



DIVISION: FINANCE AND BUSINESS ADMINISTRATION
Policy #: FIN-405

POLICY NAME
CONFLICT OF INTEREST

POLICY STATEMENT

It is expected that any employee acting on behalf of the Newfoundland and Labrador English School District (NLESD) will act with the best interest of NLESD as his or her priority and will not be influenced by personal interests. NLESD must deal with real or perceived conflict of interest situations in an open, fair, consistent, and practical manner.

BACKGROUND

NLESD recognizes that employees may be engaged in a number of professional and personal interests. These interests may include such things as his or her employment with NLESD, other paid employment, roles as family members, memberships, other business interests, and volunteer roles. There may be times when these roles will lead to conflicting priorities. Employees of NLESD are expected to adhere to the highest standards of behaviour and to conduct themselves with personal integrity, honesty, ethics, and diligence in the performance of their employment duties.

A conflict of interest does not imply wrongdoing and nor does it preclude involvement of the employee. The existence of a conflict of interest situation does require that the conflict be disclosed and either allowed and managed or disallowed from occurring. Any decision surrounding a conflict must be documented accordingly.

The intention of this policy is to establish parameters, expectations, and procedures to employee conduct regarding conflict of interest situations.

SCOPE

This policy applies to all employees of the NLESD, including executive, management and all full-time, part-time and casual employees.

DEFINITIONS

Conflict of Interest: A situation where there is a potential divergence between an employee's personal interest and professional obligation/responsibility to NLESD in which an independent observer would reasonably question whether the employee's behaviour or decisions are motivated by personal interest (financial or otherwise). A conflict of interest may be **real** or **perceived**.

Real Conflict: When a known personal interest exists that has a connection to his/her District duties that may influence how he/she exercises these duties.

Perceived Conflict: When a known personal interest exists that has a connection to his/her District duties that could appear to influence how he/she exercises these duties.

Family Member: A person who is related to an employee by blood or adoption or is related to the employee by marriage or common-law marriage. Specifically, this would include an employee's husband, wife, common-law partner, fiancé/fiancée, in-laws, child, grandchild, sibling, niece, nephew, aunt, uncle, and first cousin. This includes step, foster and guardian relationships.

POLICY DIRECTIVES

1. All employees have a duty and responsibility to assess his/her own interest and involvement in activities and to disclose any real or perceived conflicts of interest.
 2. Employees are not to participate or be involved in an area that involves a real or perceived conflict of interest unless this conflict of interest has been disclosed and proper approvals are obtained.
 3. Any employee who has reason to believe that an undisclosed conflict exists with another employee has a responsibility to disclose the conflict with their immediate supervisor.
 4. Employees shall avoid placing themselves in situations where their personal interests actually or may perceive to conflict with the interests of NLESD.
 5. Employees shall not use or supply information that he/she has acquired as the result of his/her official capacity with the District, for his/her own or someone else's personal or financial gain.
 6. Employees as well as firms, businesses, corporations or associations where an employee has a personal interest, shall only sell supplies, equipment or services to the District when such sales or purchases are conducted through the Public Tender process of obtaining competitive bids and the provision of the supplies, equipment or services does not conflict with the employee's employment with NLESD.
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7. Employees shall not promote for direct or indirect compensation any materials or services related to curriculum delivery (e.g., books, learning materials, training) in which they have a personal interest.
8. Employees shall not initiate, approve, or authorize purchases in situations where the employee has a real or perceived conflict of interest. This includes involvement in the request for quote and tendering processes. Real or perceived conflicts could include business interests owned by family members or prior business relationships.
9. Employees who are responsible for hiring staff shall declare a conflict of interest and excuse themselves from any step of the recruitment, retention or remuneration process, including reclassifications, when a family member applies for a position.
10. Employees who supervise a family member must disclose this relationship and shall not approve overtime or expense reimbursements (including travel) for that employee. These approvals must be obtained from a designated alternate.
11. Employees shall not receive additional benefits or rewards as a result of employment with NLESD. Particularly:
 - a) Employees shall not accept monetary or other gifts or favours from current and/or potential suppliers, contractors and other third parties having business relationships with the District, other than those of nominal value presented as a matter of hospitality.
 - b) Employees shall not obtain personal rewards (e.g., Air Miles, Aeroplan, Yay! Cards, etc.) in the form of points or monetary benefits awarded on transaction incurred on behalf of NLESD, such as travel, fuel or other purchases.
12. Employees shall not use or lend Board-owned property of any kind (including facilities and/or materials) for activities not associated with their official capacity as an employee with the District. This excludes facilities rented with a rental agreement following *Community Use of Schools* policy (OPER-602).
13. Tutoring: It is not appropriate for teachers to accept compensation for tutoring students enrolled in their school. In extenuating circumstances, exceptions can be requested in writing to the Director of Education or his/her designate for consideration and approval.
14. Any NLESD employee that fails to comply with the terms of the NLESD's *Conflict of Interest* policy may be subject to disciplinary action, up to and including dismissal.