

POLICY 4

BOARD MEMBER CODE OF CONDUCT

The purpose of this Board Policy 4 Code and Conduct is to establish a standard of conduct applicable to the board members of the Good Spirit School Division Board of Education. This standard of conduct is required for public confidence, to ensure the maintenance of the integrity of the Board and to promote the Board's goals. Board members of the Good Spirit School Division Board of Education are expected to act with the utmost integrity, in the best interests of the Board, and to make objective decisions on the strategic investment of resources in pursuit of the goals and objectives of the Board.

Principles

As elected officials, board members are expected to conduct themselves in an ethical and reasonable manner. Failure of a board member to conduct themselves in compliance with this Policy may result in sanctions [See Appendix B: Code of Conduct Sanctions].

Board members are expected to put the best interests of the public ahead of their own personal agendas, opinions, and interests.

Board members are expected to act as role models for employees and students.

Board members are also expected to discharge their duties and conduct themselves with decorum and professionalism.

In carrying out their duties, members of the Board shall:

1. Ethical Standards

Act with honesty and uphold the highest ethical standards in order to honour and enhance public confidence in the Board's ability to act in the public interest and for the long-term public good. [See Appendix A: The Code of Ethics]

2. Confidentiality

Respect the confidentiality of information relating to the personnel and client records and all administrative and financial business of the Board, its subsidiaries, and projects.

2.1. At all times maintain the confidentiality of any information or records that are the property of the Board. Shall not copy, read, discuss, or distribute any portion of these records or information unless they are specifically authorized in writing by the Senior Staff Person or by resolution of the Board to do so.

2.2. Never use any of the information obtained in their capacity as elected officials for personal gain or disclose inside information to anyone except persons inside the Board whose positions require such knowledge or until such information is made public.

- 2.3. Avoid purchasing or selling assets the value of which might be affected by the Board's actions or plans, when having knowledge or material inside information which has not been disclosed to the public.
- 2.4. Not use information obtained as a result of their position or involvement with the Board to advance their position or to the advantage of any other individual unless the information has been made generally available to the public.
- 2.5. Not make any official announcement of a corporate or policy nature without the prior approval of the Board.

The *Local Authority Freedom of Information and Protection of Privacy Act [LA FOIP]* applies to the Board. *LA FOIP* requires that any records containing personal information obtained, in the possession, or under the control of the Board must be kept confidential. Personal information is defined in section 23 of *LA FOIP* and includes any information about a person's education and employment history.

The unauthorized disclosure of the personal information of an individual by a board member could result in a complaint to the Office of the Saskatchewan Information and Privacy Commissioner or civil proceedings being initiated against the board member or the Board for damages.

Types of information that may be exempt from disclosure under *LA FOIP* include:

- information subject to solicitor-client privilege;
- trade secrets, financial, and confidential information of third parties;
- information that might interfere with an investigation;
- drafts of resolutions or bylaws;
- advice, recommendations, analysis, options etc. developed by or for the Board; and
- proposed plans, procedures, or positions developed for negotiations.

While *LA FOIP* applies only to records of information in any form, similar principles will apply to verbal information. A board member who speaks in public about the private and/or personal issues of an employee or student is in breach of the confidentiality section of this Policy.

A person whose information is improperly disclosed may have a cause of action against the board member, and against the Board itself. The board member may be sued for libel and/or slander if the information disclosed is defamatory.

3. Public Scrutiny

Perform their official duties and arrange their private affairs in a manner that will bear the closest public scrutiny, an obligation that is not necessarily fully discharged by simply acting within the law.

4. Online Presence and Social Media

Be cognizant of how they conduct themselves online and ensure that their online activity, comments, and posts on social media are in line with the purpose and principles of this Policy. The online activities of a board member can dramatically affect the general public's perception

of the Board, the Division and its employees, and the schools within the Division. [See Appendix E: Online Presence and Social Media Guidelines]

5. Decision-Making

Make decisions in the best interests of the Board. While elected from specific sub-divisions, board members must represent the best interests of the entire Division in all matters superseding any other conflicting or contrasting loyalty or affiliation.

6. Conflict of Interest

Not place themselves in any situations where they may be in a real or perceived conflict of interest. [See Appendix C: Conflict of Interest Protocol]

7. Integrity Assurance (Whistleblowing)

Encourage integrity assurance (“whistleblowing”) in the context of ensuring that all the Board employees and those of contractors, suppliers and all other individuals acting on behalf of the Board exhibit the Board’s values as well as the utmost of honesty, objectivity, care and responsibility.

8. Using Good Spirit School Division Board of Education Property

8.1. Not directly or indirectly use or allow to be used any of the Board property for anything other than officially approved activities and/or business. The board member shall also ensure that in using any of the Board’s property do not commit the Board to unreasonable financial or other liabilities.

8.2. Not use the Board’s assets, space or services for private business, activity or profit, unless:

8.2.1. Prior approval has been obtained from the Board;

8.2.2. These are available for such use by the public, generally, and the person is receiving no special preference in its use; or

8.2.3. These are made available to the person as a matter of the Board’s policy or under the terms of employment or appointment.

9. Post Good Spirit School Division Board of Education Activity

Not act, after they leave the Board, in such a manner as to take improper advantage of their previous office. This includes keeping confidential all the Board’s corporate and financial information and matters, and not using these for either personal or corporate advantage.

10. Gifts and Benefits

10.1. Not seek, accept or agree to accept a commission, reward, or benefit of any kind from any person who has dealings with the Board, either on their own behalf or through a relative or another person for their benefit.

10.2. Not offer, provide, solicit or accept any gifts, benefits, or excessive entertainment from any person or organization which is directly or indirectly involved in any manner whatsoever with the Board, with the following exceptions:

10.2.1. They are not intended to be, nor are of sufficient value to be taken as a bribe or other improper payment; or

10.2.2. The gift does not exceed one hundred (\$100.00) dollars in value. Any gift received in excess of such an amount must be disclosed by the recipient to the Governance and Human Resources Committee Chair, who will rule on its disposition.

10.3. Not gain or attempt to gain a material benefit or advantage over other members of the public from the use of information acquired as a result of their position with the Board unless such information is available to the public generally, nor disclose such information without proper authorization.

11. Donations

A board member shall not make donations on behalf of the Board or Division.

12. Undue Influence

12.1. Not give undue preference or treatment to any person in their dealings with the Board.

12.2. Not represent the Board or attempt to influence the Board's dealings directly or indirectly with any of their relatives or business associates.

13. Conduct Towards Fellow Board Members/Inappropriate Behaviour at a Board Meeting

Not willfully disturb, interrupt or disquiet the proceedings or meetings of the Board. The responsibility for ensuring proper conduct of a meeting ultimately lies with the entire Board but it will be the Chair of the Board who will have the authority to act if a meeting is disrupted. Failure of a board member to conduct themselves in compliance with this Policy may result in sanctions [See also Appendices A: The Code of Ethics and B: Code of Conduct Sanctions]

14. Conduct towards Employees

Not direct employees or attempt to influence an employee's behaviour. Policies of the Board must be followed with respect to the supervision of employees. This involves professional skills and knowledge and is not within the expertise of the Board. Interference in employee issues, and sometimes even mere knowledge of facts, other than that which has been presented at the Board table, can lead to an allegation of bias against the Board. The Board is, generally, the ultimate decision-maker when it comes to employee discipline and termination and board members who become involved in or have knowledge of extraneous facts may have to excuse themselves from the decision-making process. Board members are also bound by the Board's policies and by legislation concerning harassment and discrimination. A board member who acts inappropriately towards an employee, whether or not it is during a board meeting, may expose the Board to liability, harassment complaint or an allegation of constructive dismissal.

Policy Oversight

The Board Executive Committee, in particular through its Chair, is responsible for implementing and enforcing this policy, with the support and assistance of the Board Secretary who maintains records and prompts consideration.

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