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	Policy Name			
<b>Standards of Conduct</b>				
Approved by	Responsibility			Category
<b>Board</b>	<b>Board of Governors</b>			<b>Human Resources</b>
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<b>September 16, 2014</b>	<b>March 17, 2015</b>	<b>1</b>	<b>B.101; B.306; B.309; Board Policies 10,11 and 55; E.402; E.501; ARM 1061, 1062 and 1103; Respectful Learning and Working Environment Statement; S2003-5</b>	

## PURPOSE

Integrity is a core value of the BC public sector. It is a fundamental principle that at all times all public sector entities are accountable for their actions, demonstrate integrity in their behavior and general conduct of actions, and act in an honest and ethical manner. The decisions made reflect the priorities and values of government and their shareholders – the citizens of BC.

Employees will honour the trust and confidence bestowed on them by others, exhibit the highest standards of conduct, and act in the best interests of Capilano University. The honesty and integrity of the school demands the impartiality of employees in the conduct of their duties. Their conduct must not bring Capilano University into disrepute.

Employees are expected to follow these standards in their day-to-day dealings with students, customers, suppliers, fellow employees, investors, governmental agencies, other stakeholders, competitors, and with the communities where Capilano employees participate.

This Standards of Conduct policy links closely to other policies of the University and to the University's values. It is every employee's obligation to learn and understand this code and employees can discuss any questions or concerns they may have with the policy or the application of the policy with their supervisor, manager, Director/Dean, or Human Resources Advisor.

## INTEGRITY, IMPARTIALITY AND ACCOUNTABILITY

### Conflict of Interest

A conflict of interest occurs when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:

- The employee's ability to act in the public interest could be impaired; or
- The employee's actions or conduct could undermine or compromise:
  - the public's confidence in the employee's ability to discharge work responsibilities; or
  - the trust that the public places in the BC Post-Secondary System.

While the government recognizes the right of Capilano University employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their employment duties. Upon accepting a position with Capilano University, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

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Employees who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter to their supervisor, manager, Director/Dean, or Human Resources Advisor.

Examples of conflicts of interest include, but are not limited to, the following:

- An employee uses Capilano’s property or equipment or the employee’s position, office or Capilano’s affiliation to pursue personal interests or the interests of another organization;
- An employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- An employee, in the performance of duties, gives preferential treatment to an individual, corporation, or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee has an interest, financial or otherwise;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee’s employment;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, a university transaction over which the employee can influence decisions (i.e., investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments);
- An employee accepts a personal gift or benefit. (See the section on Acceptance of Gifts, Entertainment, Benefits and Favours in this document.)

### **Future Employment Restrictions**

In addition to the Standards of Conduct, the President and Vice-Presidents are required to comply with a 12 month post-employment period that restricts their acceptance of work with employers that they have had a direct business relationship with while an employee of the University (see Appendix 1 – Post-Employment Restrictions for Senior Executives).

### **Acceptance of Gifts, Entertainment, Benefits and Favours**

An employee will not accept from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of employment at Capilano University, other than:

- The exchange of hospitality between persons doing business together;
- Tokens exchanged as part of protocol;
- The normal presentation of gifts to persons participating in public functions; or
- The normal exchange of gifts between friends; or

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- An employee accepts gifts, donations, or free services for work-related leisure activities other than in situations outlined above.

The following four criteria, when taken together, are intended to guide the judgment of employees who are considering the acceptance of a gift:

- The benefit is of nominal value (less than \$50 and not in cash/credit card/coupon);
- The exchange creates no obligation;
- Reciprocation is easy; and
- It occurs infrequently.

Employees will not solicit a gift, benefit, or service on behalf of themselves or other employees.

### Personal Conduct

Employees are to treat each other with respect and dignity and must not engage in discriminatory conduct prohibited by the Human Rights Code. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment.

Further, the conduct of Capilano employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of Capilano University or the BC Public Service.

