

Code of Conduct
for
ALBERTA ANTI-RACISM ADVISORY COUNCIL

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CODE OF CONDUCT

I. Preamble

The Code of Conduct (Code) for *Alberta Anti-Racism Advisory Council* (Council) applies to all members. The Code reflects a commitment to the Council's values and provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the Council. Members are expected to behave in a way that aligns with this Code and in accordance with the Conflict Of Interest Act (COIA). This Code does not cover every specific scenario. Therefore, members must use the spirit and intent behind this Code to guide their conduct, and exercise care and diligence in the course of their work with the Council.

To demonstrate commitment to transparency and accountability, this Code is available to the public on the Council's website.

II. Definition of terms

- a. "Code" means this Code of Conduct and Ethics for the Alberta Anti-Racism Advisory Council, as amended from time to time.
- b. "Council" refers to the Alberta Anti-Racism Advisory Council
- c. Members include all individuals serving on the Council as appointed by Ministerial Order, including Co-Chairs.
- d. The "Code Administrator" for the Co-Chairs is the ADM who oversees the Council, who receives disclosures from the Co-Chairs and responds to an allegation that the Co-Chair has breached this Code.
- e. The "Code Administrators" for the Council members are the Co-Chairs of the Council, who receive disclosures from the members and respond to an allegation that the member has breached this Code.
- f. "Co-Chairs" refers to the people as appointed as Co-Chairs by Ministerial Order, to lead the Council.

III. Core Values

The Advisory Council's work is guided by the Alberta Public Service values of Respect, Accountability, Integrity and Excellence. The Core Values have been expanded beyond what is articulated in the Terms of Reference, to provide clear definition of these terms.

Respect – We foster respect by contributing to an environment in which each individual is valued and heard and by treating others as we wish to be treated.

Accountability – We take accountability by being responsible for our actions, contributing to a positive and collaborative work environment and effectiveness of the public service, and by continuously developing our own and others' competencies.

Integrity – We demonstrate integrity by modelling the way and behaving ethically with open, honest communication to build working relationships based on trust.

Excellence – We achieve excellence through continuous improvement, developing leadership at all levels, and embracing innovation and risk-taking.

IV. Application

- a. This code applies to all members of the Council.
- b. Conflicts between the private interest of members and their duty to the public not specially addressed in this Code must be dealt with according to the principles and intent of the Code.

V. Guiding Principles

These principles guide the behaviour and decisions of members:

- a. The actions and decisions of Members are made to promote the public interest and to advance the mandate and long-term interests of the Council.
- b. Members are responsible stewards of public resources.
- c. To serve the public interest, members have a responsibility to uphold the Council's mandate.
- d. Members have a responsibility to act in good faith, to place the interests of the Council above their own private interests, and must at all times act impartially in carrying out their Council duties.
- e. Members behave in a way that demonstrates that their behaviour and actions are fair and reasonable in the circumstance.
- f. Members must not act in self-interest or further their private interests by virtue of their position or duties on the Council. Members, though, enjoy the same rights in their private dealings as any other Albertan, unless their private dealings cause a real or apparent conflict of interest or are performed in a way to appear to be an official act of the Council or to represent the Council's opinion or policy.
- g. When a member, as an individual, is subject to more than one code of conduct, the member must consider the expectations in all. Members understand that this Code is not intended to conflict with other Codes of Conduct, and will discuss any potential conflicts with their Code Administrator.
- h. When members become aware of a real or apparent conflict of interest, they must disclose this conflict, in writing and at the first opportunity, to their Code Administrator.
- i. Members understand that disclosure itself does not remove a conflict of interest.

- j. Members encourage their colleagues to act fairly and ethically and know that they are able to raise concerns about a suspected breach by another to their Code Administrator without fear of reprisal.
- k. Members know that if they have any questions about the Code, or are not sure how to apply these principles, they should consult with their Code Administrator.
- l. Breaches of this Code may result in disciplinary action, up to and including suspension or termination of the member's position on the Council.
- m. Members must confirm on an annual basis their understanding of, and commitment to, the Code's expectations.

VI. Behavioural Standards

Behavioural standards help members make appropriate decisions when the issues they face involve ethical considerations. Behavioural standards cannot cover all scenarios but provide guidance in support of day-to-day decisions. All members must adhere to the following standards:

- a. Members must not engage in any criminal activity and must comply with all relevant laws, regulations, policies and procedures. Members must disclose to the Code Administrator any criminal charges brought against them.
- b. Members must not use their status or position with the Council to influence or gain a benefit or advantage for themselves, their families, their business associates or others with whom they have a significant personal or business relationship.
- c. Member conduct must contribute to a safe and healthy workplace that is free from discrimination, harassment or violence.
- d. Members must not use drugs or alcohol in a way that affects their performance and safety or the performance and safety of their colleagues, or that negatively impacts the reputation or operations of the Council.
- e. Members must act in a way that is consistent with the Council's protocols on public comment.
- f. Members must take reasonable steps to avoid situations where they may be placed in a real or apparent conflict between their private interests and the interests of the Council. In other words, actions or decisions that members take on behalf of the Council must not provide them with an opportunity to further the private interests of themselves, their families, their business associates or others with whom they have a significant personal or business relationship.

