



Trout Lake Community Centre Association

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Practices & Procedures			
Subject:	Code of Conduct		
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Summary

This procedure sets minimum expectations for the behaviour of Trout Lake Community Centre (TLCCA) Directors, Employees, Contractors and Volunteers in carrying out their functions.

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Purpose

To set minimum expectations for the behaviour of Trout Lake Community Centre (TLCCA) Directors, Employees, Contractors and Volunteers in carrying out their functions.

Scope

Board: the board of directors of the TLCCA.

Contractor: a person or other entity with a contract to provide services to the TLCCA.

Director: a member of the Board.

TLCCA: the society incorporated under the BC Societies Act as the Grandview Community Centre Association.

Confidential Information: Confidential Information is information that could reasonably harm the interests of individuals or organizations, including the TLCCA, if disclosed to persons who are not authorized to access the information.

Employee: an employee of the TLCCA.

Volunteer: a person who volunteers to provide services to the TLCCA.

Policy Statements

1.0 Key Principles

1.1 Integrity

Directors, Employees, Contractors and Volunteers must uphold the highest standards of ethical behaviour. Directors, Employees, Contractors and Volunteers are expected to:

- i. make decisions that are aligned with the purposes of the TLCCA and supportive of the Trout Lake Community Centre and Community;
- ii. act lawfully; and
- iii. be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests

1.2 Accountability

Directors, Employees, Contractors and Volunteers are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny; and proper records are kept and audit trails are in place.

1.3 Responsibility

Directors, Employees, Contractors and Volunteers must act responsibly and within the law. They are to observe the Code of Conduct. This means disclosing actual or potential conflict of interest relating to

their public duties and taking steps to resolve the conflict for the protection of the public interest; following the letter and spirit of policies and procedures; and exercising all conferred power strictly for the purpose for which the powers have been conferred.

1.4 Leadership

Directors, Employees, Contractors and Volunteers must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in local government.

1.5 Respect

Directors, Employees, Contractors and Volunteers must conduct public business efficiently, with decorum and with proper attention to the public's diversity. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision making.

1.6 Openness

Directors, Employees, and Contractors have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered; encouraging appropriate public participation; communicating clearly; and providing appropriate means for recourse and feedback.

2.0 General Conduct

2.1 Directors, Employees, Contractors and Volunteers must adhere to the principles and provisions of the Code of Conduct.

2.2 For clarity, this Code of Conduct does not apply to employees of the City of Vancouver, including employees of the Vancouver Board of Parks and Recreation which are governed by collective bargaining agreements (altogether, "City Employees"). However, this Code of Conduct is intended to be consistent with the policies of the City of Vancouver, and this Code of Conduct does apply to Directors, Employees, Contractors and Volunteers in their interactions with City Employees.

2.3 Directors, Employees, Contractors and Volunteers must act lawfully, and exercise a reasonable degree of care and diligence in carrying out their functions.

2.4 Directors, Employees, Contractors and Volunteers have an obligation to consider issues consistently and fairly.

2.5 Directors, Employees, Contractors and Volunteers must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Directors, Employees, Contractors and Volunteers

must avoid conduct that:

- i. Contravenes the law, including the BC Human Rights Code, applicable regulations, and TLCCA policy;
- ii. Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others;
- iii. Prejudices the provision of a service or services to the community.

2.6 When making decisions, Directors, Employees, Contractors and Volunteers must consider all relevant facts, opinions and analyses of which they should be reasonably aware.

2.7 Directors, Employees, Contractors and Volunteers are obliged to question any request to act or make a decision that they think may be unethical or unlawful.

2.8 Employees, Contractors and Volunteers must carry out duties in a manner that allows Directors and the public to remain informed about local government activity and practices.

2.9 Should there be uncertainty about the ethical issues around a conduct or decision, Directors, Employees, Contractors, and Volunteers should consider the following:

- i. Is the conduct or decision lawful?
- ii. Is the conduct or decision consistent with TLCCA policy, the Board's objectives and the Code of Conduct?
- iii. Will the outcome of the decision or conduct provide a private benefit for the individual, family, friends or business interests?
- iv. Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

3.0 Handling of Information

3.1 Directors, Employees, Contractors and Volunteers must:

- i. Protect information that is specifically marked confidential and other material understood to be confidential in nature;
- ii. Refrain from discussing/disclosing any Confidential Information with/to other Employees, Contractors, or Volunteers, or with persons outside the organization except as authorized;
- iii. Take reasonable care to prevent the examination of confidential material by unauthorized individuals;
- iv. Not use Confidential Information with the intention to cause harm or detriment to the TLCCA, the Board, or any other person or body;
- v. Only access information needed for TLCCA business;

- vi. Only use Confidential Information for the purpose it is intended to be used
- vii. Only release information in accordance with established TLCCA policies and procedures and in compliance with the BC Personal Information Protection Act, to the extent applicable
- viii. Not disclose decisions, resolutions or report contents from an in-camera meeting of the Board until a Board decision has been made for the information to become public; and
- ix. Not disclose detail on the Board's in-camera deliberations or specific detail on whether individual Directors voted for or against an issue.

