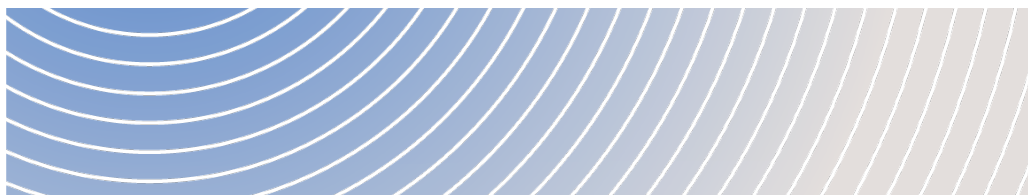


Agency Code of Conduct



September 2023



© His Majesty the King in Right of Canada, as represented by the Minister of Environment and Climate Change, 2023.

This publication may be reproduced for personal or internal use without permission, provided the source is fully acknowledged. However, multiple copy reproduction of this publication in whole or in part for purposes of redistribution requires the prior written permission from the Impact Assessment Agency of Canada, Ottawa, Ontario K1A 0H3, or information@iaac-aeic.gc.ca.

Catalogue Number: En106-257/2023E-PDF

ISBN 978-0-660-70591-0

This document has been issued in French under the title: Code de conduite de l'Agence.



Contents

- President’s introductory statement 3**
- Statement of values and ethics 4**
- Objective 4**
- Duties and obligations 4**
 - The role of federal public servants..... 4
 - The role of the President 5
 - The role of ministers 5
- Application 5**
- The five core values and expected behaviours 6**
 - 1. Respect for democracy..... 6
 - 2. Respect for people 7
 - 3. Integrity..... 8
 - 4. Stewardship..... 8
 - 5. Excellence 9
- Avenues of resolution and support 10**
- Resources for persons employed at the Agency 10**
 - Senior Officer for Values and Ethics, Conflict of Interest and Post-Employment
Measures..... 11
 - Union support 11
 - Disclosure of wrongdoings in the workplace..... 11
 - Senior Officer for Disclosure of Wrongdoing..... 12
- Consequences 12**
- Enquiries 12**
- Additional resources 13**
- Conflict of interest 13**



Preventing conflict of interest during employment.....	14
Reporting assets and liabilities	14
Outside employment and activities	15
Political activities	15
Persons employed seeking nomination or candidacy in an election.....	16
Gifts, hospitality, and other benefits.....	16
Solicitation	17
Avoiding preferential treatment.....	17
Criminal and other charges or convictions.....	17
Preventing conflict of interest post employment	18
Post-employment limitations for designated positions	18
Waiver or reduction of the one-year post-employment limitation period	19
Resolution	19
Consequences	19
Enquiries	20



President's introductory statement

The Impact Assessment Agency of Canada (the Agency) is a federal body accountable to the Minister of Environment and Climate Change. We serve Canadians by delivering high-quality impact assessments that look at both positive and negative environmental, economic, social, and health impacts of potential projects. We contribute to informed decision making on major projects in support of sustainable development in Canada.

The Agency's work is guided by five principles:

1. fostering reconciliation and partnership with Indigenous peoples
2. cooperating closely with other jurisdictions to achieve "one-project, one-assessment"
3. basing decisions on scientific evidence and Indigenous knowledge
4. providing predictability, transparency and timeliness for proponents and investors
5. engaging meaningfully with the public—ensuring that everyone has their say

As representatives of the Government of Canada, we are at the forefront of interactions with various stakeholders on major, complex, multi-billion dollar impact assessment projects and the provision of honest and impartial advice is of critical importance. In order to build and maintain confidence in our institution, persons employed by the Agency are therefore responsible for ensuring that their actions and decisions respect and comply with the Agency Code of Conduct (the Agency Code). The Agency Code affirms ethical conduct as integral to the work we do and requires persons employed by the Agency to exercise due diligence.

Persons employed by the Agency have the responsibility to adhere to the Agency Code. I am committed to supporting its understanding by ensuring that the necessary guidance is available to those faced with an ethical dilemma, or have any questions or concerns.

Terence Hubbard (he/him/il)
President
Impact Assessment Agency of Canada



Statement of values and ethics

Values and ethics are the foundation of a quality public service. They are the essential underpinnings of everything the organization is and does. Close regard for values and ethics is a key element in the success of the Agency and the careers of persons employed.

