



The Corporation of the Town of Tecumseh

Chief Administrative Officer - People & Culture

To: Personnel Committee

From: Michelle Drouillard, Director People and Culture

Date to Council: August 13, 2024

Report Number: CAO-PC-2024-08

Subject: Conflict of Interest Policy

Recommendations

It is recommended:

That Report CAO-PC-2024-08 entitled “Conflict of Interest Policy” be **received**;

And that Attachment 1 to Report CAO-PC-2024-08 “Conflict of Interest Policy” be **recommended** by the Personnel Committee for **approval** by Council at the September 10, 2024 Regular Council Meeting.

Background

In the process of conducting a departmental policy review, Administration became aware that the Corporation does not have a Conflict of Interest Policy in place for employees.

A Conflict of Interest Policy outlines the procedures for employees when a conflict or perceived conflict of interest occurs between their personal interests and the interests of the Corporation. Through policy benchmarking we found that many municipalities have a policy in place for employees in order to avoid situations that could erode public and internal trust or damage the Corporation’s reputation.

This policy supports the Town's values of accountability and integrity and ensures employees are aware of what a conflict or perceived conflict of interest is and how to avoid such situations.

Comments

Our policy states that the Town of Tecumseh is committed to ensuring that Town employees conduct the business of the Town in an equitable, independent, impartial, and responsible manner.

An employee for the purpose of this policy includes any unionized, non-unionized, management, full and part-time, permanent, temporary, student, volunteer firefighter, contract, and seasonal staff.

The policy provides clear definitions and examples of conflicts of interest. The examples included are below:

- a) Where an employee makes a personal bid on the sale of municipal property or goods, except in circumstances where the property or goods are being disposed of at public auction.
- b) Employees or family members living within their household sell goods, materials, or services to the Municipality. An exception may be made with the approval of the Chief Administrative Officer (CAO) to secure services from an employee outside the regular hours of employment on a fee for service basis, provided the opportunity is made available on an equal basis to other persons.
- c) Where an employee may influence the decision of the Municipality in dealing with a company or person which conducts business with the Municipality, when the company or person is largely owned or controlled by an employee or an immediate relative, or in which the employee may have an interest.
- d) Where an employee may influence the decision of the Municipality in respect of a particular company or person which is applying to the Municipality for a loan, grant or other advantage, when the employee has a significant responsibility in the affairs of the applicant (i.e., the Employee is a trustee of land or other property).
- e) Ownership by an employee of land or their property where a property's value may be influenced by the employee.
- f) When an employee solicits or accepts a gift, present, favour or the materiality of, placing the employee under obligation to the donor.
- g) When members of an employee's immediate family receive personal benefit because of the position of the employee.
- h) When an employee performs similar duties outside of their position and hours of work at the Municipality. This could be self-employment, working

for a second employer, or a side job performed with or without remuneration for friends or family.

The policy states that employees shall not undertake outside employment, including self-employment, if such employment:

- a) Causes a real or perceived conflict of interest;
- b) Is performed in such a way as to appear to be an official act of or to represent the Town;
- c) Interferes with regular Town duties in any way; or,
- d) Involves the use of Town premises, resources or equipment including but not limited to Town e-mail, telephones, cell phones, or supplies.

The policy documents that if an employee believes that there is potential for real or perceived conflict of interest, then that employee must make prompt and full disclosure in writing to their supervisor and obtain approval prior to commencement of activities. It is not the responsibility of the Municipality to discover a conflict of interest or a perceived conflict of interest.

The policy also identifies that an employee shall not act or advocate for or represent any person or entity other than the Municipality, in any court proceeding or other adversarial proceeding, in which the Municipality is a party or participant.

Disclosure of confidential information is also addressed in the way that employees must use utmost care and discretion in the handling of confidential or privileged information and other information coming to them by reason of employment, and such information shall not be used for personal benefit of family, friends, or associates. Employees are not to discuss or pass on such information unless the exchange is necessary for a specific business purpose of the Municipality.

The Town will provide this written policy to all employees within 30 days of its effective date via electronic distribution. The policy will be included in all new hire onboarding packages.

Consultations

All Departments

Financial Implications

There are no financial implications associated with this policy.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Amanda Schram, CHRL
People & Culture Advisor

Reviewed by:

Michelle Drouillard, BA Hons., CHRL
Director People & Culture

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	CAO-PC-2024-08 Conflict of Interest Policy – August 2024