3.2 Except in the normal course of duties, Directors, Employees and Volunteers must not in any way change or alter TLCCA records or documents.

3.3 When dealing with personal information, Directors, Employees, Contractors and Volunteers must comply fully with all applicable provisions of the BC Personal Information Protection Act. All reasonable measures must be taken to ensure that the personal information of individuals is protected. Personal information is information about a person whose identity is apparent, or can be determined from the information.

4.0 Conflict of Interest

4.1 Directors, Employees, Contractors and Volunteers are expected to make decisions that benefit the community. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or business interests.

4.2 A conflict exists when an individual is, or could be, influenced, or appear to be influenced, by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgment, close mindedness or undue influence.

4.3 Directors, Employees, Contractors and Volunteers must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements; this may require disclosure of the conflict or incompatibility to the Board, and removal of the individual from any vote or decision-making process in which the individual's decision making could reasonably be expected to be affected or impaired by the conflict or incompatibility. When considering whether or not a conflict of interest exists, it is important to consider whether there are any grounds for a reasonable person to think that a conflict exists

4.4 Directors must fully inform themselves of applicable legal requirements in respect of conflicts

and must comply with all requirements. In the event of a conflict or perceived conflict, Directors are advised to seek legal advice if unsure of their obligation to disclose the conflict or incompatibility, or their obligation to remove themselves from any related decision-making process or vote of the Board.

4.5 Employees must fully disclose to their supervisor or the Community Recreation Supervisor any direct or indirect pecuniary interest or any bias or undue influence with respect to any matter they are dealing with as soon as practicable.

4.6 Employees, Contractors and Volunteers must fully disclose to the Community Recreation Supervisor any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.

4.7 When Employees, Contractors or Volunteers are uncertain whether a conflict exists, the situation must be immediately presented to the Community Recreation Supervisor for guidance.

4.8 Employees, Contractors and Volunteers must not use Confidential Information gained through their position for the purpose of securing a private benefit for themselves or for any other person.

4.9 Examples of conflicts that may be encountered by Employees or Volunteers include but are not limited to:

- i. Obligation to others: Employees and Volunteers must not place themselves in a situation where they may be under obligation to someone who has business dealings with TLCCA, and who would benefit from special consideration or treatment.
- ii. Special advantage/disadvantage: When Employees or Volunteers can gain special advantage because of their position or when TLCCA is disadvantaged as a result of the other interests of Directors, Employees or Volunteers.
- iii. Provision of special consideration/ treatment: In the performance of their duties, Employees and Volunteers may only grant special consideration/treatment as specifically authorized by the Board or the Community Recreation Supervisor.
- iv. Representation to the Board or its Committees: Employees and Volunteers must not represent any private interest(s) except on their own behalf;
- v. Use of TLCCA-owned equipment: Employees and Volunteers must use TLCCA owned equipment, material, Employees time or property in accordance with TLCCA policy, or as specifically authorized by the Board or the Community Recreation Supervisor.
- vi. Discounts/Rebates: Employees and Volunteers may not take advantage of discounts/rebates on personal purchases from suppliers having an existing business relationship with TLCCA, unless those suppliers offer the same discounts/rebates to the general public or those discounts/rebates are offered to Employees of other large

employers (public and private) on a no-strings-attached basis to the employer.

4.10 Directors, Employees, Contractors and Volunteers must not expect or request preferential treatment for themselves or their family because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

4.11 Employees who are considering outside employment, contract work or any business or undertaking that relates in any way to the business of TLCCA or that might conflict or appear to conflict with their duties to the TLCCA must notify and seek the approval of the Executive in writing.

- i. In dealing with such requests, the Executive must not unreasonably withhold approval except where such employment is deemed to be inappropriate or present a high probability of the existence of a conflict.
- ii. Before Employees engage in outside employment or business they must ensure that it will not:
 1. Conflict or appear to conflict with official duties;
 2. Interfere with TLCCA work;
 3. Involve the use of Confidential Information or Board resources obtained through their work for TLCCA;
 4. Require work during TLCCA work hours;
 5. Discredit or disadvantage TLCCA or the Board; or
 6. Result in their holding any property or interest which may be in conflict with the Employees's duties to TLCCA.

