

## CODE OF CONDUCT

### I. Preamble

The Code of Conduct (the Code) for the Alberta Advisory Council on Francophonie (AACF) applies to all appointed members. Government of Alberta employees, including the Executive Director who supports the agency, are subject to the Code of Conduct and Ethics for the Public Service of Alberta. The Code reflects a commitment to the agency's values and provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the agency. Members are expected to behave in a way that aligns with this Code. They understand that this Code does not cover every specific scenario. Therefore, they use the spirit and intent behind this Code to guide their conduct, and exercise care and diligence in the course of their work with the agency.

To demonstrate commitment to transparency and accountability, this Code is available to the public on the ministry's or the Public Agency Secretariat's (if need be) website.

### II. Definition of Key Terms

- a. agency – refers to the Alberta Advisory Council on Francophonie
- b. members – refers to all appointed members of the agency, including the appointed Co-Chairs
- c. Code Administrator – person responsible for administering the requirements of the Code; the Code Administrator is the Co-Chairs of the Alberta Advisory Council of Francophonie; the Code Administrator for the appointed Co-Chairs is the Minister
- d. Minister – refers to the Minister responsible for the Francophone Secretariat
- e. Deputy Minister – refers to the Deputy Minister of the ministry responsible for the Francophone Secretariat
- f. private interest – refers to interest that is unique to the member; or his or her spouse or minor child, as opposed to an interest or matter that would apply to all members, the agency or the agency's stakeholders; a private interest benefits or impacts the member in a disproportionate or preferential way; does not include interests that are trivial, of general application, affect an individual as a member of a broad class, or concern an individual's remuneration and benefits within the agency
- g. personal gain – refers to benefits or advantage to the member, or his/her spouse or minor child, as opposed to the agency or the agency's stakeholders.

### III. Core Values

- a. Members must act with impartiality and integrity.
- b. Members demonstrate respect and accountability.
- c. Members trust each other; they respect the confidential nature of their work within the agency.
- d. Members show respect towards the multifaceted and vibrant Francophonie; they represent it and they promote it.

### IV. Guiding Principles

These principles guide the behaviour and decisions of members:

- a. The actions and decisions of members are made to promote the public interest and to advance the mandate of the agency, which is to implement the French Policy and to reassess its implementation on an ongoing basis.
- b. Taking into consideration the advice provided, members use available resources strategically and promote an effective and efficient use of public resources.
- c. To serve public interest, members have a responsibility to uphold the agency's mandate and direction, as well as the spirit of the French Policy.
- d. Members have a responsibility to act in good faith and to place the interests of the agency above their own private interests.
- e. Members behave in a way that demonstrates that their behaviour and actions are fair and reasonable in the circumstance.
- f. Members enjoy the same rights in their private dealings as any other Albertan, unless it is demonstrated that a restriction is necessary in the public interest.
- g. When a member, as an individual, is subject to more than one code of conduct, the member must consider the expectations in all. Members understand that this Code is not intended to conflict with other Codes of Conduct, and will discuss any potential conflicts with the Co-Chairs, Code Administrator, and others as appropriate.
- h. The Code applies to all appointed members. All employees of the Government of Alberta are subject to the Code of Conduct and Ethics for the Public Service of Alberta.
- i. Members know that when they become aware of a real or apparent conflict of interest, they must at the first opportunity disclose this conflict to the Co-Chairs and the Code Administrator.

- j. Members understand that disclosure itself does not remove a conflict of interest.
- k. Members encourage their colleagues to act fairly and ethically and know that they are able to raise concerns about a suspected breach by another to the Co-Chairs or to the Minister without fear of reprisal.
- l. Members know that breaches of this Code may result in disciplinary action, up to and including removal of the member.
- m. Members know that if they have any questions about the Code, or are not sure how to apply these principles, they should consult the Code Administrator.
- n. Each member confirms, on an annual basis, their understanding of, and commitment to, the Code's expectations.

