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Code of Ethics and Conflict of Interest

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Code of Ethics

Ever since provincial legislation gave parents the right to form parent advisory councils, parent leaders in BC schools have taken on challenges never before attempted by volunteers in the education system. With these challenges comes a high degree of responsibility on executives, committee members, and representatives to act in an ethical manner.

What is the Purpose of a Code of Ethics?

A code of ethics

- provides a common reference point from which questions regarding the conduct of an executive member, committee member, or representative can be resolved
- lays out, in language understandable to everyone, the minimum standard of conduct that the membership expects of parents serving in these positions
- gives the membership a basis from which to bring forward a concern about a parent serving in one of these positions.

A code of ethics should be accompanied by a process for administering it. This ensures that concerns are raised in a timely and fair manner, and that the person who is the subject of the concern has full and fair opportunity to respond.

Sample Code of Ethics

A parent who accepts a position as a Council executive member, committee member, or representative

1. upholds the constitution and bylaws, policies, and procedures of the electing body
2. performs his or her duties with honesty and integrity and in the interests of the Council
3. works to ensure that the well-being of students is the primary focus of all decisions
4. respects the rights of all individuals
5. takes direction from the membership and executive
6. encourages and supports parents and students with individual concerns to act on their own behalf, and provides information on the process for taking concerns forward
7. works to ensure that issues are resolved through due process
8. strives to be informed and only passes on information that is reliable
9. respects all confidential information
10. supports public education

Statement of Understanding

I, the undersigned, in accepting the position of _____ of _____ (name of your council) have read, understood, and agreed to abide by this Code of Ethics. I also agree to participate in the dispute resolution process that has been agreed to by the electing body, should there be any concerns about my work.

Name of Executive Member, Committee Member, or Representative

Signature _____

Date _____ Phone number _____

This page can be photocopied and used annually for all executive members and representatives.

Administration of the Code of Ethics

The following is a process for dealing with a concern that an executive member, committee member, or representative may have failed to observe the Code of Ethics. The process is intended to deal with complaints in a positive manner. Its goal is to facilitate a fair resolution, agreeable to all parties.

- Any person bringing forward a concern will be advised of this process.
- All complaints and information surrounding complaints will be dealt with in confidence.
- Those directly involved in the complaint will be given access to all relevant information.
- All parties will be dealt with respectfully.
- Any person involved may have a support person.
- There will be a fair review of the concern to protect volunteers, executive members, and representatives from vexatious and mischievous complaints.

PROCESS

1. All complaints, verbal and written, will be received by the president. The president may appoint another executive member to act as chairperson for the specific purpose of administering the Code of Ethics. In the event the complaint relates to the president, the complainant will be directed to the vice-president. If the president and vice-president are involved, any executive member may receive the complaint.
2. For the purpose of this process, the person acting on the complaint is named the chairperson.
3. Upon receiving the complaint, the chairperson will work to clarify the complaint, determine if and how the Code of Ethics has been breached, and facilitate the complaints process. The chairperson is responsible for keeping complete notes of the process. These notes should include names of all involved, details of all meetings, and the specifics of any resolutions.
4. Every attempt will be made to resolve the concern in a timely manner.
5. As a first step, the person bringing forward the complaint will be encouraged to inform the person in question of their concern and to discuss the problem with the intent of reaching a resolution.
6. If resolution is not reached between the parties, the chairperson will enter the discussion, with the intent of facilitating a positive resolution.
7. The chairperson may request the participation of other executive members in the process.

8. If the parties cannot agree on a resolution, the chairperson will make a recommendation to the parties. The chairperson may recommend that the matter be closed.
9. Either party may appeal the decision of the chairperson. The appeal must be in writing to the council executive within 30 days of being notified of the decision.

Dealing with these types of circumstances is difficult. Individuals can seek help from their DPAC, local DPAC Advocacy Project, BCCPAC, or the BCCPAC Advocacy Project.

Conflict of Interest and Perceived Bias

What is a Conflict of Interest?

If a parent or a member of the parent's immediate family could benefit financially from a decision of the PAC, DPAC, or school planning council that the parent can influence or vote on, the parent has a conflict of interest. This is true whether the parent is an executive member, committee member, or member at large.

What is Perceived Bias?

Perceived bias may exist if a parent has another role in the education system that might be seen to influence the parent's conduct or views. For example, if a parent is an employee or elected official of the school district or Ministry of Education (or is married to one), others may question whether the parent is acting solely in the interests of the council.

Examples

Your council should consider the implications of choosing a parent for an executive, committee, or representative role who might have a conflict of interest or perceived bias. Here are two examples:

Example #1

A PAC directs its president to express concern to the principal or school district about bullying on the playground. The president is employed as a noon-hour supervisor. Discussing playground policy might require the president to disagree with her supervisor (the principal) or employer (the district), and might even put her in breach of her collective agreement. She might not be comfortable, or able, to represent the PAC's concerns in the way the parents expect. The president has a financial interest in protecting her job.

Example #2

The DPAC chooses a parent who is also a teacher to represent the DPAC on a district budget committee. Other members of the committee, as well as the broader community, may not feel confident that the parent is speaking solely in the interests of parents. This perception of bias may diminish what the parent has to say.

Check Your Bylaws

It is important to address these concerns before problems arise. Check your council's bylaws. Do they address the issues of *conflict of interest* and *perceived bias*? Consider adopting bylaws that

- prohibit parents from using their position on the council for personal gain
- prohibit any parent who is an employee or elected official of the school district or Ministry of Education from holding an executive position or representing the council on an external committee or organization
- clarify that any parent speaking for or representing the council must do so solely in the interests of the parent membership.

Encourage Full Disclosure

Even with carefully written bylaws, the issues of conflict of interest and perceived bias should be discussed openly.

Consider incorporating a requirement for full disclosure in your council's nomination procedure. Ask nominees or prospective volunteers to disclose any educational affiliations, professional designations, and contractual relationships that might relate to or affect their executive, committee, or representative duties.

As part of your meeting procedure, consider adopting a policy or practice requiring parents to identify themselves by name, PAC (at a DPAC meeting), and any other role they hold in the education system before speaking on an issue.

A Cautionary Note

Just because a parent holds a position in the education system, or owns a business that supplies goods or services to the school or district, the parent is not precluded from participating fully as a council member. The parent can vote on issues that affect all parents in the same way, including elections in which they are a candidate, and can participate in all activities that do not involve decision-making.

When the parent has a financial interest not common to other members of the council, they should refrain from voting. When a parent may be seen to be biased, members should exercise caution in electing or appointing the parent to an executive, committee, or representative position.