All employees may expect and have the responsibility to contribute to a safe workplace. Violence in the workplace is unacceptable. Violence is any use of physical force on an individual that causes or could cause injury and includes an attempt or threatened use of force.

Employees must report any incident of violence. Any employee who becomes aware of a threat must report that threat if there is reasonable cause to believe that the threat poses a risk of injury. Any incident or threat of violence in the workplace must be addressed immediately.

Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of the WorkSafeBC Occupational Health and Safety Regulations. Concerns under this statement may be addressed to the employee's direct supervisor, manager, Director/Dean, a Human Resources Advisor or your association's representative on the Health and Safety Committee. (See ARM 1103 WorkSafeBC Injury Reporting, and Policy E.402 Safety.)

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### **Respectful Learning and Working Environment**

Capilano University is committed to provide a respectful learning and working environment. The University's Respectful Learning and Working Environment Statement, as well as University Policy E.501 on harassment, is available on the Intranet or through Human Resources. Concerns that may constitute complaints under this statement should be addressed to the employee's direct supervisor, manager, Director/Dean, the Conflict Resolution Advisor or a Human Resources Advisor.

### **Political Activity**

Capilano University employees may participate in political activities including membership in a political party, supporting a candidate for elected office, or seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment.

If engaging in political activities, employees must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Employees must not engage in political activities during working hours or use our facilities, equipment, or resources in support of these activities.

Partisan politics are not to be introduced into the workplace; however, informal private discussions among co-workers are acceptable.

### **Service to Students and the Public**

Capilano University employees must provide service to the public in a manner that is courteous, professional, equitable, efficient, and effective. Employees must be sensitive and responsive to the changing needs, expectations, and rights of a diverse public in the proper performance of their duties. (See Senate Policy S2003-5 on faculty members and student conflict of interest.)

### **Use of Corporate Property, Including Retention of Records, Patents and Discoveries**

Faculty members should consult their collective agreement regarding patents and discoveries.

Student rights to full ownership and copyright, when applicable, to their own discoveries/works is protected by this policy. (See ARM 1062 regarding the use of equipment, ARM 1061 regarding the use of facilities, Board Policy 10 regarding the use of facilities and equipment by non-profit groups, Board Policy 11 regarding the use of facilities and equipment by employees, and the Protection of Information section of this document).

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### Allegations of Wrongdoing

Employees have a duty to report any situation relevant to Capilano University that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the Freedom of Information and Protection of Privacy Act). Employees will not be subject to discipline or reprisal for bringing forward, in good faith, to their direct supervisor, manager, Director/Dean, Human Resource Advisor, VP, President, or via the Whistleblower procedure, any allegations of wrongdoing in accordance with this policy statement. (See Board Memo 55 Protected Disclosure – Whistleblowers.)

Employees must report their allegations in writing to their direct supervisor, HR, VP, President or via the Whistleblower procedure. Acknowledgement will be given to the person making the report upon receipt of the submission, and the matter will be reviewed and responded to, in writing, within 30 days of receiving the employee’s submission. Where an allegation involves an Executive, the employee must forward the allegation to HR, an unrelated VP or President, or via the Whistleblower procedure.

These reporting requirements are in addition to an employee’s obligation to report to the Comptroller General as outlined in Section 33.2 of the Financial Administration Act.

Where an employee believes that the matter requires a resolution and it has not been reasonably resolved, the employee may then refer the allegation to a VP, the President, and/or through the Whistleblower procedure that goes directly to the Board Chair and Audit Committee Chair.

If the employee decides to pursue the matter further:

- Allegations of criminal activity are to be referred to the police;
- Allegations of a misuse of public funds are to be referred to the Auditor General;
- Allegations of a danger to public health must be brought to the attention of health authorities; and
- Allegations of a significant danger to the environment must be brought to the attention of the Deputy Minister, Ministry of Environment.

### PROTECTION OF PRIVACY

All information about an individual or company which is maintained in Capilano University record systems is privileged and confidential.