The [Values and Ethics Code for the Public Sector](#) (Code for the Public Sector), established by the Treasury Board Secretariat, applies to the federal public sector at large. The Agency Code provides explanations and examples of behaviours that can assist Agency officials in meeting their obligations. It also provides information on what to do and who to contact if an ethical issue does arise.

The Agency Code was developed through extensive consultations with those who work at the Agency. It reflects the views of people employed at Agency as to what makes it a unique organization within government and some of the broader ethical issues the Agency faces. Institutional pride and a sense of accomplishment for the Agency's ever-growing impact on the Canadian population inspired the consultation process throughout.

Finally, the Agency recognizes the particular responsibility that management holds to exemplify the values and expectations set out in the Agency Code.

Objective

The Agency Code fulfills the requirement of section 6 of the [Public Servants Disclosure Protection Act](#) requiring the President, as chief executive of the Agency, to establish an organizational code of conduct consistent with the broader [Code for the Public Sector](#). The Agency Code is meant as a tool, a practical guide to outline the five core values of the Code for the Public Sector and the expected behaviours of all persons employed at the Agency with respect to these values. It further provides information to assist all persons employed in their obligation to self-monitor.

Duties and obligations

The role of federal public servants

The Constitution of Canada and the principles of responsible government are the basis for the roles, responsibilities and values of the federal public sector. Constitutional conventions of ministerial responsibility prescribe the appropriate relationships among ministers, parliamentarians, public servants and the public.

Canada's federal public servants play a vital role in serving the public interest by providing professional, non-partisan support to government in the design and delivery of policy, programs and services. Public servants serve our democracy by supporting, without bias, the program of the duly elected government.



As dedicated public servants, we provide ministers with our best professional advice—frankly, candidly and with faithful regard to public service values and ethics. A professional, non-partisan federal public sector is integral to our democracy, and public servants recognize their duty to implement the lawful direction of their minister as part of the democratic process.

The role of the President

The President has specific responsibilities under the *Public Service Disclosure Protection Act*, including establishing a code of conduct for the Agency, and an overall responsibility for fostering a positive culture of values and ethics. The President ensures that persons employed are aware of their obligations under the Agency Code, and ensures they can obtain appropriate advice on ethical issues, including possible conflicts of interest, within their organization.

More specifically, the President's responsibilities include:

- ensuring that the Agency Code and the Agency's internal disclosure procedures are implemented effectively within the organization and are regularly monitored and evaluated
- ensuring the non-partisan provision of programs and services by the Agency
- adhering to the Agency Code and to the [Conflict of Interest Act](#)

The role of ministers

Ministers support the ability of the Public Service of Canada to serve successive governments by respecting the non-partisanship of public servants and supporting their commitment to the prescribed public service values and ethics. They are also responsible for preserving public trust and confidence in the integrity of management and operations within public sector organizations and respecting the tradition of a professional non-partisan federal public sector. They play a critical role in the ability of public servants to provide the best frank, candid and non-partisan advice.

Application

Except for those working pursuant to a contract for services, the Agency Code applies to every person employed at the Agency, including students and individuals on an exchange program.

Respecting the five core values of the Code for the Public Sector in all activities is a condition of employment for staff, regardless of level or function. As such, it is critical that all persons employed at the Agency read and understand their obligations. Failure to adhere to expected behaviours may be evidence of a breach of one or more of the core values, the consequence of which could result in disciplinary measures, up to and including termination of employment.



Notably, order-in-council appointees, such as deputy heads and presidents, are subject to the [Conflict of Interest Act](#), and are therefore excluded from the application of the [Conflict of Interest and Post-Employment](#) section of the Agency code.

The five core values and expected behaviours

The five core values of the Code for the Public Sector described below are intended as a source of guidance for persons employed for making decisions, taking actions, drafting policies, and structuring and implementing systems. Similarly, persons employed can expect to be treated in accordance with these same values. As there may be overlap, all five values are to be considered when exploring the way forward on any relevant ethical issue.

1. Respect for democracy

The system of Canadian parliamentary democracy and its institutions are fundamental to serving the public interest. Public servants recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public sector is essential to our democratic system.

