

	<b>CONFLICT OF INTEREST POLICY</b>	
Policy #: DRAFT	Issued: Human Resources	Reviewed/Revised: 09/18/2017
Prepared By: Human Resources	Reviewed By: XX	Approved By: XX

## 1.0 PURPOSE

The Corporation of the Town of Kingsville is committed to ensure that Town employees conduct the business of the Town in an equitable, independent, impartial and responsible manner.

## 2.0 SCOPE

This policy applies to all employees of the Municipality whether employed in a permanent, temporary, or contract capacity, including full-time, part-time, seasonal, summer students, co-op students, volunteers, and government sponsored program participants. Employees must exercise sound judgment and apply this policy in a proactive fashion to maintain the public's trust and the Municipality's objectivity and integrity.

## 3.0 DEFINITIONS

### Conflict of Interest

A conflict of interest is defined as a situation in which an employee is in a position to exploit his or her employment with the Municipality in some way to obtain a direct or indirect personal benefit.

### Employee

An employee is a member of the Town of Kingsville, local boards, and committees.

### Municipality

When referring to the Municipality, this includes the Town of Kingsville, local boards, and committees.

### Perceived Conflict of Interest

A perceived conflict of interest is a situation in which a reasonable member of the public

might believe that a conflict of interest exists where one does not.

## **Examples**

On the following page is a short list of examples of conflicts of interest, which is not intended to be exhaustive or all inclusive:

1. Where an employee makes a personal bid on the sale of municipal property or goods, except in circumstances where the property or goods are being disposed of at public auction.
2. Employees or family members living within their household sell goods, materials or services to the Municipality. An exception may be made with the approval of the Chief Administrative Officer (CAO) to secure services from an employee outside the regular hours of employment on a fee for service basis, provided the opportunity is made available on an equal basis to other persons.
3. Where an employee may influence the decision of the Municipality in dealing with a company or person which conducts business with the Municipality, when the company or person is largely owned or controlled by an employee or an immediate relative, or in which the employee may have an interest.
4. Where an employee may influence the decision of the Municipality in respect of a particular company or person which is applying to the Municipality for a loan, grant or other advantage, when the employee has a significant responsibility in the affairs of the applicant (i.e. the employee is a trustee of land or other property).
5. Ownership by an employee of land or their property where a property value may be influenced by the employee.
6. When an employee solicits or accepts a gift, present, favour or the materiality of, placing the employee under obligation to the donor.
7. When members of an employee's immediate family receive personal benefit as a result of the position of the employee.

## **4.0 REFERENCE DOCUMENTS**

Employee Policy and Procedure Book

## **5.0 PROCEDURE**

The following procedure have been developed in accordance with the Town of Kingsville practices:

1. Employees owe a duty of loyalty to the Municipality and to the public whom they serve.
2. Employees may not use their position of employment to obtain a direct or indirect personal benefit.
3. Avoiding and preventing situations that could give rise to a Conflict of Interest, or a Perceived Conflict of Interest, is a primary means by which employees maintain the confidence of the public whom they serve.

4. Being in a Conflict of Interest is not improper in itself. Depending on the employee's position and responsibilities, a Conflict of Interest may occur without any wrongdoing on the part of the employee.
5. Employees have the obligation to disclose a discovered Conflict of Interest or a Perceived Conflict of Interest immediately to their supervisor. It is not the responsibility of the Municipality to discover a Conflict of Interest or a Perceived Conflict of Interest.
6. A Perceived Conflict of Interest should be avoided in order to maintain the confidence of the public. Therefore Perceived Conflicts of Interest will not be permitted unless reviewed and approved in accordance with this policy.

## **Disclosure and Consequences**

If an employee believes that there is a potential for real or perceived conflict, then that employee must make prompt and full disclosure in writing to their supervisor.

In the case of the CAO, full disclosure in writing must be submitted to the Personnel committee for review.

Employees who use their position of employment to obtain a direct or indirect personal benefit will be subject to disciplinary action being taken, up to and including possible discharge for cause.

Employees, who fail to disclose a Conflict of Interest, or a Perceived Conflict of Interest, may face disciplinary action, up to discharge for cause.

## **Representing Others**

An employee shall not act or advocate for or represent any person or entity other than the Municipality, in any court proceeding or other adversarial proceeding, in which the Municipality is a party or participant. This prohibition includes an employee representing the employee's family members in any such proceeding. This does not preclude any employee from representing themselves.

This prohibition does not prevent an employee of the Municipality from commencing or participating in proceedings against the Municipality in accordance with the employee's duty to comply with or enforce any laws, regulations or bylaws even if the subject of such enforcement action is the Municipality.

## **Disclosure of Confidential Information**

Employees must use utmost care and discretion in the handling of confidential or privileged information and other information coming to them by reason of employment, and such information shall not be used for personal benefit of family, friends or associates. Employees are not to discuss or pass on information unless the exchange is necessary for a specific business purpose of the Municipality.

An example of disclosing confidential information may be the announcement to a family member or colleague the sale date of pending lands/equipment and expected purchase price (insider information).

## Filing

Once issues have been dealt with all notices are to be forwarded to the Human Resource Manager, for filing in the appropriate employee's personnel file. A copy will be provided to the employee and the employee's supervisor.

### 6.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Questions about this policy can be referred to the Human Resources Manager