

Municipality of Cumberland Policy 15-06

Conflict of Interest Policy

Purpose

The purpose of this policy is to assure that the business of the Municipality of the County of Cumberland (“Municipality”) will be conducted in such a way that no public official or employee of the Municipality will gain a personal or financial advantage from his or her work for the Municipality and so that the public trust in Council and Municipal Officers will be preserved. It is also the intent of this policy to assure that all decisions made by Councillors, employees and appointees of the Municipality are based on the best interest of the Municipality at large. This policy and its procedures are to adhere to those outlined in the *Municipal Conflict of Interests Act*, R.S., c.299, s.1.

Policy Statement

Individuals associated with the Municipality are expected to conduct themselves with the integrity, ethics, honesty and diligence in performing their duties. Individuals are required to support and advance the interests of the Municipality and avoid placing themselves in situations where their personal interests actually or potentially conflict with the interests of the Municipality.

This Policy applies to the following individuals or classes of individuals:

- a) Municipal Councillors;
- b) Municipal Employees, including Officers, staff and student employees; and
- c) Municipal Volunteers, including appointees to Committees of the Municipality

Definitions

In this Policy:

“Business associate” means an individual in a formal partnership or in a shared ownership of a company or enterprise.

“Conflict of Interest” means a situation in which private interests or personal considerations may affect the judgement of an individual to whom this policy applies in the exercise of their duties to the Municipality. It includes using the individual’s position, confidential information or corporate time, material or facilities for private gain or advancement on the expectation of private gain or advancement for the individual or their family, friends or business associates. A conflict of interest may be actual, potential or apparent. The same duty to disclose applies to each.

“Employee” means an employee of the Municipality.

“Family” means a parent, child, sibling, spouse or common law partner or an individual.

“Individual” or “Individuals” means any person to whom this Policy applies.

Policy

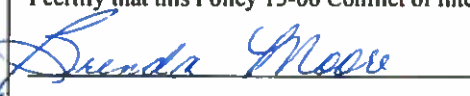
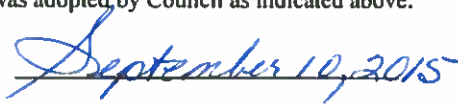
1. Individuals must not use their positions to give anyone special treatment that would advance their own interests or that of any member of their family, their friends or business associates.
2. Individuals must not accept gifts, money, discounts or favours including a benefit to family members, friends or associates for doing work that the Municipality pays them to do. The acceptance of promotional items of nominal value is permitted as long as there is no accrual or perceived attempt to influence the individual in the exercise of their duties.
3. Individuals must not engage in any outside work or business activity which:
 - a) may conflict with their duties for the Municipality;
 - b) use their knowledge of confidential plans, projects or information about the Municipality; and
 - c) will, or is likely to, negatively influence or affect them in carrying out their duties for the Municipality.
4. Individuals must not use, or permit the use of, items of Municipal property, facilities, equipment, supplies or other resources for activities not associated with their work. The Chief Administrative Officer may on a case by case basis approve exceptions to this where there is no cost or risk to the Municipality.
5. Individuals must not disclose confidential or privileged information about the property, or affairs of the Municipality or use confidential information to advance personal or other’s interests. Individuals must not divulge confidential information about an employee of the Municipality without express written authorization from that employee.
6. The policy against giving out confidential information does not apply to an individual who alleges wrongdoing on the part of the Municipality or its Council members, officers, employees, agents or contractors - as long as the disclosure of such information is not vexatious, frivolous or slanderous-and making the disclosure serves the public interests and is made in accordance with the provision of this policy.
7. Individuals who have a financial interest in a Municipal contract purchase, sale or other business transaction or have family members, friends or business associates with such interests, must declare their interests and not participate in any way in the Municipality’s side of the transaction and must not represent or advise the family member, friend or business associate in such transactions.
8. Employees must not seek or accept appointments to a Committee or Board of the Municipality (except in the capacity of a Municipal representative) and require permission from the Chief Administrative Officer before accepting appointments to other municipal, provincial, or federal commissions, boards or committees. Employees who hold positions as board members on

community agencies that deal with issues related to the work at the Municipality must inform the CAO's office in writing of their appointment. When agency issues arise that place them in actual or potential conflict with the Municipal policy or procedure, they should declare a conflict of interest and not participate in the agency's decision making process.

9. If an employee or their family members, friends or business associates have a personal or financial interest that might present a conflict or bias in connection with the employee's duties on behalf of the Municipality, the employee must report this to the Chief Administrative Officer in writing.
10. Employees who fail to comply with this policy are subject to disciplinary action up to and including dismissal.

Effective Date

This policy comes into effect upon adoption by Council.

<u>Clerk's Annotation for Official Policy Book</u>	
Date of Notice to Consider:	<u>March 23, 2015</u>
Date of Adoption of Policy:	<u>April 15, 2015</u>
I certify that this Policy 15-06 Conflict of Interest Policy was adopted by Council as indicated above.	
 _____	 _____
Municipal Clerk	Date