Public servants shall uphold the Canadian parliamentary democracy and its institutions by:

- respecting the rule of law and carrying out their duties in accordance with legislation, policies and directives in a non-partisan and impartial manner
- loyally carrying out the lawful decisions of their leaders and supporting ministers in their accountability to Parliament and Canadians
- providing decision makers with all the information, analysis and advice they need, always striving to be open, candid and impartial

At the Agency, respect for democracy also means:

- we co-create an accessible environment with and for Canadians that ensures the inclusion of diverse voices in the assessment process
- we accept the responsibility of representing Canadian voters in a non-partisan way that includes formulating science- and knowledge-based recommendations for our democratically elected decision makers and implementing their decisions
- we create and disseminate information at the highest standard of impartiality to uphold our loyal and non-partisan stance within and outside of the Agency

Don't forget about your Oath or Solemn Affirmation!

When joining the public service, persons employed sign the Oath or Solemn Affirmation to faithfully, truly and impartially, and to the best of their judgment, skill and ability, perform the duties of their position. This includes protecting the confidentiality of information gathered through work at the Agency.



To post or not to post?

Everything you experience, both in and outside of your job at the Agency, influences you. As a person employed by the Agency, keeping your personal and political views separate from your work at the Agency is an essential part of your employment.

Sometimes, professional and personal worlds come together online. Before posting online, ask yourself, "Am I commenting on government policy in a way that would raise doubts about whether I am doing my job in a non-partisan and objective manner?" If so, do not post, do not participate.

2. Respect for people

Treating all people with respect, dignity and fairness is fundamental to our relationship with the Canadian public and contributes to a safe and healthy work environment that promotes engagement, openness and transparency. The diversity of our people and the ideas they generate are the source of our innovation.

Public servants shall respect human dignity and the value of every person by:

- treating every person with respect and fairness
- valuing diversity and the benefit of combining the unique qualities and strengths inherent in a diverse workforce
- helping to create and maintain safe and healthy workplaces that are free from harassment and discrimination
- working together in a spirit of openness, honesty and transparency that encourages engagement, collaboration and respectful communication

At the Agency, respect for people also means:

- we value our colleagues for bringing their full selves to work. We acknowledge, respect, and remain open to the diversity of thought, opinion, and perspective that our colleagues contribute in their areas of expertise.
- we act with humility by showing kindness to each other and reflecting on our roles in fostering a work environment that is free of harassment
- we recognize and appreciate our responsibility to honour the histories of Indigenous Peoples and other marginalized communities in Canada for current and future generations

R-E-S-P-E-C-T

Reflect: how can you foster stronger relationships with your colleagues, partners and stakeholders?

Everywhere: do you encourage and practice respectful interactions everywhere and at all times?

Stakeholders: when you engage with stakeholders, do you share information appropriately?

Partners: when you work with Agency partners, do you stay open to new ideas, opinions and perspectives?

Empathy: do you check in with your colleagues?

Culture: do you ensure that appropriate cultural practices are being respected when consulting and working with Indigenous communities and partners?

Teammates: do you listen and help create space for free-ranging discussion?



3. Integrity

Integrity is the cornerstone of good governance and democracy. By upholding the highest ethical standards, public servants conserve and enhance public confidence in the honesty, fairness and impartiality of the federal public sector.

Public servants shall serve the public interest by:

- acting at all times with integrity and in a manner that will bear the closest public scrutiny, an obligation that may not be fully satisfied by simply acting within the law
- never using their official roles to inappropriately obtain an advantage for themselves or to advantage or disadvantage others
- taking all possible steps to prevent and resolve any real, apparent, or potential conflicts of interest between their official responsibilities and their private affairs in favour of the public interest
- acting in such a way as to maintain their employer's trust

At the Agency, integrity also means:

- we frequently review, and always abide by, the laws and policies that relate to our work
- we practice honesty, fairness, and impartiality in our personal and professional lives to maintain public confidence in the Government of Canada
- we commit to the transparency of information and Agency procedures

Do the right thing

In assessing whether, in the exercise of your official duties or functions here at the Agency, your private interest could be furthered and thus give rise to a real, apparent or potential conflict of interest, ask yourself:

- Am I in a position to obtain/use information that is not accessible to the public?
- Do I have input into decisions that could have an effect, or be perceived as having an effect, on my private interest (i.e. an asset or outside activity)?
- Would a reasonable person view my private interest as conflicting with my official duties?