5.0 Political Activity

5.1 Employees enjoy broad political freedoms and should be able to engage in democratic politics with few restrictions. However, such broad freedoms must be exercised so as not to call into question their ability to perform their employment duties in a professional and impartial manner.

6.0 Gifts and Personal Benefits

6.1 Gifts and personal benefits are items or services of value that are received by Directors, Employees, Contractors or Volunteers for their personal use that:

- i. could reasonably be expected to result in a real or perceived conflict of interest, or
- ii. could reasonably be understood as intended to influence the performance of their duties.

6.2 Gifts and personal benefits include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewellery, pens, food or beverages, discounts/rebates on personal purchases, free or subsidized drinks or meals, entertainment, and invitations to social functions organized by groups or community organizations.

- 6.3 Gifts and personal benefits do not include:
- i. compensation authorized by law, and
 - ii. reimbursement for out-of-pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event.
- 6.4 Directors, Employees, Contractors and Volunteers must not, directly or indirectly, accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the TLCCA.
- 6.5 Directors may accept gifts and personal benefits received as an incident of the protocol or social obligations that normally accompany the responsibilities of elected office.
- 6.6 Employees, Contractors and Volunteers may accept a gift or personal benefit that meets both of the following criteria:
- i. it has a value of \$50 or less, and
 - ii. is received as an incident of protocol or as a Board representative on activities such as speaking engagements, technical presentations, business meetings and social obligations reasonably related to their role with the Board.
- 6.7 Notwithstanding section 6.5 and 6.6, Directors, Employees, Contractors and Volunteers must never accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest as set out in this Code.
- 6.8 Employees may not take advantage of discounts/rebates on personal purchases from suppliers having an existing business relationship with the TLCCA, unless those suppliers offer the same discounts/rebates to the general public or those discounts/rebates are offered to Employees of other large employers (public and private) on a no-strings-attached basis to the employer.
- 6.9 Directors, Employees, Contractors, and Volunteers must take all reasonable steps to ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to subvert this policy or to influence or secure a favour from the TLCCA, a Director or Employees. Immediate family members include parents, spouses, children and siblings.
- 6.10 Directors must disclose any gift or personal benefit they have accepted that is valued at more than \$50.
- 6.11 Directors, Employees, or Volunteers in receipt of gifts or personal benefits that they do not wish

to accept have the option of immediately relinquishing the gift or personal benefit to the Board without filing a disclosure form. If not relinquished immediately, a disclosure form must be completed.

6.12 Where a disclosure is required, it must be filed with the Board as soon as practicable, using the forms designated for this purpose. The disclosure must include:

- i. the name of the individual in receipt of the gift or personal benefit;
- ii. a description of the gift or personal benefit, estimated value, and date that it was received;
- iii. the source of the gift or personal benefit;
- iv. the circumstances under which the gift or personal benefit was given and accepted; and
- v. the final disposition of the gift or personal benefit

6.13 Responsibility for relinquishing of gifts and personal benefits in accordance with 6.12, and filing of the disclosure form in accordance with lies solely with the recipient of the gift.

6.14 For the purposes of this Code, the value of each gift or personal benefit shall be determined by its replacement cost, i.e. how much it would cost to replace the item, provided that where the value for a gift or personal benefit is unclear, the value shall be assumed to exceed \$50.

6.15 The Board will maintain records of all gifts and personal benefits received, including disposition.

6.16 Any gifts or personal benefits that have been received in contravention of this policy must be turned over to the Board immediately for safekeeping or disposition, and are the property of the TLCCA.

6.17 At the Board's discretion, such gifts may be disposed of as follows:

- i. returned to the donor,
- ii. displayed in the public areas of the TLCCA,
- iii. disposed of by donation, sale or auction, with any proceeds credited to the TLCCA's general revenues or to the direct or indirect support of a charitable organization.

6.18 The Board may contact the donor, where appropriate, to report on the disposition of the gift.

7.0 Directors

7.1 The Board is the governing body of the TLCCA. It has the responsibility to govern the TLCCA in accordance with the Constitution and Bylaws of the Grandview Community Centre Association and applicable laws.

7.2 Directors must act in accordance with the conduct guidelines outlined in this Code of Conduct, other TLCCA policies, and applicable laws and agreements.

7.3 Directors are to contact Group 1 Employees according to the procedures authorized by the Community Recreation Supervisor regarding the interaction of Directors and Group 1 Employees. As a general guide, inquiries are to be directed to the Community Recreation Supervisor. Direct access to Group 1 Employees within a department is at the Community Recreation Supervisor's discretion.