1. Confidential Information

Members must respect and protect confidential information, use it only for the work of the Council and not use it for personal gain. Members must comply with protocols that guide the collection, storage, use, transmission and disclosure of information.

2. Gifts and Gratuities

- i. Members must not accept or receive gifts and gratuities other than the normal exchange of gifts between friends or business colleagues, tokens exchanged as part of protocol or the normal presentation of gifts to people participating in public functions.
- ii. Members must not use their position to solicit gifts, hospitality, or other benefits. The value of a single tangible gift permitted under this section shall not exceed \$100. The total value of all tangible gifts received by a member in a calendar year from a single source shall not exceed \$200. Hospitality that is incidental to a meeting (such as a business lunch or dinner) is considered a tangible gift and subject to these limits.
- iii. The value of a single event invitation, inclusive of admission, travel fees, hospitality and accommodation, shall not exceed \$400. The total value of all event invitations received by a member in a calendar year from a single source shall not exceed \$400.
- iv. Members may accept paid conference invitations. The value of a single conference invitation accepted (inclusive of admission, travel, accommodation, hospitality, and other incidentals) shall not exceed \$1000. The total value of all conference invitations received from a single source in a calendar year shall not exceed \$1500. Any conference invitation exceeding these monetary limits may be accepted with prior written approval from the Code Administrator, whose permission must be granted in writing, in accordance with the principles and provisions of this policy, and where acceptance of the conference invitation would not create a real or apparent conflict of interest.

3. Outside Activities

Members must avoid participating in outside activities that conflict with the interests and work of the Council. For example:

- i. **Business Interests:** Members must not hold interests in a business directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the Council.
- ii. **Political Activity:** Members may participate in political activities including holding membership in a political party, supporting a candidate for elected office or seeking elected office. However, they must not use their position with the Council to seek contributions for a political party or activity from clients or entities doing business with the Council. In addition, any political activity

must be clearly separated from activities related to the work for the Council, must not be done while carrying out the work of the Council and must not make use of Council facilities, equipment or resources in support of these activities. If a member is planning to seek an elected municipal, provincial or federal office, they must disclose their intention in writing as soon as possible to the Code Administrator for guidance relating to their duties with the Council.

- iii. **Volunteer Activity:** If Members are involved in volunteer work, the activity must not conflict with decisions relating to the Council. The restrictions as listed in section VI (4) also apply to volunteer activity. Members who are actively associated on a volunteer basis with any organization shall disclose to the Code Administrator their interest in such an organization where a conflict of interest may arise. Such members shall disqualify themselves from participating in any Council decision which could impact the organization.

4. Employment

Members must not participate in any supplementary appointment, business, undertaking or employment, including self-employment, (“Concurrent Employment”) that affects their performance or impartiality with the Council. Prior to accepting any Concurrent Employment, Members must disclose the Concurrent Employment in writing to the Code Administrator for review. The Code Administrator must review the proposed Concurrent Employment for real or apparent conflicts of interest. If there is no real, apparent or potential conflict of interest, the Code Administrator must approve the Concurrent Employment in writing. If there is a real, apparent or potential conflict of interest, the Code Administrator must then, in writing, either deny the Concurrent Employment or allow the Concurrent Employment and put procedures in place to manage the real, apparent or potential conflict of interest.

5. Co-Chairs

- i. Co-Chairs must not take part in a decision in the course of carrying out their office or powers knowing that the decision might further a private interest of the Co-Chair, a person directly associated with the Co-Chair, or the Co-Chair’s minor or adult child;
- ii. Co-Chairs must not use their office or powers to influence or seek to influence a decision to be made by or on behalf of the Crown or a public agency to further a private interest of the Co-Chair, a person directly associated with the Co-Chair, the Co-Chairs minor child or to improperly further any other person’s private interest.
- iii. The Co-Chairs must not use or communicate information not available to the general public that was gained by the Co-Chairs in the course of carrying out their office or powers to

further or seek to further a private interest of the Co-Chair or any other person's private interest; and

- iv. Co-Chairs must, in writing and at the first opportunity, disclose a real or apparent conflict of interest to their Code Administrator.

6. Pre-Separation

Members considering a new offer of appointment or employment must be aware of and manage any potential conflicts of interest between their current position and their future circumstance, and must remove themselves from any decisions affecting their new appointment or employment.

7. Post-Separation

Once Members have left the Council, they must not disclose confidential information that they became aware of during their time with the Council and must not use their contacts with their former colleagues to gain an unfair advantage for their current circumstance.

