



CONFLICT OF INTEREST – FAMILIAL RELATIONSHIPS

Background

A conflict of interest arises where an employee's private interest affects the discharge of their duties with the district. This procedure sets out how employment of relatives and working relationships will be managed to prevent actual, perceived, or potential conflicts of interest. The district complies with all aspects of the BC Human Rights Code and does not discriminate in its hiring practices on the grounds of family status or relationship. This procedure is not to prohibit the employment of relatives. It outlines the procedure that must be applied in circumstances involving familial or intimate personal relationships that could potentially result in conflict of interest.

Definitions

- A Familial Relationship Any person who is a spouse, child, sibling, parent or grandparent of the employee or is related by marriage and includes in-laws, individuals who were previously married and who are presently divorced, or whose relationship with the employee is similar to that of persons who are family members, including foster parents or wards, those who permanently cohabitate together, or are in an intimate relationship.
- A Real Conflict of Interest Exists where an employee's actions or conduct could undermine or compromise confidence in the employee's ability to discharge work responsibilities. This can exist without willful wrongdoing and without evidence that an employee's judgment was, in fact, affected.
- A Potential Conflict of Interest Arises where an employee has private interests such that, while no conflict of interest has yet arisen, a conflict of interest would exist were the employee to become involved in discharging workplace responsibilities in the future that could be influenced by the relationship with a relative.
- A Perceived Conflict of Interest Can be said to exist where an employee's relationship interests would appear to a reasonable person to conflict with their job duties even though there may not be an actual conflict of interest.

Procedures

1. Public confidence in the impartiality, independence, and integrity of district employees is essential for the proper administration of district affairs. To maintain this confidence, employees must not participate in activities that may or will conflict with their obligations to the district. Employees who are uncertain if there is a conflict of interest are expected to ask for direction from their supervisor.
2. It is every employee's responsibility to review and understand this operational procedure. Conflicts may include, but are not limited to, hiring decisions, promotions, renewal of contracts, performance evaluation, disciplinary procedures, salary considerations, and respect for confidentiality.

3. It is the responsibility of employees and/or employment applicants to declare whether they have a familial relationship to any other employees and to disclose the nature of the relationship.
4. Employees are to notify their managers of their relationship to other employees or to candidates for employment. The manager will in turn notify human resources.
5. When employees are in a familial relationship (as defined in the background of this procedure) and members of different employee groups (i.e., CUPE 723, CRDTA, CRPVA, or excluded staff) an employee must ensure that privileged or confidential information shared by the union or management not be shared with the other relative(s). Employees with access to information must make every reasonable effort to ensure that confidentiality of that information is upheld.
6. Due to the potential for conflicts of interest, the appointment of someone in a familial relationship with a current employee to the same school/department is discouraged. Such appointments should not occur in circumstances where one member of a family would exercise any form of supervision or direct influence over the other person.
7. If such an appointment as outlined in point 6 is necessary, then the following is applicable:
 - 7.1. Such appointment requires prior declaration to the superintendent as outlined in point 3.
 - 7.2. The supervisor in the relationship containing the conflict of interest will not be the sole decision-making authority with respect to the immediate relative. That supervisor will prepare a proposal for the consideration of their immediate supervisor where approval may or may not be granted; and
 - 7.3 In cases where a supervisor is involved, these issues should be discussed with the appropriate superintendent, but the supervisor remains responsible for maintaining the fair and equitable application of procedures.
8. Even when an actual conflict of interest does not exist, employees are expected to be careful of conduct that may give the perception of a conflict of interest. Employees unsure as to whether a conflict exists are to discuss the matter with their supervisor.
9. This operational procedure applies to all district employees. Failure to meet these district requirements may result in discipline or dismissal.

Revised: November 2023