



Policy	#1-20
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Administrator Responsible:	President

CODE OF ETHICAL CONDUCT

POLICY STATEMENT

North Island College is committed to meeting the education and training needs of its students by providing high quality, affordable education and skills training, collaborating with our partners to create pathways to learning, and empowering individuals to achieve their full potential.

To achieve our mission and vision, all employees of North Island College are expected to exhibit the highest standards of conduct, be accountable for their actions and act in an ethical and honest manner at all times.

The requirement to comply with this Code of Ethical Practices is a condition of employment. Employees who fail to comply with these standards may be subject to disciplinary action, up to and including dismissal.

PURPOSE STATEMENT

The purpose of this Code of Ethical Practices (“Code”) is to set out the principles and standards of ethical conduct expected of all employees of North Island College. This Code applies to all employees of North Island College.

PRINCIPLES

- 1.1. Employees of North Island College have a duty of fidelity to the College and must not allow their private interests, whether personal, financial or other, to conflict or appear to conflict with their duties and responsibilities at North Island College.
- 1.2. Employees are expected to act honestly and in good faith and in the best interests of North Island College.

- 1.3. The language and conduct of employees shall reflect social standards of courtesy, respect and dignity, including a considered effort to effective communication across cultures.
- 1.4. Employees must not speak or act on, nor create the impression of speaking or acting on, behalf of North Island College in the course of speaking or acting as a private individual.
- 1.5. Employees must ensure that their interactions and relationships with other employees, students, suppliers or other individuals or organizations who engage with North Island College in any way are appropriate at all times.
- 1.6. Employees are expected to be diligent and act in a prudent manner by providing services only within the boundaries of their competence, based on their education, training, professional experience and professional development and by accurately representing, and where required by North Island College, providing proof of, their qualifications and educational/professional credentials.
- 1.7. While fulfilling their employment duties and responsibilities, employees shall act in full compliance with all applicable laws and regulations and avoid situations which may create the perception of illegal conduct and/or a casual attitude towards such compliance. If there is uncertainty or doubt in any situation, employees are expected to ask for clarification from their Designated Supervisor.
- 1.8. Employees are responsible for their personal conduct and shall not engage in conduct that disrupts North Island College operations and/or may be considered inappropriate by any reasonable standard or other College policy or law or regulation. Examples of inappropriate personal conduct includes, but is not limited to:
 - Conduct that interferes with the learning or working environment, including the delivery of instruction and/or other North Island College services;
 - Conduct that creates an atmosphere of disrespect, hostility, intimidation or discrimination (See Policy #2-08 Human Rights: Discrimination and Harassment);
 - Conduct not in keeping with common standards, protocols or regulations that relate to health and safety and proper operation of College facilities, including those utilized or operated in partnership with other parties;
 - Conduct that is violent and/or is deemed to be threatening in nature towards any other person present on College property, including facilities used in partnership with other parties;
 - Conduct that damages any North Island College property or assets;
 - Conduct that damages, or has potential to damage, the public reputation of North Island College.

POLICY DETAILS

2. Conflict of Interest

- 2.1. In general, a conflict of interest exists when employees use their position at North Island College for personal advantage or to benefit, friends, family or relatives, business associates, corporations, union or partnership, or the interest of a person to whom the employee owes an obligation.
- 2.2. Employees shall avoid all real or potential or perceived conflicts of interest in the course of fulfilling their duties and responsibilities with North Island College.
- 2.3. There are a variety of situations that could give rise to a conflict of interest, with some specific types of conflict described in detail in sections 3 through 8 of this Code. Without limitation, the following are some examples of the types of conduct and situations that would be considered to be a conflict of interest:
 - Influencing North Island College to purchase goods or services from a supplier owned by the employee's family member or relative;
 - Participating in a hiring decision by North Island College when a family member or relative is being considered for such position;
 - Utilizing their position with North Island College to gain access to information and/or solicit clients for a personal business or business operated by a family member or relative;
 - Taking advantage of information learned through their position at North Island College to pursue a business opportunity for personal gain that would otherwise be available to North Island College, unless the College has clearly and irrevocably decided against pursuing the opportunity, and the opportunity is available to the public.

3. Workplace Relationships

- 3.1. Relationships with Students: Employees in instructional roles, or who have positions in which they can influence and/or have decision-making power over a student's grades, academic interests and/or other matters, shall not become involved in a business or inappropriate personal relationship (including romantic or sexual) with the student for the duration of the time in which there is such professional relationship and/or evaluative role with the student.

