

	POLICY TITLE	CATEGORY	
	Conflict of Interest Policy	Human Resources	
	APPROVING BODY OR POSITION	APPROVAL DATE	
	Manager, Human Resources	February 2018	
<th colspan="1">PRIMARY LEGISLATION / REGULATION REFERENCE(S)</th>			PRIMARY LEGISLATION / REGULATION REFERENCE(S)
<ul style="list-style-type: none"> • Corporations Act of Ontario, R.S.O. 1990 • Guided by: Broader Public Sector Accountability Act, 2010 			

POLICY

Personal integrity, honesty, diligence and commitment are among Family Day's core values. These values imply that each employee is required to act in the best interests of Family Day and refrains from any conduct or activity that is actually or potentially detrimental to the well-being of Family Day, or that may be so perceived.

Family Day fully acknowledges and appreciates the desire of parents, caregivers and others to recognize the quality of service our employees provide. However, to avoid conflicts of interest, the perception of preferential treatment and to continue to ensure that all staff, parents and children are treated with fairness, Family Day staff will neither seek nor accept personal gifts, money or other benefits from caregivers, external partners or suppliers.

Purpose

The purpose of this policy is to provide guidelines which may be changed from time to time to promote understanding of what is considered acceptable and unacceptable conduct and behaviour and to encourage a consistent approach to disclosure throughout the agency.

Scope

This policy applies to all Family Day employees and is particularly relevant to employees who are in a position to make or influence business-related decisions of the agency.

Definitions

A conflict of interest refers to a situation in which a reasonable person could conclude that personal or private interests or personal considerations may affect or influence an employee's judgment in performing their duties and/or acting in the best interest of Family Day. It includes using an employee's position, confidential information or agency time, material or facilities for private gain or advancement or the expectation of private gain or advancement. A conflict may occur when an interest benefits any member of the employee's family, friends or business associates.

Examples of conflict of interest situations include:

- Engaging in any outside work or business activity that conflicts with your duties as Family Day employee.
- Borrowing money from a supplier, customer or competitor.
- Receiving gifts or favours, particularly in situations in which business judgment may be influenced.
- Transacting with a supplier, customer or competitor out of the ordinary course of Family Day business.
- Failing to advise Family Day of a situation in which the employment of a relative would impact the agency (for instance you could not supervise a relative).
- Being a relative of an individual who is employed by or involved with a business which seeks to do business with Family Day or does business with Family Day.
- Being involved with or investing in a business which is competitive to the business conducted by Family Day.

- Being retained by another company or organization, whether on a consultancy or part-time basis, to advise on business similar to that which is being transacted by Family Day.
- Direct or beneficial ownership of an interest in the securities of a supplier, customer or competitor, except in the case of an investment representing less than 1% of the outstanding securities of a publicly traded corporation.
- Supplying goods and services to Family Day via a business controlled by the employee or an immediate family member.
- Engaging during working hours in activities which are not directly related to and/or required in the performance of duties on behalf of individuals, associations or other companies with or without remuneration, that deprive Family Day of the employee's services. Exceptions may be made on a specific and irregular basis with the express approval of the Manager.
- For employees and members of their immediate family, accepting from or being a party to giving gifts or favours to anyone with whom Family Day is doing or negotiating business. However, this is not intended to prohibit normal and widely accepted ethical business practices such as business meals and receptions, including token mementos or gifts of nominal value (\$10.00, coffee mugs) from or to individuals or firms with which Family Day does business.

Responsibility

Each employee is responsible for observing rules of conduct that are normally accepted as reasonable standards in a business and/or a not-for-profit organization.

The Chief Executive Officer, Directors, Managers, and/or Supervisors are responsible for counselling employees promptly when their conduct or behaviour is inconsistent with the intent of this policy.

Procedure

Any employee who suspects or believes that he or she is involved in or may become involved in a Conflict of Interest must immediately disclose such Conflict of Interest fully and accurately to the Director, Development & Programs. The Confidential Declaration of Interest Questionnaire, shown in APPENDIX A to this policy, shall be used for this purpose.

The Director, Development & Programs shall investigate the disclosure and seek legal counsel, if appropriate, regarding what steps should be taken as a result of the conflict of interest.

The Director, Development & Programs in collaboration with the Director, Human Resources shall ensure that the Confidential Declaration of Interest Questionnaire (APPENDIX A) is completed by the incumbent(s) of the positions specified in APPENDIX B on their accession to any of those positions and at least once a year thereafter.

Receiving Token Gifts

Children and families often acknowledge staff on special occasions with token gifts of appreciation. Token gifts in the range of \$10.00 may be received by staff.

Family Day fully acknowledges and appreciates the desire of parents, caregivers and others to recognize the quality of service our employees provide. However, to avoid conflicts of interest, the perception of preferential treatment and to continue to ensure that all staff, parents and children are treated with fairness, Family Day staff will neither seek nor accept personal gifts, money or other benefits from caregivers, external partners or suppliers.