7.4 Where a Director inquiry may, in the opinion of the Community Recreation Supervisor, result in more than a few hours work for a Group 1 Employee or may involve sensitive matters, the Director must obtain the approval of the Community Recreation Supervisor.

7.5 Directors must not direct or influence, or attempt to direct or influence, any Employees in the exercise of their duties or functions.

7.6 Directors are not to contact or issue instructions to any of the TLCCA's contractors, tenderers, consultants or other service providers unless acting on behalf of the Board.

7.7 Directors must not make public statements attacking or reflecting negatively on TLCCA .

7.8 Directors must not approach organizations about personal matters of individual TLCCA members.

7.9 Directors are to direct requests for working papers or preliminary drafts of reports to the Community Recreation Supervisor.

7.10 The Community Recreation Supervisor supports the efficient and effective operation of the TLCCA and assists to implement the decisions of the Board.

7.11 Employees are expected to:

- i. Give their attention to the business of the TLCCA while on duty;
- ii. Ensure that their work is carried out efficiently, economically and effectively;
- iii. Keep the Board reasonably informed of matters affecting TLCCA business;
- iv. Carry out lawful directions given by any person having authority to give such directions;
and
- v. Give effect to the lawful policies, decisions and practices of the Board, whether or not the Employees agrees with or approves of them.

7.12 Group 1 Employees should seek the advice and approval of the Community Recreation Supervisor prior to responding to a direct request from a Director, except where the request is minor or of a day-to-day operational nature.

7.13 Employees are to provide information and professional advice through regular TLCCA processes and are not to lobby Directors on any matter.

7.14 Employees must not make public statements unfairly attacking or reflecting negatively on the TLCCA, the Board, individual Directors or the Park Board.

7.15 The Community Recreation Supervisor is to be equally helpful to all Directors, and should avoid close alliance, or the appearance of close alliance, with any particular member. Information and advice is to be provided as requested, within the limitations of this document.

7.16 Significant information provided to any Director, which is likely to be used in or by the Board or in political debate, should also be provided to all other Directors, and to the Community Recreation Supervisor.

7.17 Volunteers must act in accordance with the relevant sections of the conduct guidelines outlined in this document and all other applicable TLCCA policies.

7.18 Volunteers must not inappropriately direct or influence, or attempt to direct or influence, any Employees in the exercise of their duties or functions.

7.19 Volunteers must not make public statements unfairly attacking or reflecting negatively on the TLCCA, the Board, individual Directors or the Park Board.

8.0 Breaches, Complaint Handling and Disciplinary Action

8.1 Directors, Employees, Contractors, and Volunteers are to abide by the requirements of this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.

8.2 Alleged breaches of this Code of Conduct by Directors shall promptly be submitted in a written complaint addressed to the President. In the event that the President is the subject of, or is implicated in a complaint, the complaint shall be addressed to a Vice President of the Board.

8.3 Upon receipt of a complaint under Section 8.2, the President (or Vice President) may appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) as having the necessary professional skills, knowledge and experience to investigate the complaint (the

“Third Party Investigator”).

8.4 The President (or Vice President) will receive and retain all reports prepared under Section 8.3.

8.5 Where a Director alleges a breach of this Code of Conduct by a fellow Director, all Directors shall refrain from commenting on such allegations at meetings of the Board.

8.6 The President may recommend that the Board take any actions provided for in the Code of Conduct that the President considers reasonable in the circumstances.

8.7 Alleged breaches of this Code of Conduct by Employees, Contractors, or Volunteers shall be reported in writing to the Community Recreation Supervisor.

8.8 Breaches of this Code of Conduct by Employees will be handled through existing processes and in accordance with current employment law. The Community Recreation Supervisor and President will review alleged breaches, make any necessary inquiries and determine appropriate disciplinary action.

8.9 Consequences associated with breaches of this Code of Conduct by Contractors are incorporated in the contracts under which they are retained, and will be dealt with in accordance with the conditions outlined therein.

8.10 The President shall consider alleged breaches of this Code of Conduct by Volunteers, direct that any enquiries he or she considers appropriate or desirable be undertaken, and recommend appropriate disciplinary action to the Board.

9.0 Related Policies and Procedures

List any related policies or procedures, if they exist.

1. Code of Conduct Policy
2. Respectful Workplace Policy

10.0 Roles and Responsibilities

Document owner is First/Second/Third Vice President.

Revision schedule and approvals are as per policy on creation and approval of TLCCA policies.

Table 1: Association policy amendment history

Version	Date	Comments
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1.0	1 October 2018	New policy
1.0	30 January 2019	Approved by Board resolution