This Code does not prohibit the registration of a faculty member's friends or family members in the class of the faculty member as this could create an issue of access to education in the College region for individuals. In such circumstances, it is expected that the faculty member will disclose the conflict or potential conflict to his/her Department Chair or Coordinator and exempt Designated Supervisor, and through consultation, mitigate the conflict or potential conflict. Examples of mitigation actions may include,

but are not limited to, removing the faculty member from teaching that particular course or having an alternate faculty member be responsible for the student's evaluation in that course.

- 3.2. Relationships with Other Employees: Employees must ensure that social relationships with other employees do not interfere with, or have the perception of interfering with, the effective functioning of the workplace.
- 3.3. Employees who become involved in personal relationships (including romantic or sexual) are responsible for ensuring that the relationship does not raise concerns about the abuse of power, harassment, bias or conflict of interest.
- 3.4. If an employee has a concern regarding a personal relationship, the employee should discuss it with his/her Designated Supervisor or the Director of Human Resources in order to review the concern and determine what actions, if any, need to be taken to address the concern.

4. Outside Interests and Investment Activity

- 4.1. While North Island College recognizes the right of employees to be involved in business, political and volunteer activities as individuals and citizens in their communities, such activities shall not present a conflict, or perception of conflict, between the employees' private interests and the discharge of their duties as employees of the College. Employees are expected to remain impartial and retain the perception of impartiality in relation to their duties and responsibilities with the College.
- 4.2. Employees shall not hold a significant financial interest, either directly or through a family member, relative or friend, or hold or accept a position as an officer or employee in an organization that has a material relationship with North Island College, where by virtue of his or her position with North Island College, the employee could in any way benefit the other organization by influencing the decisions of North Island College, unless the interest has been disclosed and a remedy to the conflict has been implemented.
- 4.3. Employees shall not, either directly, or indirectly through family, relatives or associates, acquire or dispose of any interest, including publicly traded shares, in any company while having undisclosed confidential information obtained in the course of their work with North Island College which could reasonably affect the value or anticipated value of such securities.

5. Outside Remuneration/Employment & Volunteer Work

- 5.1. Employees may hold jobs outside of North Island College, carry on a business, receive remuneration from public funds for activities outside of their position with the College, or engage in volunteer activities provided it does not:
 - Interfere with the performance of their duties as a North Island College employee;

- Bring North Island College into disrepute;
- Does not represent or create the reasonable perception of a conflict of interest;
- Appear to be an official act or to represent North Island College's opinion, position or policy;
- Involve the unauthorized use of work time or North Island College premises, services, equipment, supplies; or
- Gain an advantage that is derived from their employment with North Island College.

6. Entertainment, Gifts or Favours

- 6.1. Employees and their family or relatives shall not accept entertainment, gifts or favours that create or appear to create a favoured position for doing business with North Island College. Inappropriate gifts received by employees shall be returned to the donor.
- 6.2. Similarly, no employee shall offer or solicit entertainment, gifts or favours in order to secure preferential treatment for themselves or North Island College;
- 6.3. Notwithstanding 6.1 and 6.2 above, entertainment, gifts and favours may be accepted or offered by employees in the normal exchanges common to, and generally accepted in, established business relationships in which no sense of obligation is created. The following criteria should be used as a guide and employees should consult with their Designated Supervisor if they are uncertain or require further guidance;
 - The transaction must be lawful;
 - The entertainment, gift or favour is modest or of nominal value, occurs infrequently, and would be seen to be within the bounds of propriety and reasonable business and/or cultural standards taking into account the circumstances of the occasion;
 - The entertainment, gift or favor is not used for financial gain by the employee, their family or their relatives.

7. Use of College Property and Assets

- 7.1. Employees, in the course of their duties and responsibilities to North Island College, are entrusted with the care, management and cost-effective use of College property and assets, including the use of North Island College's name and intellectual property.
- 7.2. Employees may not dispose of or purchase North Island College property or assets except in accordance with policies and procedures established by the College.
- 7.3. Employees may use property and assets owned by North Island College, excluding vehicles owned by the College, for incidental personal purposes. Incidental use is use that:

