



Code of Conduct

for Members of the Governing Structure of the Ontario College of Trades

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Applies to: Board of Governors, Divisional Boards, Trade Boards, Committees and Roster of Adjudicators

Definition

The *Code of Conduct* is a guideline for appropriate individual and collective behaviour of members of the Board of Governors, Divisional Boards, Trade Boards, Committees and Roster of Adjudicators.

Members of the Board of Governors, Divisional Boards, Trade Boards, Committees and Roster of Adjudicators, shall support, abide by and promote the following *Code of Conduct* in their capacity as Board/Committee/Roster members.

How to Read the Code of Conduct

The Code of Conduct consists of 7 principles:

- Accountability (to the public and to each other and members of the College)
- Respectful conduct
- Board solidarity
- Confidentiality
- Integrity
- Openness
- Accessibility

Each of the 7 principles has an introductory statement to outline the principle. The application of each principle may vary depending on the specific role involved. Examples of how this principle can be applied are provided to illustrate the principle rather than provide a fully exhaustive list.

Accountability

a) to the public

The Board of Governors, Divisional Boards, Trade Boards, Roster of Adjudicators and Committee members have a duty to serve and protect the public interest in carrying out the College's objects and functions under the Act (see Section 11 of the Act). This is demonstrated by:

- Considering how any decision may affect the public interest

- Seeking to enhance the public perception of the College and the trades governed by the College
- Focusing on the best interests of the public and the College, over and above particular stakeholder interests
- Avoiding any conduct which would benefit any individual, body corporate or other association rather than the public as a whole
- Avoiding any conduct that impairs the ability of the College/Board/Committee to perform its functions or to enjoy the confidence of the public
- Acting in a financially responsible manner with the public's best interest in mind.

b) to each other and members of the College

Board, Committee and Roster members are accountable to each other for ensuring a productive team able to perform the business of the College effectively. This is demonstrated by:

- Familiarizing themselves with the *Ontario College of Trades and Apprenticeship Act , 2009* ("the Act"), the regulations, the by-laws and any other records and documents that may be necessary for the performance of the duties of their office
- Coming to the meetings prepared, having read advance materials so they are prepared to engage in discussion and constructive debate
- Serving actively during their term of office on any Boards, Committees or panels to which they have been appointed
- Committing the time and effort required for the work of the College, –and exercising care, diligence, skill, integrity, and prudence in carrying out the work of the College
- Recognizing the distinction between their individual role as members, and the authority of the Board or Committee as a whole, and conducting themselves accordingly with College staff, members of the College and the public
- Developing policies and processes for the regular self-evaluation of the effectiveness of the Board of Governors, various Boards, and Committees and the timely review and application of policies and statements
- Demonstrating fair and impartial consideration of the interests of all College members, trades and trade-related stakeholders
- Acting as responsible stewards of the College's resources

Respectful Conduct

It is recognized that Board, Committee and Roster members have diverse backgrounds, skills and experience, and may not always agree with one another on all issues. Board, Committee and Roster members respect diversity of opinion and ideas, and debate and value different perspectives. This is demonstrated by:

- Ensuring that individuals feel comfortable raising questions
- Listening actively and being open to others' viewpoints
- Recognizing the equal right of all to be heard and respected
- Being prepared, concise, clear and respectful of the time of others
- Avoiding personal or group criticism of fellow members or staff in discussion or through innuendo both at and away from meetings or hearings
- Ensuring an environment free of harassment or discrimination of any kind based on age, race, gender, sexual orientation and ethnicity, or any other grounds prohibited by law
- Maintaining a positive and professional environment.

Board Solidarity

Properly authorized Board or Committee actions must be supported by all Board/Committee members. The Board/Committee speaks with one voice. This is demonstrated by:

- Adhering to, and avoiding criticism of, the decision of the majority of the Board or Committee members (where the Committee decision is binding) even if the Board/Committee member has abstained or voted against a motion
- Ensuring that news media contact and responses and public discussion of the College's affairs are only made through the Board's authorized spokespersons
- Referring news reporters or media representatives to the Board's authorized spokespersons
- Dissenting from a panel decision, in accordance with the proper procedures available to panel members.