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Every individual or company whose information is contained in a Capilano University record system has a right to privacy, which must be recognized and protected to the greatest extent possible.

To ensure that the confidentiality of student, alumni, employee, customer, vendor and donor information contained in Capilano University record systems is maintained, individuals with access to such information will be required to sign a Confidentiality and Release of Information Agreement provided by the Human Resources Department.

Confidential materials should not be disposed of in regular waste containers. Confidential waste must be shredded or disposed of in “Confidential Paper – Shredding and Recycling” containers.

**PROTECTION OF INFORMATION**

**Confidentiality**

Confidential information, in any form, that employees receive through their employment must not be disclosed, released, or transmitted to anyone other than persons who are authorized to receive the information. Employees with care or control of personal or sensitive information, electronic media, or devices must handle and dispose of these appropriately. Employees who are in doubt as to whether certain information is confidential must ask their manager or the Privacy Officer for the appropriate authority before disclosing, releasing, or transmitting the information.

The proper handling and protection of confidential information is applicable both within and outside of Capilano University, and continues to apply after the employment relationship ends.

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 during or after employment with Capilano. (See the Conflicts of Interest section in this document.)

**False or Misleading Information**

Employees shall not be associated with information that the employee knows, or should know, to be false or misleading, whether by statement or omission.

**Release of Information**

Any release of information must be in compliance with this policy and in compliance with the Freedom of Information and Protection of Privacy legislation. New requests should be directed to the Privacy Officer as soon as they are received.

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### Freedom of Information and Protection of Privacy (FOIPP) Requests

All requests must be directed to the Privacy Officer as soon as received. If you are unsure whether it is a FOIPP request or not, check with the Privacy Officer. The Privacy Officer will adhere to the requirements under the FOIPP legislation and work with the Ministry in appropriately responding to FOIPP inquiries.

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## APPENDIX 1

### Post-Employment Restrictions for Senior Executives

#### Definitions

1. For the purpose of the post-employment restrictions set out below:
  - (i) “Senior Executive” means a person employed by Capilano University as President or Vice President; and
  - (ii) “Outside Entity” means a person or entity other than a public sector employer as defined in Section 1 of the *Public Sector Employers Act*.

#### After Leaving Capilano University

2. The following is a condition of a Senior Executive’s employment with Capilano University. If the Senior Executive had a substantial involvement in dealings with an Outside Entity on behalf of Capilano University at any time during the year immediately preceding the end of the Senior Executive’s employment with Capilano University then, for one year after the end of the Senior Executive’s employment, the Senior Executive must not:
  - (i) accept an offer of employment with, an appointment to the board of directors of, or a contract to provide services to, that Outside Entity, or
  - (ii) provide consulting or other services to that Outside Entity, in connection with its dealings with Capilano University.

#### Reduction of One-Year Limitation

3. The President, or the Capilano University Board of Governors if the Senior Executive is the President, may reduce a Senior Executive’s one-year restriction, upon application, after considering the following:
  - (i) the circumstances under which the Senior Executive’s employment ended;

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- (ii) the Senior Executive’s general employment prospects;
  - (iii) the significance to Capilano University of information the Senior Executive possessed by virtue of the Senior Executive’s position with Capilano University;
  - (iv) the desirability of a rapid transfer of the Senior Executive’s skills to an employer other than Capilano University;
  - (v) the degree to which the new employer might gain unfair commercial advantage by hiring the Senior Executive;
  - (vi) the authority and influence the Senior Executive possessed while employed by Capilano University;
  - (vii) the disposition of other cases.
4. The decision of the President or the Board of Governors if the Senior Executive is the President, on the application to reduce the Senior Executive’s one-year restriction shall be issued in writing within ten (10) working days of receipt of the application.
  5. If the President reduces the one-year restriction for a Vice President, the President shall report the change to the Board of Governors at the next regularly scheduled meeting.

**EXCEPTIONS**

Any exceptions to these standards may be considered and will require the approval of the President (for the Vice Presidents) or Board Chair (for President).