- Is infrequent and of short duration (i.e. during the evening or weekend);
 - Does not impact normal College operations;
 - Follows sign-out procedures (as appropriate);
 - Does not cause North Island College to incur any cost;
 - Does not use North Island College supplies;
 - Does not expose North Island College to any risk or liability, including Workers Compensation Act and regulations;
 - Requires that the employee has received appropriate training for the property or asset that is being used prior to use;
 - Is not part of an activity which the employee does exclusively for personal remuneration or remuneration for a family member, relative or other associate;
 - Requires that the employee will return the property or asset in the same or better condition;
 - Requires that the employee will reimburse North Island College for any costs to repair or replace damaged or lost property, and;
 - Does not contravene this Code or any laws, including but not limited to, the Workers Compensation Act and regulations, including Working Alone requirements.
- 7.4. It is recognized that there may be circumstances wherein an employee may undertake activities that involve the use of College property and assets for which there may be some form of direct or indirect remuneration to the employee (i.e. exhibitor fees, research grants not directly related to College activities), but also provide a direct or indirect benefit to the College or have a not-for-profit and/or public or academic recognition/development purpose. Such activities may be considered to be appropriate incidental use of College property or assets if the use of the property or asset is authorized by the College in advance of such use via a written request to the exempt Designated Supervisor accountable for the property or asset. The College may determine that the use is not incidental as described in this Code, and may determine and charge appropriate usage fees for the use of College property or assets by its employees in such circumstances.
- 7.5. Employees are to comply with the terms of Policy #3-28: Intellectual Property with respect to the development and/or use of intellectual property in the course of their employment with North Island College.

8. Confidentiality and Protection of Privacy

- 8.1. Confidential information, in any form, that employees receive through their employment must not be disclosed, released, or transmitted to anyone other than persons who authorized to receive the information.
- 8.2. Confidential information includes, but is not limited to, proprietary, technical, operational, business, financial, or legal information about the North Island College, its employees, suppliers and contractors, and student information.
- 8.3. Employees with care or control of personal or sensitive information, electronic media, or devices must handle and dispose of these appropriately to ensure information is not lost, stolen or misused.
- 8.4. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority (Designated Supervisor or other appropriate Administrator) before disclosing, releasing or transmitting it.
- 8.5. The proper handling and protection of confidential information is applicable both within and outside the College and continues to apply after the employee's employment relationship with the College ends.
- 8.6. Confidential information that employees receive through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains.
- 8.7. Employees are to refer also to Policy #1-01: Freedom of Information and Protection of Privacy and Policy #1-05 Records Management with respect to their responsibilities in these areas.
9. **Post-Employment Restrictions** (Applies to Senior Executive Employees (SEE) Only – President, Vice Presidents and Associate Vice Presidents)
 - 9.1. If a SEE had substantive involvement in dealings with a private sector entity at any time during the year preceding the end of his/her employment then, for a year after the end of such employment he/she must not:
 - Accept an offer of employment, an appointment to the board of directors or a contract to provide services to that private sector entity;
 - Lobby or otherwise make representations for that private sector entity to North Island College; or
 - Provide counsel to that private sector entity, for its commercial purposes, concerning the programs or other interests of North Island College; or
 - Act for a private sector outside entity in connection with any ongoing proceedings, transactions, negotiations or cases in which the private sector entity and North Island College are involved:

- If the SEE, during his/her former employment with the College, acted for or advised the College concerning the proceedings, transactions, negotiations or cases; and
 - If acting for the private sector entity in that connection would result in the receipt by the private sector entity of a private or commercial benefit or of any benefit not for general application.
- 9.2. The Chair of the Board of Governors, in consultation with the Human Resources and Governance Committee of the Board, may reduce the one-year post-employment restriction upon an application from a SEE (or former SEE) of North Island College, after considering the following:
- The circumstances under which the SEE's employment ended;
 - The SEE's general employment prospects;
 - The significance to North Island College of information possessed by the SEE by virtue of the position held by the SEE with North Island College;
 - The desirability of a rapid transfer of the skills of the SEE to an employer other than North Island College;
 - The degree to which the new employer might gain unfair commercial advantage by hiring the SEE;
 - The authority and influence the SEE possessed while employed by North Island College;
 - The disposition of other cases.

10. Disclosure

- 10.1. Employees are required to disclose to their Designated Supervisor, all interests and relationships of which the employee is aware which will or may be perceived as being a conflict of interest on or before commencing employment or, in situations where the interest or relationship develops post the commencement of employment, as soon as the employee becomes aware of the conflict or potential conflict.
- 10.2. Full and voluntary disclosure enables employees and North Island College to review and resolve unclear situations and provides an opportunity to dispose of conflicting interests prior to any difficulties arising.
- 10.3. The disclosure by the employee shall be in writing and should provide fulsome and complete information about the nature, facts and extent of the conflict of interest concern.