Confidentiality

Board, Committee and Roster members recognize and respect the confidential nature of information obtained in the course of the conduct of College activities. This is demonstrated by:

- Ensuring that confidential matters, that is matters discussed or materials presented in an in camera meeting, or closed hearing, coming to their attention as members of a Board, Committee, Roster or Panel are not disclosed by them except as required for the performance of their duties under the Act or Regulations
- Returning promptly to the College, upon termination of service, all documents, electronic and hard files, reference materials, and other property entrusted to the Board/Committee/Roster member for the purpose of fulfilling his or her duties
- Maintaining confidentiality even after a term of office ends.

Integrity

Board, Committee and Roster members do not accept, or place themselves under, any obligation to outside individuals or organizations that might influence them in the performance of their official duties with the College in accordance with the Act. This is demonstrated by:

- Making decisions in the public interest
- Making unbiased decisions through a transparent and consistent process
- Immediately declaring a conflict of interest or perceived conflict of interest
- Not making use of their position or information acquired solely by virtue of their position for personal gain, whether financial or non-financial
- Maintaining boundaries and avoiding competing personal and professional interests
- Not soliciting or accepting money, gifts or other benefits for performing acts related to the member's position at the College except as provided for in the by-laws.

Openness

Board, Committee and Roster members are as open as possible to the public about all the decisions and actions that they take. This is demonstrated by:

- Identifying, disclosing and acting appropriately on conflicts of interest (see section 10 of the College General By-law)
- Ensuring that the College acts openly and transparently by providing reasons and supporting

rationale for decisions of the Boards, Committees, and Panels as appropriate or required by law.

Accessibility

Board, Committee and Roster members treat those with whom they have dealings with on behalf of the College without discrimination or favouritism. This is demonstrated by:

- Being aware and respectful of social and cultural differences and acting in a manner that promotes an appreciation of diversity
- Being sensitive to potential barriers to accessibility
- Conducting hearings or reviews such that those who appear before the College understand procedures and practices and can participate equally, whether or not they are represented by counsel.



Implementation of the Code of Conduct

Each member of the Board of Governors, Divisional Boards, Trade Boards, Committees, and Roster of Adjudicators will be asked to sign a statement that certifies that he/she has read and understood the Code of Conduct and is prepared to adhere to it;

This Code of Conduct will be an element in the orientation of new members of the Board of Governors, Divisional Boards, Trade Boards, Committees, and members of the Roster of Adjudicators;

This Code of Conduct will be reviewed on a regular basis, however as a minimum, annually, to ensure its relevance and its support of good governance;

The Board of Governors will ensure there is a policy of due process for members who do not follow the Code of Conduct.



Process for Holding Members of the Board of Governors, Divisional Boards, Trade Boards, Committees, and/or Roster of Adjudicators Accountable to the Code of Conduct

Each Board and Committee member is responsible for holding himself/herself accountable for behaving in accordance with the Code of Conduct. In addition, members have a responsibility to hold each other accountable for behaving in accordance with the Code.

If a Board, Committee or Roster member has concerns that the behaviour of another member did not adhere to/respect the Code of Conduct, the member is expected to:

- Discuss his/her concern with the Board, Committee or Roster member whose conduct was perceived to be inappropriate;
- If the member does not recognize the problem and take appropriate action or the behaviour continues, discuss the concern with the Chair (for behaviours at the Boards) or Committee Chair (for behaviours at Committees) or Chair of a Review Panel (for behaviours of members of the Roster of Adjudicators). The Chair, Committee Chair, or Review Panel Chair will meet with the individual to discuss the behaviour; and
- If the inappropriate behaviour is confirmed and continues after a meeting with the Chair, Committee Chair, or Review Panel Chair, the member whose behaviour is being addressed will be asked to meet with the full Executive Committee to discuss his/her behaviour.

If the breach of the Code of Conduct is sufficiently serious, a determination will need to be made whether the removal of the member is warranted, pursuant to Ontario Regulation 429/12. In those circumstances the procedures outlined in the College's General By-law *Section 26 – Removal From Office* may need to be followed.