Represent

As a person employed by the federal public service, and more specifically, the Agency, it is important that you remember your role in representing the Agency at work and outside of work. (Remember that we are to act in a way that bears the closest scrutiny from the public.) This holds true for a variety of situations, such as when working with proponents, investing in the financial markets or making post-employment decisions.

4. Stewardship

Federal public servants are entrusted to use and care for public resources responsibly, for both the short term and long term.



Public servants shall use resources responsibly by:

- effectively and efficiently using the public money, property and resources managed by them
- considering the present and long-term effects that their actions have on people and the environment
- acquiring, preserving and sharing knowledge and information as appropriate

At the Agency, stewardship also means:

- we provide the highest quality service while carefully accounting for the financial, social, and environmental resources of current and future generations
- we equip our teams with adequate tools and resources so they can complete their work as efficiently and effectively as possible to serve best our internal and external stakeholders

Knowledge is a resource. How will you protect it?

Over time, we acquire a great deal of knowledge and experience. When someone leaves a position, the proper transfer of knowledge, files and information to a new team member is essential to avoid wasting time and resources. How will you pass on your legacy of knowledge and experience when you leave your current position? What can managers do to ensure that information is stored and accessible to new colleagues?

Do I need to make that trip?

With advances in technology, there are more choices than ever before for connecting people across vast distances. Before getting on an airplane, ask yourself if you could instead hold the meeting via videoconference. Not only would it save taxpayers' dollars, it would reduce the Agency's environmental footprint too!

5. Excellence

Excellence in the design and delivery of public sector policy, programs and services is beneficial to every aspect of Canadian public life. Engagement, collaboration, effective teamwork and professional development are all essential to a high-performing organization.

Public servants shall demonstrate professional excellence by:

- providing fair, timely, efficient and effective services that respect Canada's official languages
- continually improving the quality of policies, programs and services they provide
- fostering a work environment that promotes teamwork, learning and innovation

At the Agency, excellence also means:

- we seek opportunities to learn and develop our professional competencies and skills individually and as a team
- we improve ourselves and grow as an Agency by challenging the status quo and thinking creatively about innovation



- we strive for excellence by abiding by the Agency Code in addition to all other government values and ethics prescriptions

Getting out of your work silo

The world is fast-paced and complex, and the policy issues we face are increasingly interrelated. To meet the challenge, we need to foster, nurture and develop relationships, both internally and externally. Interpersonal skills and the ability to work well with others is more than ever a core requisite for getting the job done. Talk to others, network, share.

Turning failure into success

Learning from our mistakes is fundamental to creating the conditions for achieving excellence in our work. When something goes wrong, it is important to acknowledge it, own it and build from there. Take the time to share your experience with colleagues. It will build a broader understanding of how to better manage issues and improve outcomes the next time someone faces a similar situation.

Avenues of resolution and support

Persons employed at the Agency will, from time to time, find themselves in situations where they are uncertain about how to act, or have concerns about something they have been asked to do, or are expected to do. Asking yourself the following questions can help you decide on an appropriate course of action:

- What is difficult about this situation? What values are in conflict?
- Is what I want to do (or what I am being asked to do) consistent with government guidelines, policies and the Agency Code?
- What are the consequences and impacts of potential actions and decisions in this situation? Do they in any way affect my ability, real or perceived, to do my job effectively and impartially?
- How might others perceive the situation were they to know about it?
- Have I asked for advice from an independent, trusted person or service?
- Am I comfortable with the decision I am about to make and am I prepared to be publicly accountable for it?

In other cases, persons employed may find themselves in situations where they have concerns about the conduct of another person. The above list of questions may also be helpful in this situation. When an ethical issue does arise, persons employed should seek to resolve it in a timely manner. To begin the process, persons employed are encouraged to discuss ethical situations with their managers.

Resources for persons employed at the Agency

The following resources are at the disposal of persons employed at the Agency when it comes to values and ethics or when you are confronted with an ethical dilemma or challenges.



