

Human Resources Policies Conflict of Interest

Category: **Working Environment**

Policy Statement	Employees of the City of Toronto are expected to conduct themselves with personal integrity, ethics, honesty and diligence in performing their duties for the organization. Employees are required to support and advance the interests of the organization and avoid placing themselves in situations where their personal interests actually or potentially conflict with the interests of the City.
Application	This policy applies to all City of Toronto employees. The standards outlined in this policy are particularly relevant to employees who are in a position to make or influence decisions of the organization.
Definition	A conflict of interest refers to a situation in which private interests or personal considerations may affect an employee's judgement in acting in the best interest of the City of Toronto. It includes using an employee's position, confidential information or corporate time, material or facilities for private gain or advancement or the expectation of private gain or advancement. A conflict may occur when an interest benefits any member of the employee's family, friends or business associates.
Conditions	The rules and examples that follow do not exhaust the possibilities for conflict of interest, but they identify obvious situations covered by the policy.
Special Treatment	Employees are not allowed to use their positions to give anyone special treatment that would advance their own interests or that of any member of the employee's family, their friends or business associates.
Receiving Fees or Gifts	Employees may not accept gifts, money, discounts or favours including a benefit to family members, friends or business associates for doing work that the city pays them to do. The exceptions to this are promotional gifts or those of nominal value e.g., coffee mug or letter opener with the company's logo or the occasional lunch.
Outside Work or Business Activities	Employees may not engage in any outside work or business activity: (a) that conflict with their duties as city employees; (b) which use their knowledge of confidential plans, projects or information about holdings of the corporation; and (c) that will, or is likely to, negatively influence or affect them in carrying out their duties as city employees.
Using City Property	Employees may not use, or permit the use of, items of city property, facilities, equipment, supplies or other resources for activities not associated with their work. Any exceptions to this must be expressly approved by either Council or the Deputy City Manager of the affected division.

Confidential Information	<p>Employees may not disclose confidential or privileged information about the property, or affairs of the organization, or use confidential information to advance personal or others' interests. Employees cannot divulge confidential or privileged information about the city's employees without those employees' written authorisation.</p> <p>Note on confidential information: The rule against giving out confidential information does not apply to an employee who alleges wrongdoing on the part of the city or its Council members, officers, employees, agents or contractors - as long as the disclosure of such information is not frivolous, vexatious or slanderous - and making the disclosure serves the public interest and is made in accordance with the provisions of this policy. This reporting of wrongdoing is known as whistle-blowing.</p>
Financial Interest	<p>Employees who knowingly have financial interests in a city contract, sale or other business transaction, or have family members, friends or business associates with such interests, must not represent or advise the organization in such transactions.</p>
Guidelines for Management and Professional Staff	<p>Some positions in the organization are more susceptible than others to conflicts of interest. The following two sections are specifically for executives, managers and employees who give professional advice or assistance, or who work on program policies or budgets. These sections also refer to employees in confidential positions working with the above mentioned staff.</p>
Representing Others	<p>Staff described in the paragraph above may not appear before Council or a city committee on behalf of a private citizen other than himself/herself, his/her spouse, his/her parents, or his/her minor children, where the employee is either paid, or is involved in any way in the issue/policy.</p>
Appointments	<p>Staff who hold positions described above may not seek or accept appointment to a city committee or board (except in the capacity of a city employee) and require permission from their executive directors/general managers/division heads or designates before accepting appointments to other municipal, provincial or federal commissions boards and committees. Staff who hold positions as board members on community agencies that deal with issues related to their work at the city should inform their executive directors/general managers/division heads or designates of their appointments. When agency issues arise that place them in actual or potential conflict with city policy or procedures, they should declare a conflict of interest.</p>
Conduct Respecting Lobbyists	<p>Expectations on dealing with lobbyists are described in Appendix 2. These are consistent with the Code of Conduct for members of Council. See Appendix 2</p>
Requirement to Report Conflict of Interest	<p>If employees or their family members, friends or business associates have a personal or financial interest that might present a conflict or bias in connection with their duties as city employees, they must report this conflict to their executive directors/general managers/division heads or designates in writing.</p>
Reporting a Conflict of Interest	<p>When an employee reports a conflict of interest to his/her executive director/general manager/division head or designate in writing, a copy is forwarded to the City Manager. If an employee alleges wrongdoing on the part of the city or its Council members, officers, employees, agents or contractors he/she should report this in writing directly to the City Manager.</p>

Failure to Comply With the Policy	Employees who fail to comply with this policy are subject to disciplinary action up to and including dismissal.
Implementation	<p>Managers and supervisors must make the policy available to all employees and must discuss the entire policy with their employees and highlight any of the rules that have particular relevance, given the nature of the employees' work. Managers and supervisors who need assistance interpreting rules and how they apply to specific situations must talk to their division's executive directors, general managers or division heads. Serious consequences may result from the contravention of this policy. Employees should check with management if they need assistance in interpreting whether a situation they have experienced or are confronting puts them in a conflict of interest situation.</p> <p>A brochure identifies the rules of this policy and provide examples to assist employees in understanding these rules. Sample questions and answers can also be found in Appendix 1. See Appendix 1</p>
Approved by	City Council (Clause 20, Report No. 16 Administration Committee)
Date Approved	August 4, 2000
Related Information	<p>Appendix 1 Sample Questions & Answers Appendix 2 Supplementary Guidelines Appendix 3 Conduct Respecting Lobbyists</p>
Contact	If employees have questions about the policy or need advice in dealing with conflict of interest issues or other related matters, please contact Ruvani Shaubel, Director Internal Audit, 416-392-8034.