

Conflict of Interest Policy

Policy Owner: Vice President, Human Resources, Student Services and International

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Purpose

The [Conflict of Interest Policy](#) ("the Policy") establishes standards and procedures to ensure that employees of Cambrian College ("the College") avoid situations where private interests conflict, or appear to conflict, with the interests of the College. This policy is intended to promote integrity, transparency, accountability, and compliance with applicable legislation, including but not limited to the [Ontario Colleges of Applied Arts and Technology Act, 2002](#), the [Broader Public Sector Accountability Act, 2010](#), and applicable collective agreements.

Scope

This policy applies to all employees of the College.

Definitions

Confidential information: means information that is not generally known to the public and that, if disclosed, could result in loss or damages to the College or could give the person to whom it is disclosed an advantage.

Conflict of interest: means a potential, apparent, or actual conflict where an employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the College, or with the employee's participation in any recommendation or decision within the College.

Friend: means a person with whom an employee has a close personal relationship, including any relationship of an intimate and/or financial nature, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Immediate family: includes, but is not limited to, an employee's parents, siblings, children, spouse or individual with whom the employee is in a spousal relationship (either within or outside of marriage). This is to carry a broad-based interpretation and would include any person with whom an employee may have a bond that is analogous to the examples listed above.

Policy Statements

1. Ethical Standards

- 1.1. Employees are expected to act honestly and uphold the highest ethical standards to maintain and enhance public confidence and trust in the integrity, objectivity, and impartiality of the College.

2. Public Scrutiny

- 2.1. Employees are obligated to perform their official duties and conduct themselves in a manner that will bear the closest public scrutiny.
- 2.2. This obligation requires more than simply acting within the bounds of the law.

3. Private Interests

- 3.1. Employees should not have private interests that would be affected by College actions, other than those interests permitted pursuant to this policy, or permitted under laws or statutes.
- 3.2. Employees must arrange their private affairs and interests to prevent a conflict of interest.

4. Public Interests

- 4.1. If a conflict of interest does arise between the private interest of an employee and the official duties and responsibilities of that individual, the conflict shall be resolved in favour of the public interest.

5. Private Activities

- 5.1. Employees shall not engage in any private work or business undertaking:

- a. That is in competition, direct or indirect, with the College.
 - b. That is likely to result in a conflict of interest.
 - c. That interferes with the individual's ability to perform their duties and responsibilities.
 - d. In which an advantage is derived from their employment as an employee.
 - e. In a professional capacity that will, or is likely to, influence or affect the carrying out of their duties as an employee.
- 5.2. That involves the use of College premises, equipment, or supplies without written permission from the College and due compensation at prescribed rates. Employees must disclose any outside employment or business activity that could reasonably be perceived to create a conflict of interest.
- 5.3. Employees who wish to engage in activities external to the College during assigned work hours that in any way engages this policy must receive written permission from their supervisor.
- a. Permission will be granted only when, in the opinion of the supervisor, the activity will not interfere with the performance of the employee's duties or constitute a conflict of interest.

6. Use of College Position and Confidential Information

- 6.1. Employees shall not use, or seek to use, their positions or employment with the College to:
- a. Gain direct or indirect financial or material benefit for themselves, their friends or their immediate family.
 - b. Solicit or accept favours or economic benefits from any individual, organization, or entities known to be seeking business or contracts with the College.
 - c. Disclose any confidential information about a College undertaking acquired in the performance of duties for the College, to any person or organization not authorized by law or by the College to have such information.
 - d. Benefit directly or indirectly in return, or in consideration, for revealing confidential information.
 - e. Use confidential information in any private undertaking in which they are involved.

- f. Use students or employees, on College time, to perform personal favours or to carry out work for a campaign or organization in which the employee has a personal interest.

7. Gifts, Hospitality and Other Benefits

- 7.1. Employees must refuse gifts, hospitality or other benefits that could influence their judgement and performance of official duties.
- 7.2. Employees may accept gifts of appreciation, hospitality or other benefits associated with their official duties and responsibilities if they are considered a common expression of courtesy or within the normal standards of hospitality and do not cause suspicion about the objectivity or impartiality of the employee and would not compromise the integrity of the College.
- 7.3. This section shall be interpreted consistently with the [Broader Public Sector Accountability Act, 2010](#) and applicable expense directives.

8. Avoidance of Preferential Treatment

- 8.1. An employee shall not grant preferential treatment in relation to any official matter to any person, organization, immediate family or friend.
- 8.2. Employees must disclose any personal, financial, or other relationships that could reasonably be perceived to create preferential treatment or a conflict of interest and must advise their supervisor if such relationships arise or develop. An employee shall not hire an immediate family member or occupy a position where an immediate family member reports directly or indirectly to them.
- 8.3. A student employee may be an immediate family member of an employee; however, the student employee must not report directly to their immediate family member and may only report through an indirect reporting relationship.
- 8.4. Employees applying for supervisory positions are expected to declare any immediate family relationship with an individual they would supervise.
- 8.5. Employees in supervisory or teaching roles must inform their supervisor if a relationship develops with an individual they supervise. The supervisor will notify Human Resources, where a record of the disclosure will be retained.

9. Procurement

- 9.1. An employee shall not:

- a. help any outside entities or organizations in any transaction or dealings with the College in any way that contravenes the provisions of this policy.
- b. give confidential information associated with transactions, except as required by a transaction, to any outside entity or organization.

10. Duty to Disclose

- 10.1. An employee must disclose a conflict of interest to their supervisor in writing for review and resolution as soon as the conflict of interest arises.
- 10.2. The supervisor is to provide a copy of the conflict of interest to the Director, Human Resources for record keeping.

11. Privatization/Contracting Out

- 11.1. Applying the same principles and processes identified in the previous sections, employees involved in the privatization/contracting out of any area or function of the College, or any proposed privatization/contracting out undertaking, should not personally benefit, or have any immediate family or friend benefit, financially or materially, from the privatization/contracting out process. Benefits to such employees must be limited to wages they receive from the College for their services.

12. Failure to Comply

- 12.1. An employee who does not comply with the provisions of this policy may be subject to discipline as appropriate up to, and including, dismissal.
- 12.2. Civil action may be taken against an individual, outside entity, or organization where failure to comply with the provisions of this policy results in loss or damage to the College.

13. Protection from Reprisal

- 13.1. The College, or person(s) acting on its behalf shall not:
 - a. Dismiss or threaten to dismiss an employee;
 - b. Discipline or threaten to discipline or suspend an employee; or
 - c. Impose any penalty upon an employee if they provide information relating to an alleged conflict of interest to an appropriate employee of the College or has sought to enforce this policy through appropriate College channels.

Responsibilities and Accountability

Vice President, Human Resources, Student Services and International is responsible for:

- Ensuring the development, review, availability, and application of this policy.

Director, Human Resources is responsible for:

- Advising College administrators regarding this policy and its requirements.
- Managing the records of conflict of interests.

Supervisors are responsible for:

- Reviewing and resolving conflicts of interest as presented to them by their staff.
- Forwarding a copy of any conflict of interest to the Director, Human Resources.
- Consulting with the Director, Human Resources regarding the resolution of conflict of interests as required.

Employees are responsible for:

- Being familiar and complying with the requirements of this policy.

Procedures/Forms

- None

Related Policies

- [Code of Conduct Policy](#)
- [Procurement Policy](#)

References

- [OPSEU Academic Collective Agreement](#)
- [OPSEU Support Staff Collective Agreement](#)
- [Broader Public Sector Accountability Act, 2010](#)