

Topic:	Conflicts of Interest in Hiring Practices
Effective:	March 31, 2021
Cross-Reference:	Ontario Human Rights Code; O. Reg. 298; PPM 165 – School Board Hiring Practices HDSB Policies: Employment Equity, Code of Ethics; Administrative Procedures: Employment of Relatives, Recruitment Accommodation, Teacher Hiring Practices Collective Agreements: ETFO, HEOT, OSSTF, OSSTF OT
Review Date:	April 2021
Revision Date:	April 2024
Responsibility:	Superintendent, Human Resources

DEFINITIONS:

“**Conflict of Interest**” means a potential, apparent, or actual conflict where an employee's financial or other personal interest, whether directly or indirectly, conflicts or appears to conflict with an employee's responsibility to the Board, or with the employee's participation in any recommendation or decision pertaining to hiring within the Board.

“**Hiring Employee**” means full-time or part-time employees of the Board involved in the screening or selection process.

“**Relationship**” means any relationship of the employee to persons of their immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias, including a friend or individual where nepotism may exist or be perceived to exist.

“**Supervisor**” means the person to whom an employee reports.

INTENDED PURPOSE:

The Halton District School Board is committed to maintaining the highest ethical standards and facilitating the protection of the integrity of employees in the course of their hiring responsibilities.

The intent of this Administrative Procedure is to define and provide clear guidelines to address potential, apparent and actual conflicts of interest when fulfilling hiring responsibilities. The procedures outlined will ensure that conflicts of interest are recognized and either avoided or resolved.

The fundamental principle underlying this procedure is that employees must not permit relationships to conflict, or appear to conflict, with the interests of the Board as it relates to hiring practices for all employees. Adherence to this procedure, in letter and in spirit, is crucial to the relationships of trust that exist between the Board, its employees, and the public.

PROCEDURES:

Without restricting the generality of this procedure, the following are examples of specific conflicts that may give rise to a Conflict of Interest:

- i) participating in or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the hiring employee has, or has had, a relationship;
- ii) acceptance by a hiring employee of a gift from persons or entities if a reasonable person might conclude that the gift could influence the employee when performing hiring duties with the Board:

1. Disclosure of a Conflict of Interest

All hiring employees have an obligation to disclose any real or perceived Conflict of Interest prior to participating in the screening or selection process where a relationship, as defined above, may exist with an applicant.

Any conflict of interest or potential conflict in any matter relevant to their hiring duties, shall be disclosed, as outlined below:

- a. The hiring employee must disclose as soon as possible as they could reasonably be aware that a conflict of interest exists.
- b. The hiring employee shall disclose the conflict of interest to the Human Resources Department and their immediate Supervisor. The Director of Education shall disclose a conflict of interest or potential conflict of interest to the Chair of the Board.
- c. If the Supervisor to whom the disclosure is made also has a conflict of interest, the disclosure should be made in writing to the person at the next level of authority.
- d. Any and all relevant facts concerning the situation must be disclosed.
- e. A conflict of interest involving an employee may also be reported in writing to the Staffing and Recruiting Department and Supervisor by any other person.
- f. The hiring employee must refrain from taking part in any discussion or decision-making in relation to the screening or selection process, and withdraw from any meeting or process when the matter is being discussed until a decision has been reached regarding the manner in which the conflict of interest will be addressed.

2. Procedures for Management of Conflicts of Interest

Where a conflict of interest is disclosed, it must be evaluated and an appropriate mitigating action must be taken.

The Supervisor, in conjunction with the Human Resources Department, will investigate to determine if a conflict of interest exists. Where appropriate, the Supervisor or Human Resources may consult with the hiring employee and/or others.

If it is determined that a Conflict of Interest exists, the Supervisor, in consultation with the Human Resources Department, will decide a course of action.

3. Options for Resolving Conflicts of Interest

The existence of a conflict of interest does not necessarily preclude involvement in the hiring process.

1. Where the employee may be knowledgeable and have information central to the discussion, the employee with a Conflict or appearance of Conflict may be permitted to be involved in the process without participating in the final decision.
2. In other instances, it may be necessary for the hiring employee to remove themselves from the selection process entirely.

Any remedies decided as a course of action to mitigate the conflict of interest should be documented, in writing, between Human Resources and the hiring employee.