

Code of Conduct Policy

Policy

It is Council's policy to have Councillors, Officers and any staff involved in the financial administration of Nipissing First Nation, make an annual Code of Conduct declaration.

Purpose

The purpose of this policy is to provide each Councillor and each Finance Department employee with a clear understanding of his/her expected conduct in the performance of their responsibilities.

Scope

This policy and procedure applies to all individuals involved with the financial administrative system of the Nipissing First Nation, including Councillors, Officers and all Departments / Programs.

Definitions

"Code of Conduct" is the Schedule – Avoiding and Mitigating Conflicts of Interest attached to and forming part of the Nipissing First Nation's Financial Administration Law.

"Code of Conduct declaration" is the declaration attached to this Policy as **Appendix "C"**.

Responsibilities

Council members are responsible for:

- reading and understanding the Code of Conduct and signing the Code of Conduct declaration upon commencement of their Term of Office or employment with the Nipissing First Nation.

The Chief Executive Officer is responsible for:

- ensuring that all employees are advised of and required to inform themselves of the Code of Conduct and this policy and for ensuring training/orientation' on the Code of Conduct is provided to Councillors, Officers, Committee Members, Employees and Contractors at least once per political term.
- ensuring all Councillors, Officers, Committee Members, Employees and Contractors sign the Code of Conduct Declaration annually and submit it to the Human Resources ("HR") Department.

Immediate supervisors of employees are responsible for:

- ensuring that new employees entering their department read and understand the Code of Conduct, sign the Code of Conduct Declaration and submit it to the HR Department.
- ensuring their supervised employees sign the Code of Conduct Declaration annually and submit it to the HR Department.

When an officers or employee reports a potential conflict of interest as required in the Code of Conduct, he or she will complete and file the Conflict of Interest Disclosure Form (see **Appendix “B”**) with the Chief Executive Officer who will submit it to the HR Department for the retention and safeguarding of the disclosure.

When the Chief Executive Officer reports a potential conflict of interest as required in the Code of Conduct, the Chief Executive Officer will complete and file the Conflict of Interest Disclosure Form with the Chair of the Finance and Audit Committee who will submit it to the HR Department. All such reported disclosures will be filed individually but monitored centrally by the HR Department.

Procedures

At the end of each Fiscal year, the HR department will communicate, in writing, to the Councillors, Officers, and employees to request those who have not been made aware of the Code of Conduct to read and sign the Code of Conduct Declaration and submit it to the HR department.

The HR department will inform the Chair of the Finance and Audit Committee and the Chief Executive Officer of any Councillors who have not submitted a signed Declaration.

The HR department will inform the Chief Executive Officer and the Chief Financial Officer of all employees who have not submitted a Code of Conduct Declaration.

The HR department will retain the signed Code of Conduct Declaration forms in the employee’s personnel file. The signed Code of Conduct Declaration forms for councillors will be held by the secretary, or equivalent, to the Council.

The HR Department will retain all Conflict of Interest Disclosure Forms in the respective officer or employee’s personnel files.

Approved this 6th day of October, 2015

Appendix “C” – Code of Conduct Declaration Form

I hereby confirm that I have read and understand the Conduct and Conflict of Interest Expectations set out in the Nipissing First Nation’s Financial Administration Law (“the Law”) and the Schedule – Avoiding and Mitigating Conflicts of Interest and agree to comply fully with them.

I agree that I will adhere to the following principles and responsibilities governing my professional and ethical conduct.

To the best of my knowledge and ability:

- I will comply with the Financial Administration Law, any other applicable Nipissing First Nation laws, standards, relevant funding agreement requirements and any other legal requirements;
- I will act with honesty, good faith and in the best interest of the Nipissing First Nation;
- I will exercise the care, diligence and skill that a reasonably prudent individual would exercise in comparable circumstances;
- I will avoid any real, potential, or apparent conflicts of interests.
- I will act with due care, competence, and diligence, without misrepresenting material facts or allowing my independent judgement to be subordinated.
- I will respect the confidentiality of information acquired in the course of my work or service except when authorized to do so in the performance of my duties or am otherwise legally obligated to disclose.
- I will ensure responsible use of and control over all Nipissing First Nation assets and resources entrusted to me.
- I will be accountable for adhering to this declaration.

Declaration of Understanding

Print Name

Signature:

Date:

Appendix “B” – Conflict of Interest Declaration Form (Employees)

CONFLICT OF INTEREST DISCLOSURE FORM
<p>An employee has a “conflict of interest” when the employee exercises a power or performs a duty or function and at the same time knows or ought reasonably to have known that in the exercise of the power or performance of the duty or function there is an opportunity to benefit the employee’s private interests.</p> <p>Private interests are defined in the FAL Schedule – Avoiding and Mitigating Conflicts of Interests and include the interests of closely associated persons or entities.</p> <p>An employee has an apparent conflict of interest if a reasonably well-informed person would perceive that the employee’s ability to exercise a power or perform a duty or function of their office or position must be affected by the employee’s private interests.</p> <p>All employees are required to declare any actual, potential or apparent conflicts of interest to Nipissing First Nation. Conflicts of interest could arise from “personal interests” which include:</p> <ul style="list-style-type: none">• The individual’s spouse• A person under the age of eighteen (18) years in respect of whom the individual or the individual’s spouse is a parent or acting in a parental capacity;• A person in respect of whom the individual or the individual’s spouse is acting as guardian;• A person, other than an employee, who is financially dependent upon the individual or the individual’s spouse or on whom the individual is financially dependent; and• An entity in which the individual or the individual in combination with any other person described in this section has a controlling interest.• Close family or personal relationships with employees in a position to influence the affairs of Nipissing First Nation, or otherwise engaged in the affairs of the First Nation• Close relationships with individuals having an interest in information, competitive, intellectual or other interests of Nipissing First Nation
Declaration: I disclose the following actual, potential or apparent conflicts of interest:
Employee name (print):
Employee signature:
Title:
Date:

