

# **HR 110 CODE OF CONDUCT**

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## **1. Principle:**

This policy sets minimum expectations for the behaviour of Library Personnel in performing their duties.

## **2. Scope:**

This policy applies to all Personnel.

## **3. Definitions:**

**CEO** is the Chief Executive Officer of the Library

**Confidential Information** is any personal information, and any information that could reasonably harm the interests of individuals or organizations, including the Library.

**Board** means the Trustees of the Library.

**Personnel** means full-time, part-time, temporary or contract employees or contract employee of the Library and its volunteers.

**Library** means the County of Prince Edward Public Library.

## **4. Policy:**

### **Section One: Key Principles**

#### **1. Integrity**

Personnel must uphold the highest standards of ethical behaviour and are expected to:

- make decisions that benefit the community;
- act lawfully and within the authorities of the Library Act, other applicable legislation and Library policies;

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## **Section One: Key Principles, Continued:**

- exercise reasonable care and diligence in performing their duties; and
- be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests.

### **2. Accountability**

Personnel must answer for the responsibility that has been entrusted to them including acts of commission and omission. Decision-making processes must be transparent and are subject to public scrutiny. Ensuring that proper records are kept and audit trails are in place, is essential.

### **3. Responsibility**

Personnel must act within the law including the Library Act and observe this Code of Conduct. This means disclosing actual or potential conflicts of interest relating to their public duties and taking steps to resolve any conflict for the protection of the public interest; following the letter and spirit of policies and procedures; and exercising all conferred power strictly for the purpose for which the powers have been conferred.

### **4. Respect**

Personnel must conduct public business efficiently, with decorum and with proper attention to the community's diversity. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision making.

## **5. Openness**

Personnel have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered; encouraging appropriate public participation; communicating clearly; and providing appropriate means for recourse and feedback.

### **Section Two: General Conduct**

#### **1. Staff must avoid conduct that:**

- Contravenes the law, including, without limitation, the Ontario Human Rights Code, the Library Act, Municipal By Laws, associated regulations, and Library policies;
- Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others;
- Prejudices the provision of a service or services to the community;
- They think may be unethical or unlawful.

#### **2. Should there be uncertainty about any issues around a conduct or a decision, Personnel should consider the following:**

- Is the conduct or decision lawful?
- Is the conduct or decision consistent with Library policy, the Library Act, the Library's objectives and the Code of Conduct?
- Will the outcome of the decision or conduct provide a private benefit for the individual, family, friends or business interests?
- Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

### **Section Three: Handling of Information**

1. Personnel must act in accordance with all relevant legislation and Library policies relating to confidentiality and:
  - Protect information that is specifically marked confidential and other material understood to be confidential in nature;
  - Refrain from discussing/disclosing any Confidential Information with/to other staff, or with persons outside the organization except as authorized;
  - Take reasonable care to prevent the examination of confidential material by unauthorized individuals;

### **Section Three: Handling of Information, Continued**

- Not use Confidential Information with the intention to cause harm or detriment to any person or body;
- Only access information needed for Library business;
- Only use Confidential Information for the purpose it is intended to be used; and
- Not disclose deliberations, decisions, resolutions or contents, including how any individual Board member voted, from an in-camera meeting of the Board until a corporate decision has been made for the information to become public;

Except in the normal course of duties, Personnel must not in any way change or alter Library records or documents.

When dealing with personal information, staff must comply fully with the provisions of the Freedom of Information and Protection of Privacy Act. All reasonable and necessary measures must be taken to ensure that the personal or private business information of individuals is protected. Personal information is information or an opinion about a person whose identity is apparent, or can be determined from the information or opinion.

## **Section Four: Conflict of Interest**

- 1.** Personnel must be free from undue influence and may not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or business interests.
- 2.** A conflict exists when an individual is, or could be, influenced, or appear to be influenced, by a personal interest, financial (pecuniary) or otherwise, when carrying out their employment duties. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgment, closed, mindedness or undue influence. When considering whether or not a conflict of interest exists, it is important to consider whether there are any grounds for a reasonable person to think that a conflict exists.
- 3.** Personnel must fully disclose to the CEO any direct or indirect pecuniary interest or any bias or undue influence with respect to any matter they are dealing with as soon as practicable.
- 4.** When Personnel are uncertain whether a conflict exists, the situation must be immediately presented the CEO for guidance.
- 5.** Examples of conflicts that may be encountered by Personnel include but are not limited to:
  - Obligation to others: A situation where Personnel may be under obligation to someone who has business dealings with the Library, and who would benefit from special consideration or treatment.
  - A situation where Personnel may gain a special advantage because of their position or when the Library is disadvantaged as a result of other interests.
  - Library owned equipment, material, time or property may only be used in accordance with Library policy, or as specifically authorized by the CEO.