8. Property

Members may have limited use of the Council's equipment for authorized incidental purposes providing such use involves minimal additional expense to the Council, must not interfere with the business of the Council and must not support a personal, private business.

9. Related Persons or Parties

Members must avoid dealing with those in which the relationship between them might bring into question the impartiality of the member.

VII. **Administrative Processes**

Administrative processes help members manage ethical dilemmas, including any real or apparent conflict of interest concerns.

a. Administration

The Code Administrators receive and ensure the confidentiality of all disclosures and ensures that any real or apparent conflict of interest is avoided or effectively managed. As well, the Code Administrators are responsible for providing advice and managing concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the Council. Code Administrators are responsible for ensuring procedural fairness.

Government of Alberta employees, including the Executive Director, who support the Council, are subject to the Code of Conduct and Ethics for the Public Service of Alberta.

Code Administrators may seek assistance from Government of Alberta employees, including the Executive Director, who support the Council, about any aspect of this Code, including about administration of the Code.

b. Disclosure

It is the responsibility of each member to declare in writing to the Code Administrator any real or apparent conflict of interest, including all circumstances where their private interests could conflict, appear to conflict, or do conflict with the performance of their duties as members of the Council. When there is a change in their responsibilities within the Council or in their personal circumstance, members shall disclose in writing any relevant new or additional information about those interests as soon as possible. Where a real or apparent conflict of interest cannot be avoided, members must take the appropriate steps to manage the conflict.

Disclosure is necessary so that the Code Administrator is aware of situations that could be seen as influencing the decisions or actions they are making on behalf of the Council. This provides members, following a review by the Code Administrator, an opportunity to take action to minimize or remove the conflict. To actively manage a conflict of interest, options include:

- removing themselves from matters in which the conflict exists or is perceived to exist;
- giving up the particular private interest causing the conflict; and,
- in rare circumstances, resigning their position with the Council.

c. Reporting a Potential Breach by Another

Members are encouraged to report in writing a potential breach of this Code by another to the Code Administrator for members. When reporting a potential breach in good faith and with reasonable grounds, members are protected from retaliation for such reporting.

d. Responding to Potential Breach

Once a potential breach has been reported, the Council's procedures for responding to and managing a potential breach will be promptly initiated. The Code Administrators will review the circumstance and details of the allegations that are the basis for the potential breach and will notify the alleged member. The alleged member has the right to information and the right to respond fully to the disclosure of a potential breach. The identity of the reporter will not be disclosed unless the discloser consents, or disclosure is required by law or in a legal proceeding. The Code Administrators must make a decision and complete a written report, which will include reasons or factors considered, in a timely manner.

e. Consequences of a Breach

Members who do not comply with the standards of behaviour identified in this Code, including taking part in a decision or action that furthers their private interests, may be subject to disciplinary action up to and including suspension or termination of their position as a member of the Council.

f. Review of a Code Administrators' Decision

The Member that was the subject of the decision may request in writing that the Alberta Ethics Commissioner review a decision made by the Code Administrator about a breach of the Code.

- g. Publication and Enforcement Period
This code will be published on or before March 22, 2019 and will come into effect 90 calendar days after it is published.

VIII. Other Resources

- a. Where to Get Advice
When members require advice and guidance in determining whether misconduct or a conflict exists, or need clarification, they may discuss their issue with their Code Administrator.
A Code administrator may, if the Code administrator believes it would be helpful, request advice and guidance from the Office of the Ethics Commissioner.
- b. Questions to Consider
1. When members are faced with a difficult situation, the following questions may help them decide the right course of action:
- Have I reflected on or consulted with the Code Administrator about whether I am compromising the Code's values, principles or behavioural standards?
 - If my exact situation is not referred to in the Code, what is the closest comparison or principle that might offer guidance in my circumstances?
 - Have I investigated whether my behaviour aligns with a policy or procedure of the Council?
 - Could my private interests or relationships be viewed as impairing my objectivity?
 - Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
 - Could my decisions or actions be perceived as granting or receiving preferential treatment?

IX. Affirmation

The Code of Conduct for the *Alberta Anti-Racism Advisory Council* was introduced on *[date]* and must be reaffirmed *[annually]* by the Council to ensure it remains current and relevant.

ALBERTA ANTI-RACISM ADVISORY COUNCIL
Council Member Code of Conduct Declaration

This declaration must be completed by all Members of the Council at the time they are appointed or reappointed to the Council by Ministerial Order.

I, _____ have read the Code of Conduct for Members of the Alberta Anti-Racism Advisory Council and I acknowledge that I am bound by the principles and requirements contained in the Code.

I acknowledge that I am required to disclose to the Code Administrator identified in the Code of Conduct, any criminal charges brought against me, or any other situation that arises which may be a real or apparent conflict of interest with my service as a Member of the Council either generally or with respect to any particular matter discussed by the Council.

Signature: _____

Date: _____