TITLE: CONFLICT OF INTEREST

POLICY STATEMENT:
Red Deer College (RDC) expects its employees to conduct themselves with personal integrity, honesty, and diligence in performing their duties on behalf of the College. Employees have a fundamental obligation to act in the best interests of the College and not let personal interests or relationships interfere with, or appear to interfere with, the interests of the College. An employee is expected to fully disclose perceived or actual Conflicts of Interest in a timely manner so that the College can assess if a conflict exists and, if so, how it may be eliminated or managed.

PURPOSE:
This policy defines Conflict of Interest and outlines the process for ensuring that such conflicts are adequately reported and addressed. RDC is a publicly-funded institution and it must ensure that it engages its mission with integrity and to a high ethical standard. Perceived or actual Conflicts of Interest have the potential to negatively affect the reputation and integrity of the employees involved and, potentially, the College as a whole. It is the responsibility of RDC and its employees to guard against Conflicts of Interest which might interfere with the fulfilment of their obligations to the College.

SCOPE:
This policy applies to all employees of RDC.

PRINCIPLES:
1. Policies at RDC:
   1.1. Treat all persons fairly and respectfully.
   1.2. Are non-discriminatory and non-intrusive.
   1.3. Incorporate open, honest, and timely communication.
   1.4. Are made in a timely manner.
   1.5. Provide appropriate confidentiality and privacy.
   1.6. Provide appropriate access to the College and education.
   1.7. Ensure that all persons have access to informed support regarding policies, procedures, rights, and responsibilities.
   1.8. Operate with clear written expectations for conduct and handling of complaints.
   1.9. Meet all regulatory standards.
   1.10. Maintain and clearly state a high standard of instruction and administration in all areas of educational programs and services.
   1.11. Are communicated in alternate forms to those who require such accommodation.
2. The following principles apply specifically to this policy:

2.1. The existence of a perceived or actual Conflict of Interest does not necessarily imply wrongdoing on anyone’s part. Conflicts can exist regardless of a person’s character, intentions, and motivations and can arise through no fault of those involved.

DEFINITIONS:

Conflict of Interest: a perceived or actual Conflict of Interest occurs when an employee is placed in a situation in which their personal or financial interests, or the interests of their immediate family or persons with whom the employee has a personal or business relationship, conflict or appear to conflict with their duties and responsibilities to the College.

For a list of potential Conflicts of Interest refer to Appendix B: Examples of Conflict of Interest.

This list of potentially compromising activities is not exhaustive; other activities can also present challenges.

GUIDELINES:

1. All employees of RDC are required to make their duties and responsibilities at the College their prime obligation to the extent stated in their employment letter and to conduct any outside activity without encroachment upon or conflict with those responsibilities.

2. The College supports employees in using their skills and expertise to benefit the community at large, but recognizes that this may lead to opportunities for perceived or actual Conflicts of Interest.

3. In situations where a perceived or actual conflict exists, the employee must disclose and address Conflicts of Interest in a timely, open, forthright, constructive, and accountable manner.

4. If in doubt about whether a situation would, from the perspective of a reasonably well-informed, impartial observer, appear to be a potential or actual Conflict of Interest, the employee must seek guidance from their Senior Administrator.

5. Senior Administrators can obtain guidance on helping their employees avoid Conflicts of Interest, or on avoiding their own conflicts, through the office of their respective Vice-Presidents. The College may seek external counsel or legal advice when a perceived or actual Conflict of Interest exists.

6. Disclosures of actual or perceived Conflicts of Interest are held in confidence and are only disclosed to those who are involved in the management of these issues.

7. Procedures regarding how to disclose and address perceived or actual conflicts comply with the Freedom of Information and Protection of Privacy Act, the Alberta Human Rights Act, and any other relevant legislation.

PROCEDURE:

1. All employees are required to complete the Conflict of Interest and Conflict of Commitment Disclosure Form upon commencement of employment and submit the completed form to the appropriate member of Senior Administration. Thereafter, the form is to be completed at least every 5 years, or at such time that an employee’s perceived or actual Conflict of Interest status changes.
2. A copy of the Disclosure Form is placed in the employee’s personnel file. Disclosed information is subject to the Freedom of Information and Protection of Privacy Act and is held securely and confidentially.

3. If an employee’s perceived or actual Conflict of Interest status changes following the last submission of their disclosure form (at least every 5 years), the employee must disclose that change of status as soon as possible by completing a new form for submission to their Senior Administration member.

4. Consistent with all College policies and procedures, non-compliance with this policy constitutes misconduct and the College may initiate disciplinary action as outlined in the applicable collective agreements or terms and conditions of employment. Complaints of non-compliance with this policy will be made and/or addressed according to the process outlined in the Reporting and Investigating Safe Disclosures Guidebook.