Staff Working Outside of Family Day

Family Day staff may not engage in any outside work or business activity that conflicts with your duties as Family Day employee.

In cases where such outside activity exists or arises, it is the responsibility of you, the employee, to inform, seek guidance and approval from your Manager/Supervisor.

This is to ensure that no real or perceived conflict exists between outside activities and the mandate and operations of Family Day.

Family Day will review issues including, but not limited to, whether the activities:

- affect the hours of work outlined for each employee in their employment contract
- are conducted during working hours of Family Day
- are appropriate given the working relationship between parties involved.

Member of a Board of Directors

Family Day recognizes that an employee may be asked to serve as a director on the board of a company or of a trade, business or professional association or society. Family Day, in principle, is in favour of an employee becoming a director of such an organization provided that it does not create any conflict with or prejudice the interests of Family Day and provided that such activity does not unduly restrict the time that the employee should be devoting to his/her employment with Family Day. Prior to accepting any such position, an employee must obtain approval from the Manager/Director responsible for his/her group and the Chief Executive Officer.

Political Advocacy/Activity

Family Day acknowledges that an employee may wish to become involved in political activities at the municipal, provincial or federal level and that this involvement may result in a request for an adjustment to their normal work schedule, occasional unremunerated time off or a leave of absence. Family Day encourages such activities provided they do not create a conflict of interest for either the employee or Family Day and provided the activities are carried out within the democratic traditions of our society.

Fundraising

Fundraising is an integral part of a not-for-profit organization. Fundraising for Family Day where the proceeds benefit specific Family Day programs, families and other charitable organizations (for example, United Way) is not seen as a conflict of interest.

Failure to Report a Conflict of Interest

An employee who becomes aware of a Conflict of Interest or a potential Conflict of Interest and fails to immediately report that conflict is subject to discipline.

Depending on the severity of the conflict or potential conflict, an employee who fails to report a Conflict of Interest may also be terminated for “cause” without notice or compensation in lieu thereof.

Acknowledgement of Activities

A copy of this policy shall be provided to each employee on his or her first day of employment with Family Day. Each new employee will sign an Employee Conflict of Interest (APPENDIX B) indicating they have read, understood and agree to abide by the intent of the Conflict of Interest Policy.

Members of the Management Team will be required at intervals (to be determined) to sign a Confidential Declaration of Interest questionnaire.

Signed agreements will be held in the employee’s Human Resources file.

The guidance and examples do not exhaust the possibilities for conflict of interest, but they identify some obvious situations covered by the policy.

See: APPENDIX A: Confidential Declaration of Interest Questionnaire
APPENDIX B: Employee conflict of Interest



Positions Requiring a Confidential Declaration of Interest Questionnaire to be Completed Annually:

- Chief Executive Officer
- Director, Development & Programs
- Manager, Finance
- Manager, Human Resources
- Manager, Marketing & Communications
- Manager, Operations
- Manager, Training
- Program Managers
- IT Systems Administrator
- Centre Supervisors
- Assistant Supervisors
- Human Resources Generalist
- Human Resources Administrator
- Child Care Services
- Administrative Assistants

Complete and return this Questionnaire to the Director, Development & Programs

Where a potential conflict of interest existed at any time during the time period shown in items 2 and 3 (below) or now exists, provide full details in the space below as to the nature of the situation or relationship giving rise to that conflict. Use additional pages, if necessary. If the potentially conflicting situation has changed during the year please indicate the nature of such change.

INITIAL ONLY THE STATEMENTS BELOW WITH WHICH YOU AGREE

**Employee
Initials**

- | | | |
|----|---|-------|
| 1. | I have read and understood Family Day's Policy and Procedure concerning Conflicts of Interest | _____ |
| 2. | I am aware of no such conflicts as of _____
(mm / dd / yyyy) | _____ |
| 3. | I am aware of no such conflicts during the last twelve (12) month period preceding the date shown in paragraph 2. | _____ |
| 4. | I am reporting a Conflict of Interest as shown below. | _____ |
| 5. | I undertake to inform you of any changes to the above. | _____ |

NOTE: Your signature will attest to knowledge gained by you in any position held throughout the period covered by this questionnaire.

Staff Member's Signature: _____

Printed Name: _____

Job Title: _____

Date: _____



Employee Conflict of Interest Statement

It is the Board of Directors' and Family Day's expectation that employees will not engage in or have a financial interest, directly or indirectly in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities.

- I have received a copy of Family Day's Conflict of Interest Policy.
- I have had the opportunity to read, clarify and understand the Conflict of Interest Policy.
- I understand that any misrepresentation made by me in connection with this Conflict of Interest Policy will be just and sufficient cause for separation from Family Day.
- I agree that I will abide by the Conflict of Interest Policy and that I do not have a conflict of interest with Family Day.

Staff Member's Signature: _____

Printed Name: _____

Job Title: _____

Date: _____

Witnessed: _____

To be retained in the employee's Human Resources file.