Senior Officer for Values and Ethics, Conflict of Interest and Post-Employment Measures

With the support of the Labour Relations and Values and Ethics team, the Agency's Senior Officer for Values and Ethics, Conflict of Interest and Post-Employment Measures (Agency's Senior Officer):

- provides advice and guidance to management and all persons employed on values and ethics
- provides support and recommendations to the [Senior Officer for Disclosure of Wrongdoing](#)
- provides support and advice to the Values and Ethics Co-Champions to develop the Values and Ethics program, including tools, communications and training
- supports management in their ongoing dialogue with persons employed
- works in collaboration with the Values and Ethics Committee to facilitate discussions and the understanding of the Agency Code

For more information, or to discuss your situation in confidence, contact the Agency's Senior Officer for Values and Ethics, Conflict of Interest and Post-Employment Measures at LR-RT@iaac-aeic.gc.ca.

Union support

Local union representatives are available to discuss concerns with respect to values and ethics with represented individuals. For union representative contact information, please send an email to the [Labour Relations and Values and Ethics Team](#).

Disclosure of wrongdoings in the workplace

Persons employed at the Agency with information that could indicate a serious breach of the Agency Code are encouraged to make a disclosure. This involves bringing the matter, in confidence and without fear of reprisal, to the attention of their immediate supervisor, the [Senior Officer for Disclosure of Wrongdoing](#), or the [Public Sector Integrity Commissioner](#). For more information, please refer to the [Agency's Internal Disclosure Procedures](#).¹

The Public Sector Integrity Commissioner handles disclosures of wrongdoing when serious breaches or gross mismanagement has been disclosed. The Public Sector Integrity Commissioner also help protect those who blow the whistle.

Members of the public who have reason to believe that a public servant has not acted in accordance with the Agency Code can bring the matter to the [Senior Officer for Disclosure of Wrongdoing](#) or to the [Public Sector Integrity Commissioner](#) to disclose a serious breach of this Code.

¹ Available only to persons employed at the Agency.



Senior Officer for Disclosure of Wrongdoing

The [Senior Officer for Disclosure of Wrongdoing](#) (the Senior Officer) helps promote a positive environment for disclosing wrongdoing and deals with disclosures of wrongdoing made by persons employed in the workplace. The Senior Officer is responsible for supporting the President in meeting the requirements of the *Public Servants Disclosure Protection Act*.

The Senior Officer's duties and powers within the Agency also include the following:

- provide information, advice and guidance to persons employed within the organization regarding the organization's internal disclosure procedures, including the making of disclosures, the conduct of investigations into disclosures, and the handling of disclosures made to supervisors
- receive and record disclosures and review them to establish whether there are sufficient grounds for further action
- manage investigations into disclosures, including determining whether to deal with a disclosure, initiate an investigation, or cease an investigation
- coordinate the handling of a disclosure with a senior officer of another federal public sector organization, if a disclosure or an investigation into a disclosure involves another organization
- notify the person(s) who made a disclosure, in writing, of the outcome of any review and/or investigation into the disclosure and the status of actions taken
- report directly to the chief executive the findings of investigations, as well as any systemic problems that may give rise to future wrongdoings, including recommendations, if any, for corrective action

For more information, or to discuss your situation in confidence, contact the Senior Officer for Disclosure of Wrongdoing at wrongdoing.actesreprehensibles@iaac-aeic.gc.ca.

Consequences

Any persons employed at the Agency who does not comply with the requirements set out in the Agency Code may be subject to administrative or disciplinary measures, up to and including termination of employment.

Enquiries

Enquiries about the Agency Code should be referred to the Agency's [Labour Relations and Values and Ethics team](#).

We have champions!

The Agency has two co-champions who are responsible for promoting awareness and understanding of values and ethics across the organization. They are key players in the application of the Agency Code and they ensure management practices are in place to support accordingly. For contact information, please contact the [Labour Relations and Values and Ethics Team](#).



Additional resources

- [Agency Policy on Scientific Integrity](#)
- [Values and ethics of the public service](#)

Conflict of interest situations during and post employment

Good public sector governance recognizes the need for provisions that prevent, counter and deal with real, apparent, and potential conflicts of interest. Conflict of interest and post-employment requirements established by the Treasury Board of Canada are a condition of employment for persons employed by the Impact Assessment Agency of Canada (the Agency). They are set out in [Appendix A: Mandatory Procedures for Preventing and Resolving Conflict of Interest and Conflict of Duties Situations](#) of the [Directive on Conflict of Interest](#). The requirements are grounded in and serve to uphold the values contained in the Agency Code of Conduct.