## **V. Behavioural Standards**

Behavioural standards help members make appropriate decisions when the issues they face involve ethical considerations. Behavioural standards cannot cover all scenarios but provide guidance in support of day-to-day decisions. All members must adhere to the following standards:

- a. Members must not engage in any criminal activity and comply with all relevant laws, regulations, policies and procedures.
- b. Members must not use their status or position with the agency to influence or gain a benefit or advantage for themselves, their families, their business associates or others with whom they have a significant personal or business relationship. Members must not act in self-interest or further their private interests through their position or the carrying out of their duties.
- c. Members conduct contributes to a safe and healthy workplace that is free from discrimination, harassment or violence.
- d. Members must not use drugs or alcohol in a way that affects their performance and safety or the performance and safety of their colleagues, or that negatively impacts the reputation or operations of the agency.
- e. Members must act in a way that is consistent with the agency's protocols on public comment.
- f. Members must take reasonable steps to avoid situations where they may be placed in a real or apparent conflict between their private interests and the interests of the agency. In other words, actions or decisions that members take on behalf of the agency must not provide them with an opportunity to further the private interests of themselves, their organizations, their families, their business associates or others with whom they have a significant personal or business relationship.

1. Gifts and Gratuities

Members must not accept or receive fees, gifts or other benefits other than the normal exchange of gifts between friends or business colleagues, tokens exchanged as part of protocol or the normal presentation of gifts to people participating in public functions. The above-mentioned gifts must be of small monetary value. The value of the gift shall not exceed \$50 and must not be cash, cheques, gift cards or gift certificate. The total value of fees, gifts, or other benefits received from the same source in any calendar year cannot exceed \$100.

2. Outside Activities

Members must avoid participating in outside activities that conflict with the interests and work of the agency. For example:

- i. **Business Interests:** Members must not hold interests in a business directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the agency.
- ii. **Employment:** Members must not take supplementary employments, or appointments that affect their performance or impartiality with the agency. Prior to accepting any supplementary employment or appointment, members and employees must notify their Code Administrator in writing about the nature of such supplementary employment or appointment. The Code Administrator must review the proposed employment or appointment for real or apparent conflicts of interest. If there is a real or apparent conflict of interest, the Code Administrator must then, in writing, deny the employment or appointment or allow the employment or appointment and put procedures in place to manage the real or apparent conflict of interest. Members must also disclose annually in writing any current concurrent employments or appointments.
- iii. **Political Activity:** Members may participate in political activities including holding membership in a political party, supporting a candidate for elected office or seeking elected office. However, they must not use their position with the agency to seek contributions for a political party or activity from current or future clients or entities doing business with the agency. In addition, any political activity must be clearly separated from activities related to the work for the agency, must not be done while carrying out the work of the agency and must not make use of agency facilities, equipment or resources in support of these activities. If a member is planning to seek an elected municipal, provincial or federal office, they must disclose their intention in writing as soon as possible to the Code Administrator for guidance relating to their duties with the agency.

- iv. **Volunteer Activity:** If members are involved in volunteer work, the activity must not influence or conflict with decisions relating to the agency.
- 3. **Pre-Separation**  
Members considering a new offer of appointment or employment must be aware of and manage any potential conflicts of interest between their current position and their future circumstance, and must remove themselves from any decisions affecting their new appointment or employment.
- 4. **Post-Separation**  
Once members have left the agency, they must not disclose confidential information that they became aware of during their time with the agency and must not use their contacts with their former colleagues to gain an unfair advantage for their current circumstance.
- 5. **Property**  
Members may have limited use of the agency's premises and equipment for authorized incidental purposes providing such use involves minimal additional expense to the agency, must not be performed on the member's work time, must not interfere with the mission of the agency and must not support a personal, private business.
- 6. **Related Persons or Parties**  
Members must avoid dealing with those in which the relationship between them might bring into question the impartiality of the member.

## **VI. Confidentiality**

The agency will operate in complete confidentiality to allow for honest and deep reflections and dialogue.

Members must respect the confidential nature of their work and protect confidential information; they must use that information only as part of their work within the organization and not for personal gain. Members must comply with the protocols that guide the collection, safeguard, use, transmission and disclosure of information.

The Minister responsible for the Francophone Secretariat, will determine, if necessary, what information may be shared publicly by the agency, its members and/or the Ministry.

## **VII. Provisions for the Co-Chairs as Senior Officials**

The appointed Co-Chairs who are the senior officials of the agency are subject to the following provisions. These provisions will be applied immediately.

- a. In the course of carrying out his/her office or powers, a Co-Chair must not take part in a decision that may further his/her private interest, the private

interest of a person directly associated with him/her, or his/her minor or adult child.