5. Senior Administration members are responsible for monitoring compliance with this policy.

OFFICER RESPONSIBLE: Vice President Corporate

POLICY CATEGORY: Non-Academic

RECOMMENDING AUTHORITY: Service Council, upon recommendation from Deans’ Council

CONSULTATION FOR REVIEW: President, Senior Administration, Constituency Presidents (AUPE, CUPE, FARDC)

POLICY REVIEW DATE: January 2019

EFFECTIVE DATE: January 1, 2018

REVISEION HISTORY: January 1, 2018; Conflicts of Interest Standard Practice rescinded
January 1, 2019; Conflicts of Interest and Mandatory Disclosure Policy rescinded
January 1, 2018; Gifts, Receipt of Standard Practice, rescinded
January 1, 2018; Hiring Relatives Standard Practice, rescinded
January 1, 2018; Related Parties Standard Practice, amended

RELATED POLICIES:
- Conflict of Commitment
- Employee Code of Conduct
- Research Involving Humans
- Integrity in Research and Scholarship
- Intellectual Property
- Purchasing
- Related Parties Standard Practice
- Safe Disclosure (Whistleblower)
- Scholarly Activity
• Signing Authority and Contract Execution

CONNECTION TO BOARD POLICIES:
All RDC policies support relevant Board of Governors policies.
## Appendix A: Conflict of Interest and Conflict of Commitment Disclosure Form

The personal information that you provide on this form is being collected for the purpose of declaring your Conflict of Interest and Conflict of Commitment. Your personal information is being collected in compliance with the provisions of the Freedom of Information and Protection of Privacy Act of Alberta, Section 33(c). If you have any questions about the collection of information on this form, please contact Human Resources, Red Deer College, 100 College Blvd., Box 5005, Red Deer, Alberta T4N 5H5, Telephone: 403.356.4912.

### Employee Declaration:

I declare that the information contained in this Disclosure form is true and correct to the best of my knowledge, information, and belief.

I will promptly submit a revised Disclosure Form if at any time during the disclosure period circumstances warrant a different response to any of the questions that follow.

I have read the Red Deer College Conflict of Interest Policy and the Conflict of Commitment Policy.

I understand that disclosure normally occurs before the activity which could give rise to a perceived or actual Conflict of Interest or Conflict of Commitment. I will not engage in the activity until such time as the conflict considerations are assessed and resolved.

If I have indicated that I am presently involved in activities which could give rise to a perceived or actual Conflict of Interest or Conflict of Commitment, I understand that I may continue the activity until such time as the conflict considerations are assessed and resolved, unless I am directed by my Senior Administrator to cease the activity immediately. I understand that the direction to cease the activity will stand until such time as the conflict considerations are assessed and resolved.

I understand that the personal information requested on this form is protected under the *Alberta Freedom of Information and Protection of Privacy Act* for the purposes of determining possible Conflicts of Interest or Commitment. I hereby consent to the use of the information provided by the College for this purpose.

I understand that I will be consulted if certain public disclosure of information is deemed appropriate in managing an assessed conflict. I understand that consent for any such public disclosure will be addressed at that time.

**Employee’s name:**

**Position:**

**Department/Division/School:**

**Date of Disclosure:** ______________________________

### Financial Conflict of Interest

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<tr>
<th>Yes</th>
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With the exception of your College pay cheque, will you, your corporation, a member of your immediate family, or persons with whom you have a personal or business relationship now receive or anticipate receiving a financial benefit from College funds over which you exercise influence?

If yes, provide details of the activity:
### Non-Financial Conflict of Interest

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<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>Do any of your current or anticipated employment or service (volunteer) activities involve you in dealings with individuals, corporations, or other organizations in ways that may be viewed as a Conflict of Interest?</td>
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<td>If yes, provide details of the activity:</td>
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### Conflict of Commitment

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<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>Are any of your current or anticipated external activities or commitments so substantial or demanding of your time and attention as to interfere with your responsibilities, obligations and commitments to the College?</td>
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<tr>
<td>Do you hold more than one position or role at the College?</td>
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<td>If you answered yes above:</td>
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<td>- Does the work schedule of each position ensure that you can meet your obligations in both roles?</td>
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<td>- Does the work schedule of each position ensure that overtime or overload will not be incurred as a result of holding more than one position?</td>
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<td>- Are the supervisors of each position aware that you hold more than one position or role at the College?</td>
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### Other Conflicts