Conflict of interest

A public office holder is in conflict of interest when they exercise an official power, duty or function that provides an opportunity to further their own private interests or those of their relatives, friends, or any other person or entity.

A person employed maintains public trust and confidence in the objectivity of the public service by preventing and avoiding situations that could give the appearance of a conflict of interest, create a potential for a conflict of interest, or result in an actual conflict of interest.

Conflicts of interest in any area of activity, including those of a financial nature, can have a negative impact on the reputation of the public service. With the permanent and pervasive nature of information technology, persons employed should be particularly sensitive to real, apparent, or potential conflicts that may arise from messages and information transmitted via the Internet and other media.

It is impossible to foresee every situation that could give rise to a real, apparent, or potential conflict of interest. When in doubt, persons employed should refer to the requirements described herein as a guide for appropriate action. Persons employed can also seek guidance from their manager, the [Agency's Senior Officer for Values and Ethics, Conflicts of Interest and Post-Employment Situations](#), the [Agency's Values and Ethics Co-Champions](#), the [Agency's Senior Officer for Disclosure of Wrongdoing](#), or the [Labour Relations and Values and Ethics Team](#).

In addition to the directives outlined herein, persons employed are also expected to observe the conduct requirements of any statute that governs the Agency or specific professions, where applicable.



Preventing conflict of interest during employment

Persons employed by the Agency are required to declare to the [Labour Relations and Values and Ethics Team](#), in writing, any real, apparent, or potential conflict of interest in relation to their official duties and responsibilities. In making a declaration, the following themes should be considered, and each of these is elaborated in the coming sections.

- assets and liabilities
- outside employment and activities
- political activities
- gifts, hospitality, and other benefits
- solicitation
- preferential treatment
- criminal and other charges or convictions
- intended post-employment activities when in a designated position

Reporting must be made within 60 days of a person's employed initial appointment to a position and anytime there is a significant change in their personal affairs or official duties that may give rise to a real, apparent, or potential conflict of interest.

To meet this requirement, the employee must complete a [Confidential Report](#) and email it to the [Labour Relations and Values and Ethics Team](#).

If a situation where concurrent or competing official responsibilities create a conflict of duties, persons employed must make every effort to recuse themselves from the conflict and seek the advice of their manager. If a conflict of duties does exist, or there is a question as to whether it exists, persons employed must report the matter to the [Labour Relations and Values and Ethics Team](#).

Reporting assets and liabilities

Persons employed are required to evaluate and report their assets, liabilities, and interests to the [Labour Relations and Values and Ethics Team](#). When doing so, persons employed must consider the nature of their official duties and responsibilities and the characteristics of their assets, liabilities, and interests that could give rise to a real, apparent, or potential conflict of interest. It is imperative that all personally managed assets be communicated transparently to ensure compliance with the established procedures and to uphold the principles of preventing and resolving financial conflicts of interest within the Agency. Where the [Labour Relations and Values and Ethics Team](#) determines that an asset does create a conflict, persons employed may be required to divest the asset, or take other measures to resolve the matter. The procedures for managing such assets are set out in [Appendix B: Standard on Preventing and Resolving Financial Conflicts of Interest](#) of the [Directive on Conflict of Interest](#).

Examples of assets that could require reporting include:



- publicly traded securities for companies listed as active project proponents in the Agency's [Canadian Impact Assessment Registry](#)
- self-administered Registered Retirement Savings Plans, Registered Education Savings Plans, Tax-Free Savings Accounts and First Home Savings Accounts that are composed of directly held publicly traded securities (as opposed to those held through fund units)
- interests in partnerships, proprietorships, joint ventures, private companies, and family businesses—particularly those that own or control shares of public companies, or that do business with the Government of Canada
- commercially operated farm businesses
- real property that is not for the private use of the person employed or their family members
- assets referenced in this list that are placed in trust, or result from an estate of which the employee is a beneficiary
- any other assets or liabilities that could give rise to a real, apparent, or potential conflict of interest due to the particular nature of the employee's official duties
- direct and contingent liabilities related to any of the assets described in this section

Outside employment and activities

Persons employed may engage in employment outside of the public service and take part in outside activities except when the employment or activity is likely to create a real, apparent, or potential conflict of interest, or would undermine the impartiality of the public service or the objectivity of the person.