- b. A Co-Chair must not use his/her office or powers to influence or seek to influence a decision to be made by or on behalf of the Crown or a public agency to further his/her private interest, private interest of a person directly associated with him/her, or private interest of his/her minor child, or to improperly further any other person's private interest.
- c. A Co-Chair must not use or communicate information not available to the general public that was gained by the Co-Chair in the course of carrying out his/her office or powers, to further or seek to further his/her private interest or any other person's private interest, and;
- d. A Co-Chair must appropriately and adequately disclose a real or apparent conflict of interest.

## VIII. Administrative Processes

Administrative processes help members manage ethical dilemmas, including any real or apparent conflict of interest concerns.

- a. Administration  
The Co-Chairs, supported by the Ministry, are the Code Administrators. They receive and ensure the confidentiality of all disclosures, and ensure that any real or apparent conflict of interest is avoided or effectively managed. As well, the Code Administrators are responsible for providing advice and managing concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the agency. Even though an agency may have a delegated process for responding to and managing concerns, the Code Administrators are responsible for ensuring procedural fairness.

The Code Administrator for the appointed Co-Chairs is the Minister, who receives disclosures from the Co-Chairs and responds to allegations that the Co-Chairs have violated the Code.

Government of Alberta employees, including the Executive Director who supports the agency, are subject to the Code of Conduct and Ethics for the Public Service of Alberta.

- b. Disclosure  
It is the responsibility of each member to declare in writing to the Code Administrator, the Co-Chairs or the Minister, depending on the case, those private interests and relationships that they think could be seen to impact the decisions or actions they take on behalf of the agency. When there is a change in their responsibilities within the agency or in their personal circumstance, members shall disclose in writing any relevant new or additional information about those interests as soon as possible. Where a

real or apparent conflict of interest cannot be avoided, members must take the appropriate steps to manage the conflict.

Members disclose these real or apparent conflicts of interest so that the Code Administrator is aware of situations that could be seen as influencing the decisions or actions they are making on behalf of the agency. This provides members, following a review by the Code Administrator, an opportunity to take action to minimize or remove the conflict. To actively manage a conflict of interest, options include:

- removing themselves from matters in which the conflict exists or is perceived to exist;
- giving up the particular private interest causing the conflict; and,
- in rare circumstances, resigning their position with the agency.

c. Reporting a Potential Breach by Another

Members are encouraged to report in writing a potential breach of this Code by another to the Code Administrator for members. When reporting a potential breach in good faith and with reasonable grounds, members are protected from retaliation for such reporting.

d. Responding to Potential Breach

Once a potential breach has been reported, the agency's procedures for responding to and managing a potential breach will be promptly initiated. The Code Administrator, that is the Co-Chairs or the Minister, will review the circumstance and details of the potential breach and will notify the alleged member. The alleged member has the right to complete information and the right to respond fully to the potential breach. The identity of the reporter will not be disclosed unless required by law or in a legal proceeding. The Code Administrator makes a decision and completes a report, which includes reasons or the factors considered, in a timely manner. The decision may range from finding no potential breach to one that reveals suspected criminal conduct.

e. Consequences of a Breach

Members who do not comply with the standards of behaviour identified in this Code, including taking part in a decision or action that furthers their private interests, may be subject to disciplinary action up to and including removal of the member.

f. Review of a Decision

A member can request in writing that the Minister review the decision made by the Code Administrator that they have breached the agency's Code of Conduct. A Co-Chair can request in writing that the Ethics Commissioner review the decision made by the Code Administrator that they have breached the agency's Code of Conduct.

## IX. Other Resources

a. Where to Get Advice

When members require advice and guidance in determining whether misconduct or a conflict exists, or need clarification, they may discuss their issue with:

- the Code Administrator for members; or
- a Public Agency Secretariat officer.

b. Questions to Consider

When members are faced with a complex or ambiguous situation, the following questions may help them decide the right course of action:

- Have I reflected on or consulted with the Code Administrator about whether I am compromising the Code's values, principles or behavioural standards?
- Have I considered the issue from a legal perspective?
- Have I investigated whether my behaviour aligns with a policy or procedure of the agency?
- Could my private interests or relationships be viewed as impairing my objectivity?
- Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
- Could my decisions or actions be perceived as granting or receiving preferential treatment?

## **X. Affirmation and Notice Period**

The Code of Conduct for the Alberta Advisory Council on Francophonie was introduced on **August 23, 2018**, and is effective after a 15 day notice period after approval by the agency and is reaffirmed annually by the agency's members to ensure it remains current and relevant.