

TCDSB Policy Register

Trustees:

Conflict of Interest Trustees Policy T.01

Date Approved: November 14, 2002 - Board

Dates of Amendment:

Cross Reference:

Conflict of Interest: Employees Policy
Municipal Conflict of Interest Act. R.S.O. 1990, c.M.50
Purchasing Policy F.P. 01

Policy

Toronto Catholic District School Board expects, consistent with the teachings of Jesus Christ, that Trustees will at all times conduct themselves with personal integrity, ethics, honesty and diligence in the performance of their duties. Trustees are expected, and in accordance with the requirements of *Education Act* and the *Municipal Conflict of Interest Act* required, to support and act in the best interest of the Board. Trustees are therefore expected either:

- to avoid, as far as practicable, placing themselves in situations in which their personal interests may actually or potentially conflict with the interest of the Board, or
- at any and all times and places and regardless of whether engaged in or on or about Board business, to take all reasonable steps to avoid the exercise of any influence on Board decisions in which they have a personal interest.

Regulations

1. In this Policy and Regulations¹:

1.1 the interest, direct or indirect, of the spouse of a Trustee, or of a parent, sibling or child of a Trustee or the spouse of any of them, shall, if known to the Trustee, be deemed to be also the interest of the Trustee;

1.2 a Trustee has an indirect pecuniary interest in any matter in which the Board is concerned, if

¹ The definitions and significant portions of the text of the Regulations are taken from the *Municipal Conflict of Interest*, R.S.O. 1990, c.M.50



(a) Trustee or his or her nominee,

(i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,

(ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or

(iii) is a member of a body, that has a pecuniary interest in the matter; or

(b) the Trustee is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter;

1.3 a meeting of the Board includes any meeting of the Board of Trustees, or of a committee or sub-committee of the Board; whether formal, informal or caucus; and whether or not the public is present, permitted or excluded from attendance;

1.4 “pecuniary interest” includes any interest in which there exists a possibility for gain of any kind by any person, including a corporate person;

1.5 “senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office.

2. The provisions of this Policy are, and are to be considered as, supplemental to, not in substitution for, the obligation of Trustees:

2.1 to “truly, faithfully, impartially and to the best of the Trustee’s ability execute the office of” Trustee, in accordance with the Declaration each Trustee has made under section 209 of the *Education Act*; and

2.2 to declare publicly whenever the Trustee has a pecuniary interest in any matter, and to refrain from any attempt to influence a decision of the Board in respect of such matter, in accordance with the requirements of the *Municipal Conflict of Interest Act*.

3. Without limiting the obligation of Trustees to comply with all requirements of law, Trustees are expected to and shall comply with the following requirements of section 5 of the *Municipal Conflict of Interest Act*:



3.1 Where a Trustee, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the member,

(a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

(b) shall not take part in the discussion of, or vote on any question in respect of the matter; and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

(c)

3.2 Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the Trustee shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

3.3 Where the interest of a Trustee has not been disclosed as required by subsection (1) by reason of the Trustee's absence from the meeting referred to therein, the Trustee shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the Board attended by the member after the meeting referred to in subsection (1).

4. Trustees are expected to be scrupulous in their compliance with the requirements of law and this policy.

	<p style="text-align: center;">TORONTO CATHOLIC DISTRICT SCHOOL BOARD Employee's Acknowledgement and Compliance Statement as to Conflict of Interest <i>To Be Completed When Required By The Director of Education</i></p>
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I have read, understand, and agree to abide by the Board Policy "Conflict of Interest: Employees". In particular, I acknowledge that the interests of certain others, as defined in the Regulations to the Policy, are my interest for the purpose of the Policy and this Acknowledgement and Compliance Statement.

* I confirm I am currently in compliance with the Board Policy, and disclose the following actual or potential direct and indirect interests in which the Board may also have an interest:

* I am associated with the following supplier(s) of goods or services to the Board



(attach additional pages if necessary to include all relevant suppliers):

1. Name of the Supplier(s):

Nature of the Association (*e.g. owner, relative*):

2. Name of the Supplier(s):

Nature of the Association (*e.g. owner, relative*):

Other (*eg. relationship, interests or associations that may have a bearing*):

Dollar value of all disclosed interests: \$

I understand that this Acknowledgment/Compliance Statement will be retained and in effect for as long as I remain an employee.

I further understand that if, subsequent to the signing of this statement, a potential or actual, direct or indirect, interest arises, I must disclose this to the Director of Education or delegate. Failure to disclose an interest or to comply with Board Policy regarding Conflict of Interest will be subject to such measures as the Board may deem appropriate, which measures could include termination of employment.

Name: (please print) _____

Signed: _____ Dated: _____