Persons employed are required to provide a report to the [Labour Relations and Values and Ethics Team](#) when their outside employment or activities might subject them to demands incompatible with their official duties, or cast doubt on their ability to perform their duties in a completely objective manner. In turn, if it is determined that a real, apparent, or potential conflict of interest exists, the President may require that these activities be modified or terminated.

Persons employed who receive a benefit or income, either directly or indirectly, from a contract with the Government of Canada must report their contractual or other such arrangements to the [Labour Relations and Values and Ethics Team](#). The Team will then determine whether the arrangement presents a real, apparent, or potential conflict of interest, and if so, the President may instruct that the contract be modified or terminated.

Political activities

Any persons employed considering involvement in a political activity that could constitute a conflict of interest or impair their ability to perform their duties and responsibilities in an objective and impartial manner must report their intention in writing beforehand to the [Labour Relations and Values and Ethics Team](#). This includes [non-candidacy political activities](#) as well as seeking nomination for, or becoming a candidate in, a federal, provincial, territorial or municipal election.



Non-candidacy political activities

In addition to the above requirements, prior to participating in non-candidacy political activities, persons employed must:

- seek the advice of their manager and the [Agency's Designated Political Activities Representative](#)
- consider the nature of their official duties and responsibilities in relation to the political activity
- determine whether there is any real, apparent, or potential conflict of interest between their official duties/responsibilities and the activity
- report the matter to the [Labour Relations and Values and Ethics Team](#) if there is any real, apparent, or potential conflict of interest situation, or there is any question as to whether one might exist

Persons employed seeking nomination or candidacy in an election

Persons employed are required to obtain permission from the Public Service Commission before seeking nomination for, or becoming a candidate in, a federal, provincial, territorial or municipal election, in accordance with [Part 7 of the Public Service Employment Act](#). To initiate such a process, contact the [Labour Relations and Values and Ethics Team](#). The same procedure applies to individuals who are subject to the [Directive on Conflict of Interest](#) but not Part 7 of the Act (e.g. casual and part-time workers).

Gifts, hospitality, and other benefits

Persons employed are expected to use their best judgment to avoid situations of real, apparent, or potential conflict of interest by considering the following criteria related to gifts, hospitality, and other benefits.

Persons employed must not accept gifts, hospitality, or other benefits that may have a real, apparent, or potential influence on their impartiality in carrying out their official duties and responsibilities, or may place them under obligation to the donor. This includes offers of free or discounted prices, such as for sporting and cultural events, travel and conferences.

The acceptance of gifts, hospitality, and other benefits is allowed if:

- they are infrequent and of minimal value
- within the normal standards of courtesy or protocol
- arise out of activities related to the official duties of the persons employed concerned
- do not jeopardize or appear to compromise the integrity of the person concerned or of the Agency

Persons employed must seek written guidance from their director when they believe they cannot decline gifts, hospitality, or other benefits that do not meet the principles set out above (e.g. where refusal would cause an offence or misunderstanding), or where it is believed their acceptance would bring a worthy benefit to the organization.

Note: When negotiating financial arrangements with outside parties, persons employed are expected to comply with other related directives or policies issued by the Treasury Board Secretariat, as well as with



the requirements listed herein. When in doubt, persons employed must report the situation promptly to their managers and seek advice on how to proceed.

Solicitation

With the exception of fundraising for officially supported activities such as the Government of Canada Workplace Charitable Campaign (GCWCC), persons employed may not solicit gifts, hospitality, other benefits or transfers of economic value from a person or entity in the private sector engaged in dealings with the government. When fundraising for the GCWCC, persons employed must ensure that they have prior written authorization from the President to solicit donations, prizes, or in-kind contributions from external entities or individuals. Ultimately, the President may require that activities be modified or terminated, where it is determined that there is a real, apparent, or potential conflict or an obligation to the donor.

Similarly, if an outside individual or entity, with whom the organization has past, present or potential official dealings, offers a benefit to the organization, such as funding for an event or a donation of equipment, persons employed are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing from the President prior to accepting any such benefit.