- 10.4. If the conflict involves the employee's Designated Supervisor, the disclosure should be provided to the Director of Human Resources and Organizational Development or designate.
- 10.5. Upon receiving disclosure, the Designated Supervisor will consult with the Director of Human Resources and Organizational Development and as appropriate, with other people internal to and external to the College, and seek direction of the applicable member of the College Senior Leadership Team to address the concern. Following appropriate consultation, the matter shall be documented in full, including the substance of the conflict, a determination as to whether or not a conflict exists, the follow-up actions that are required and confirmation that the matter has been resolved, or waiver approved.
- 10.6. Employees who are concerned that another employee is in a conflict of interest or potential conflict of interest situation are required to report their concerns to the Director of Human Resources and Organizational Development who will bring the matter to the attention of the appropriate Designated Supervisor of the employee in question.
- 10.7. Where North Island College receives a complaint of a conflict of interest, per section 9.6 above, or otherwise becomes aware of a conflict or potential conflict of interest that has not otherwise been disclosed, the Designated Supervisor of the employee who is the subject of the complaint will investigate the matter and, following appropriate consultation as outlined in section 10.5 above, will make a determination of whether or not a real or perceived conflict of interest exists.
- 10.8. If it is determined through Section 10.6 and/or 10.7 above, that an employee has been involved in a conflict of interest situation or activity and has failed to previously disclose such activity, the Designated Supervisor will consult with the Director of Human Resources and Organizational Development and others in determining an appropriate remedy (if any), as well as impose, or recommend the imposition of, disciplinary action in accordance with Policy 2-12: Progressive Discipline: Misconduct or Inappropriate Behaviour.

11. Compliance, Reporting and Retaliation

- 11.1. The President is responsible for monitoring compliance with this Code.
- 11.2. Employees shall adhere to the standards outlined in this Code as a condition of employment and are expected to make themselves aware of, understand and comply with this Code, all College policies, guidelines or related legislation. Employees are to consult with their Designated Supervisor with respect to any guidance that they may require.
- 11.3. Employees who know or suspect a breach of this Code by another employee are responsible for reporting it to their Designated Supervisor, or to the Director of Human Resources and Organizational Development.

- 11.4. There will be no retaliation against any employee who, in good faith, reports a known or suspected violation of this Code, and/or provides information in relation to an investigation. However, employees who, upon investigation, are proven to have knowingly provided false accusations or knowingly provided false information during an investigation, will be subject to discipline in accordance with Policy 2-12: Progressive Discipline: Misconduct or Inappropriate Behaviour.
- 11.5. Employees found to have violated the requirements of this Code may be subject to discipline that will be addressed through relevant North Island College policies such as Policy 2-12: Progressive Discipline: Misconduct or Inappropriate Behaviour and/or relevant collective agreements or terms of employment. If the violation also involves breaking of any relevant laws of the Province of British Columbia, the matter may also be referred to the appropriate law enforcement agency.
- 11.6. Any supervisor or manager who directs or approves of a violation of the Code, or knowingly fails to report or address a violation, is also in violation of this Code and is also subject to disciplinary action.

12. Exceptions

- 12.1. Exceptions to the principles and standards outlined in this Code are expected to be rare and will only be considered in circumstances where there has been full disclosure on the part of the employee requesting an exception. Such requests for an exception must be submitted through the appropriate Designated Supervisor or Director of Human Resources and Organizational Development to the President for consideration and approval. If a request for an exception is being submitted by the President, approval must be sought and provided in writing by the Chair of the Board of Governors.

Limitations:

This Code will not interfere with the rights and obligations specified in collective agreements governing employees of North Island College, and where there is a conflict or inconsistency between a collective agreement and this Code, the collective agreement shall prevail to the extent of the conflict or inconsistency.

Legislative and Collective Agreement References: (optional)

NIC-NICFA Collective Agreement and Common Agreement
NIC-CUPE 3479 Collective Agreement

Cross Reference:

See also Freedom of Information and Protection of Privacy Policy #1-01
See also Records Management Policy #1-05
See also Human Rights: Discrimination and Harassment Policy #2-08
See also Progressive Discipline: Misconduct and Inappropriate Behavior Policy #2-12
See also Intellectual Property Policy #3-28