

Conflict of Interest Policy - Questions and Answers

1. What is the purpose of a Conflict of Interest Policy?

Employees work in positions of public trust and must carry out their duties with impartiality and integrity. Your employer recognizes that rules governing conflict of interest must be written down, circulated and explained to all concerned so that ethical standards are applied in a consistent manner.

This policy aims to strike a balance between protection of the public interest and protection of the employee's interest; however, any conflicts of interest must be resolved in favour of the public interest. Compliance with this policy is a condition of employment.

2. What is the definition of Conflict of Interest?

A conflict of interest exists in any situation in which an employee either for themselves or some other person(s) attempts to promote a private or personal interest which actually or apparently interferes with the objective exercise of the employee's duties; and, is advanced or enhanced because of the employee's position with the government.

3. To whom does the policy apply?

This policy applies to all employees as defined by section 1 (h) of the *Civil Service Act*. Relief and temporary employees with less than six months continuous service and student employees are excluded from this policy. Additionally, this policy does not apply to the legislative assembly or other reporting entities subject to alternate legislation, however, the spirit and intent of the policy should serve as a guideline for these entities.

4. What should I do if I am not sure if I may be in a conflict of interest?

If you think you might be in a conflict, you should complete a new Conflict of Interest Disclosure Statement. Ultimately, it is the Deputy Head's responsibility to make a decision whether you might be in a real, apparent or potential conflict of interest.

5. If I wish to become involved with a political party, is this a conflict of interest?

In certain cases, an employee's involvement in party politics can be a conflict of interest; essentially, an employee may participate in political activities but only in accordance with the provisions of the *Civil Service Act*, Sections 38, 39, 40 and 41.

6. Does the policy address preferential treatment by employees?

Because fairness is a hallmark of an impartial public service, section 9 of the policy sets out rules prohibiting employees from giving preferential treatment to family members, friends or other persons or organizations in which the employee, family members or friends have an interest. The rules also disqualify employees who exercise functions

that involve regulation, inspection or other discretionary control from dealing with family members unless the Deputy Head gives them specific authorization to act.

7. What do I do if I'm presented with a small gift in appreciation for giving a presentation?

This would not normally be prohibited by the policy; however, gifts, hospitality or other benefits that could influence an employee's judgement or performance of their official duties must be declined. Even if a gift or personal benefit is permitted under the policy, if you receive a single gift or personal benefit worth more than \$200 or, from any one source in any twelve month period worth more than \$200, you must disclose this information to your Deputy Head (refer to section 8.03 of the Policy).

8. What if a non-profit organization asks me to assist them in their funding request to government?

Under the Policy, you may or may not be in a conflict of interest depending on the nature of your employment and the role you take on with the organization. Before taking on any role in this regard, you should discuss the matter with your Deputy Head.

9. Although I am a government employee, I've started doing some contract work in my spare time. Am I obliged to report this information to my department?

Section 11 of the Policy details a number of factors to be considered when deciding whether other employment constitutes a conflict of interest with your government employment. If there is a possibility of a conflict, you are advised to seek clarification from your Deputy Head.

10. What should I do if I am aware another employee is, or may potentially be, in a conflict of interest?

Since conflicts of interest can affect confidence in the public service, you are advised to take some action, such as providing the information to the Deputy Head for consideration.

The *Public Interest Disclosure and Whistleblower Protection Act* also outlines a disclosure process if you have information that a wrongdoing has been committed or is about to be committed. Further information is available on the website of the Public Interest Disclosure Commissioner: <https://ombudspei.ca/whistleblowing/>.

11. Where do I go if I have other questions about how this policy applies to me?

The responsibility for administration of the policy in your Department rests with the Deputy Head. If the Deputy Head is unable to answer your questions, they can seek clarification from the CEO of the Public Service Commission or the Ethics and Integrity Commissioner.