Avoiding preferential treatment

Persons employed are responsible for demonstrating objectivity and impartiality in the exercise of their duties and decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations, or any other exercise of responsibility.

This means they are prohibited from granting preferential treatment or advantages to family, friends, or any other person or entity. In addition, they must not offer extraordinary assistance to any entity or individual already dealing with the government without the knowledge and support of their manager. Further, persons employed must not disadvantage any entity or person dealing with the government because of personal bias or antagonism.

Criminal and other charges or convictions

If any persons employed is charged with, or convicted of a violation of Canadian law or regulation, which could potentially affect the persons employed ability to carry out their work (e.g. their driver's licence is suspended and driving is part of their work), the persons employed must inform their manager promptly.



Preventing conflict of interest post employment

Before leaving their employment with the public service, persons employed, must:

- disclose their intentions regarding any future outside employment or activities that may pose a risk of real, apparent, or potential conflict of interest with their current responsibilities
- discuss potential conflicts with their manager
- report in writing to the [Labour Relations and Values and Ethics Team](#)

In addition, they can seek guidance from the [Agency's Senior for Values and Ethics, Conflicts of Interest and Post-Employment Situation](#).

Further, persons employed in positions that are designated as a risk for post-employment conflicts of interest, known as designated positions, may be subject to limitations and responsibilities under the [Directive on Conflict of Interest](#), as described below.

Post-employment limitations for designated positions

The Agency has designated the following positions as a risk for post-employment conflict of interest situations:

- executives (EX) and equivalents (including EC-08 and PC-05)
- EX minus 1 (including CS-04, EC-07, FI-04, IS-06, PC-04, PE-06 and PM-06)
- EX minus 2 (including CS-03, EC-06, FI-03, IS-05, PC-03 and PE-05)

Upon leaving the public service, persons employed in these designated positions are subject to a one-year limitation period that limits their contact with private sector organizations with which they had business dealings. Before vacating their position and during the one-year period, persons employed must report in writing to the [Labour Relations and Values and Ethics Team](#) all firm offers of employment and activities that might give rise to a real, apparent, or potential conflict in relation to their most recent duties and responsibilities.

In addition, these persons employed must seek written approval from the President before:

- accepting an appointment to a board of directors of, or employment with, an outside entity or individual with which they had significant official dealings (either directly or through their subordinates) in the year immediately prior to leaving the public service
- making representations on behalf of an entity or individual outside the public service to any government organization with which they had significant official dealings (either directly or through their subordinates) in the year immediately prior to leaving the public service giving advice to their clients or any new employer by using information that is not publicly available concerning the



programs or policies of the department or organization with which they were employed or with which they had a direct and substantial relationship

Waiver or reduction of the one-year post-employment limitation period

A person employed or former person employed may request from the President a waiver or reduction of the one-year post-employment limitation period. The employee must provide, in writing, sufficient information to assist the President in making a determination, by taking into account the following criteria:

- the circumstances under which they are leaving, or have left, the public service
- their employment prospects
- the significance to the government of information they possess by virtue of their current or former public service position
- the desirability of a rapid transfer of their knowledge and skills from the government to a private, or other governmental or non-governmental sector
- the degree to which their new employer could potentially gain unfair commercial or private advantage
- the persons employed' s authority and influence while working in the public service

Resolution

With respect to the arrangements necessary to prevent real, apparent, or potential conflicts of interest, or to comply with the requirements set out above, it is expected that situations will be resolved through discussion and agreement between the persons employed, their manager and the [Labour Relations and Values and Ethics Team](#).

When a persons employed and the [Labour Relations and Values and Ethics Team](#) disagree on the appropriate course of action, the persons employed may submit their written concern to, and request a third party review by, the [Agency's Senior Officer for Disclosure of Wrongdoing](#). The Senior Officer will review the matter, rationale for the decision, and any other information required to make an informed recommendation to the President for final decision.

Consequences

A person employed who does not comply with the requirements set out in the Agency Code of Conduct may be subject to administrative or disciplinary measures, up to and including termination of employment.



Enquiries

Enquiries about the Agency Code of Conduct should be referred to the [Agency's Values and Ethics Co-Champions](#), or the [Agency's Senior Officer for Disclosure of Wrongdoing](#), or the [Labour Relations and Values and Ethics Team](#).