are expected to keep their role as private citizens separate and distinct from their responsibilities as North Island College employees and to avoid conflict of interest situations.
- b. Employees shall arrange their private affairs in a manner that will prevent any conflicts or perceived conflicts of interest from arising. They shall not give preferential treatment to relatives or friends or to any organization in which they or their relatives have an interest, financial or otherwise.
- c. Employees shall exercise care in the management of their private affairs so as not to benefit, or be perceived by the public to benefit, from:
 - i. the use of information acquired solely by reason of their appointment or employment; or
 - ii. any college transaction which involves decisions over which they have influence, such as appointments, investments, borrowings, purchases, sales, contracts, grants and regulatory or discretionary approval.

3. Acceptance Of Gifts And Other Complimentary Items

An employee shall not accept a personal gift, prize or benefit that arises out of their employment with the College, other than:

- a. the exchange of hospitality between persons doing business together;
- b. the normal presentation of gifts to persons participating in public functions;
- c. the normal exchange of gifts between friends;
- d. tokens exchanged as part of protocol, unless the protocol gift has value (over \$250), in which case it is to be relinquished to the College; or
- e. where the employee has purchased a ticket or was otherwise eligible to receive a prize.

4. Outside Remuneration

Employees may engage in employment with another employer, carry on a business, or receive non-College funds for personal activities, provided that:

- a. it does not interfere with the performance of their duties as public service employees;
- b. it does not bring the College into disrepute;
- c. it does not represent a conflict of interest as stated in these policies;
- d. it does not have an advantage derived from their employment as College employees;
- e. it is not performed in such a way as to appear to be an official act or to represent College opinion or policy;
- f. it does not involve the use of College premises, services, equipment, information or supplies, except as provided in this policy.

Employees seeking outside employment should also consult their respective collective agreements.

5. Workplace Relationships

5.1 Relationships with Students

- a. In all dealings with students, employees shall ensure that their own behaviour is consistent with all aspects of this policy and policy 2.13.
- b. Employees in teaching positions, or those who have influence, input or decision-making power over a student's marks, academic interests or other matters shall not be or become involved in a business or personal relationship with a student for the duration of the professional relationship or evaluative role.
- c. Employees in teaching positions, or those who have influence, input or decision-making power over a student's marks, academic interests or other matters shall be transparent with respect to familial or friendship relations.

- d. Employees in administrative positions who have input or decision-making power over a student's marks, academic interests or other matters shall not be or become involved in a business or personal relationship with a student.
- e. Employees in support positions who have input or decision-making power over a student's marks, academic interests or other matters shall not be or become involved in a business or personal relationship with a student.

5.2 Relationships with Co-workers

Employees are expected to treat others with dignity and respect in all their communications and behaviours. They are expected to contribute to a positive working environment. They are encouraged to act as ambassadors of the College and are relied upon to display personal professionalism through honest and open communication. NIC standards as regards close personal relationships with co-workers are described in Policy 2.13.

6. Confidentiality

- a. Employees are not to give out information received through their position or office that is not available to the general public, unless prior authorization is given and due diligence is paid to the institution's responsibilities under Freedom of Information and Protection of Privacy legislation.
- b. Authorization is provided by the Vice President, Student and Education Services or his/her designate only.

7. Political Activity

- a. North Island College employees are free to participate in political activities including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment. If engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities.
- b. Employees must not engage in political activities during working hours or use College facilities, equipment, or resources in support of these activities. Nothing in this paragraph is intended to preclude employees from engaging in private, informal discussions regarding political issues.

8. Legal Proceedings

- a. Employees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings, unless the affidavit has been prepared by a lawyer acting for North Island College. The requirement does not apply in circumstances where the employee, or their accredited bargaining agent, is a party to the legal proceeding in question.
- b. Employees are obliged to cooperate with lawyers defending North Island College's interest during legal proceedings. This requirement does not apply in circumstances where the employee, or their accredited or bargaining agent, is a party to question.
- c. Written opinions prepared on behalf of North Island College by legal counsel are subject to solicitor/client privilege and are therefore confidential. Employees who are permitted to review legal opinions prepared for the College shall not disclose these opinions to any other person without the prior written consent of the College.

9. Public Comment, Unauthorized Representation or Association

- a. Employees have the right to free speech and free association.
- b. The College's name must not be associated with an expression of private opinion. In a public or private presentation or protest, employees are not to leave the impression that they are speaking on behalf of the College, or that their position at the College lends validity to their private opinions.
- c. In a hearing, forum, debate or protest, employees are to make a disclaimer between their opinions and the position of the College.

- d. Departments of the College are to request prior approval from the President before entering an association with a special interest group.
- e. Employees are not to use College letterhead or forms for private use.

10. Disclosure And Reporting

- a. If an employee becomes involved in a conflict of interest situation, or a situation which could be perceived as a conflict of interest, the employee must discuss the matter with his/her supervisor as soon as possible.
- b. Employees who have reason to believe that there exists an alleged contravention of the law, a waste of public funds or assets, or a danger to public safety, should bring the matter to the attention of the Vice President, Student and Education Services, either directly or through normal supervisory channels. Where an allegation involves the President, the matter should be brought directly or through normal supervisory channels to the Board of Governors. Employees will not be subject to discipline or reprisal for bringing forward, in good faith, allegations of wrongdoing in accordance with this policy directive.

11. Responsibilities

- a. Employees have a responsibility to become familiar with, and abide by the College's policies and procedures.
- b. The College has a responsibility to ensure that employees are advised of the required standards of conduct and understand the consequences of non-compliance.
- c. Supervisors and managers have a responsibility to assist staff in the resolution of conflict of interest. They must also ensure that confidential information obtained as a result of fulfilling their duties under this policy is handled with caution and discretion.

12. Remedies and Discipline

- a. Failure to comply with the terms of this policy may result in disciplinary action.
- b. Disciplinary actions may include, but are not limited to: warning, verbal or written reprimand, suspension of privileges, suspension or dismissal as described in Policy 2.12 and NIC's collective agreements. Where the violation is determined to be of a criminal nature, the matter will be referred to appropriate law enforcement authorities.

DEFINITIONS

Conflict of Interest

"Conflict of interest" is defined as allowing another interest, especially a pecuniary interest, to interfere with responsibilities owed to the College. This includes self interest, any interests of a close friend, extended family member or business associate, corporation, partnership, or a person owed an obligation.

Special Interest Group

"Special Interest Group" is defined as a formal or informal organization of individuals or communities which has a goal of changing government political, economic, or social policy, broadly defined, as regards a particular cause or pecuniary interest.

CROSS REFERENCE

NIC Policy 2-12: Progressive Discipline: Misconduct or Inappropriate Behaviour

NIC Policy 2-13: Conflict of Interest: Breach of Trust