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<th>Question</th>
<th>Yes</th>
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<tr>
<td>Do you intend to use the services of College students, employees or others under contract to the College over whom you exercise supervisory or academic responsibility, for a purpose beyond those directly associated with your employment obligations to the College?</td>
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<tr>
<td><strong>Note:</strong> Written permission from the Dean/Director needs to be obtained prior to using the services of students and/or employees for purposes beyond their educational or employment obligations.</td>
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<tr>
<td>Will you make significant use (meaning a use beyond that of an incidental nature) of College space, facilities, general supplies, and/or equipment, including communication devices, and confidential information to support any activities that do not directly pertain to your employment obligations to the College?</td>
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<td>Are you aware of any other perceived or actual Conflicts of Interest or Commitment, which will affect you as an employee of the College?</td>
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<td>If answered “yes” to any questions above, provide details of the activity.</td>
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<td>- Disclose any monetary benefit(s) received</td>
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### Signature

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<thead>
<tr>
<th>Date Disclosure Form completed:</th>
<th>Signature of Employee:</th>
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<th>Signature of Senior Administration:</th>
<th>Signature of VP, Corporate (or Designate):</th>
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APPENDIX B: EXAMPLES OF CONFLICT OF INTEREST

Conflicts of Interest typically occur when the interests of the employee and the interests of the College are in conflict. While it is impossible to document all situations in which conflicts may occur, examples of Conflicts of Interest include, but are not limited to:

- **Use of the College’s Name and Reputation**
  - Using the College’s name and reputation for personal gain.

- **Financial Interests**
  - Ability to influence transactions between an entity and the College, whereby the employee has a position or interest in the entity. College employees who, through the course of their regular duties, are responsible for such activities as specifying or approving materials, equipment, or services purchased by the College must not have any financial interest, either direct or indirect (e.g. a family member, spouse, friend), in the transaction.
  - No employee (or agent) shall attempt to influence the purchasing process on the basis of a supplier’s previous record of philanthropic giving or value add to RDC or on the basis of a supplier’s intention to give to RDC in the future.
  - Contracting with the College as a supplier of materials, equipment, or services where the deliverables of the contract are completed during the employee’s paid work time, or where there is a use of college materials, equipment and/or resources.
  - Transmitting College-supported work products, materials, property records, or information to outsiders for personal gain.
  - Using for personal gain, or other unauthorized purposes, privileged information acquired in connection with the RDC employee’s College-supported activities.
  - Owning, operating, working for, or otherwise supporting a business, public agency, or other provider of services that is in competition with RDC.

- **Gifts and Gratuities**
  - Accepting gratuities, gifts, or special favours from entities or individuals with which the College does or may conduct business, where such gratuities, gifts, or special favours may be interpreted as having the possibility of influencing the recipients in the conduct of their duties. The total value of gratuities, gifts, or special favours accepted from any one entity or individual cannot exceed $200 per fiscal year.
  - Accepting material or financial benefit from a non-College entity in exchange for favouring or promoting that entity.
  - Extending gratuities, gifts, or special favours to employees of sponsoring agencies, where such gratuities, gifts, or favours may be interpreted as having the possibility of influencing the recipients in the conduct of their duties.
  - Using College resources including facilities, personnel, equipment, materials, or confidential information for any purpose other than the performance of the employee’s College duties.
• **Personal Relationships**
  - Influencing student admission or academic decisions that impact the academic progress with respect to a person with whom the employee has a relationship that might reasonably be perceived as creating a Conflict of Interest.
  - Influencing human resource decisions (such as offer of employment, evaluation of performance, promotion, classification, compensation, granting of continuous appointment, or termination of employment) with respect to a person with whom the employee has a relationship that might reasonably be perceived as creating a Conflict of Interest.
  - Utilizing the employee’s position to influence the appointment of family members, relatives, friends, and affiliates to positions at the College.
  - Accepting employment, an official relationship, or a consulting arrangement with another entity which has business relations with the College.

• **Personal Actions**
  - Participating in activities that could impede or compromise the employee’s responsibility to instruct and evaluate students and/or employees in a fair, unbiased, and effective manner.
  - Allowing personal consideration to compromise the employee’s professional judgment in conducting or reporting research, teaching, or carrying out administrative activities.

• **Pre-Resignation and Post-Employment**
  - Making use of information obtained in the performance of the employee’s official duties to take unfair advantage of their position in seeking other employment.
  - Disclosing confidential information acquired through the course of employment with RDC after leaving the College’s employ.

This list of potentially compromising activities is not exhaustive; other activities can also present challenges.

If in doubt about whether a situation would, from the perspective of a reasonably well-informed, impartial observer, appear to be a potential or actual Conflict of Interest, the employee must seek guidance from their Senior Administrator.