- Advantage of discounts/rebates on personal purchases from suppliers having an existing business relationship with the Library, may only be taken where those suppliers offer the same discounts/rebates to the general public or those discounts/rebates are offered to staff of other large employers (public and private) on a no-strings-attached basis. Exceptions to this provision are to be approved by the CEO.
6. Personnel must not expect or request preferential treatment for themselves or their family or friends because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking or have obtained preferential treatment.
  7. Personnel who are considering outside employment, contract work or any business or undertaking that relates in any way to the business of the Library or that might conflict or appear to conflict with their duties to the Library must notify and seek the approval of the CEO in writing.

In dealing with such requests, the Chief Librarian must not unreasonably withhold approval except where such employment is deemed to be inappropriate or present a high probability of the existence or appearance of a conflict.

Before Personnel engage in outside employment or business they must ensure that it will not:

- Conflict or appear to conflict with official duties;
- Interfere with Library work;
- Involve the use of Confidential Information or resources obtained through their work for the Library;
- Require work during Library work hours;
- Discredit or disadvantage the Library or the Board; or
- Result in their holding any property or interest which may be in conflict with the employee's duties to the Library.

## **Section Five: Political Activity**

- 1.** Personnel enjoy broad political freedoms and should be able to engage in democratic politics with few restrictions. However, such broad freedoms must be exercised so as not to call into question their ability to perform their employment duties in a professional and impartial manner.
- 2. “Political Activity”** is applicable to the civic, regional, provincial, and national elections and includes:
  - carrying on any activity in support of, within, or in opposition to a political party;
  - carrying on any activity in support of or in opposition to a candidate before or during an election period; or
  - seeking nomination as or being a candidate in an election before or during the election period.
- 3.** Personnel must maintain the principle of political impartiality in the public service. This precludes displaying slogans or symbols supporting a particular party or candidate while at work where their duties may reasonably require them to interact in person with the public or where their duties require them to supervise, schedule or assign work to others.
- 4.** The CEO shall not engage in any public political activity other than voting in an election.

## **Section Six: Gifts and Personal Benefits**

- 1.** Gifts and personal benefits are items or services of value that are received for personal use. Gifts and personal benefits include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewelry, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, and invitations to social functions organized by groups or community organizations.

2. The following are not considered to be gifts or personal benefits for the purposes of this policy:

- Compensation authorized by law,
- Reimbursement by the Library for out-of-pocket expenses incurred for authorized travel, living and accommodation expenses associated with attendance at an event.

3. What gifts and personal benefits may or may not be accepted?

- Staff must not, directly or indirectly, accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the Library.
- Staff may accept a gift or personal benefit that meets both of the following criteria:
  - It has a value of \$50 or less (cumulative for a calendar year); AND
  - Is received as an incident of protocol or as a Library representative on activities such as when acting at speaking engagements, technical presentations, business meetings and social obligations reasonably related to their role with the Library.
- Notwithstanding the above, Personnel must never accept a monetary gift (for the purpose of this policy, gift cards constitute a monetary gift); and
- Must never accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest.

- Personnel must take all reasonable steps to ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to subvert this policy or to influence or secure a favour from the employee. Immediate family members include parents, spouses, children and siblings.
- Exceptions to this policy must be approved by the CEO. Exceptions to the policy involving the CEO must be approved by the Chair of the Library Board.

### **Section Seven: Interactions of Board of Trustees and staff**

1. The Board of Trustees is responsible for oversight of the Library in accordance with the Library Act and other legislation.
2. The CEO is responsible for the efficient and effective operation of the Library organization and for ensuring the implementation of the decisions of the Board.
3. Personnel should seek the advice and approval of the CEO prior to responding to a direct request from a Board member, except where the request is minor or of a day-to-day operational nature.
4. Personnel are expected to provide information and professional advice through regular Library processes and not to lobby Board member(s) on any matter.
5. Personnel must not make public statements unfairly attacking or reflecting negatively on the Library, individual Board members or other Personnel.
6. The CEO is to be equally helpful to all Board members, and should avoid close alliance, or the appearance of close alliance, with any particular member. Information and advice is to be

provided as requested, within the limitations of this document.

7. Significant information provided to any member of the Board, which is likely to be used at the Board or in political debate, must also be provided to all other Board members.

### **Section Eight: Breaches, Complaint Handling and Disciplinary Action General**

1. Personnel must abide by the requirements of the Library Act and this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.
2. Alleged breaches of this Code of Conduct shall be reported in writing to the CEO. Alleged breaches of this Code of Conduct by the CEO shall be reported in writing to the Chair of the Library Board.
3. Breaches of this Code of Conduct by exempt staff will be handled through the CEO in accordance with current employment law. The CEO will review alleged breaches, make any necessary inquiries and determine appropriate disciplinary action, if any. Alleged breaches by the CEO will be reviewed by the Board Chair.