

Alberta Sport Connection (ASC)

CODE OF CONDUCT

Preamble

The Code of Conduct (Code) for the Alberta Sport Connection (ASC) applies to the Chair, all Board members (Members), the Chief Executive Officer (CEO), and all employees. The people of Alberta expect and deserve responsible and accountable provincial corporations. Members and employees are expected to conduct themselves with the highest standards of professionalism, ethical behaviour, impartiality, and in compliance with applicable laws. The Code reflects a commitment to the ASC's values and provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the ASC. Members and employees 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 ASC.

To demonstrate commitment to transparency and accountability, the Code of Conduct, approved by the Office of the Ethics Commissioner is available to the public on the ASC's website.

I. Definitions

In this Code of Conduct:

“Chair” means the Chair of the ASC Board of Directors. The Chair is a member of the ASC Board of Directors;

“Member” means a member of the ASC Board of Directors;

“CEO” means the Chief Executive Officer of the ASC. The CEO is an employee;

“Senior Official” means the Chair, CEO, members, and management employees of the ASC

“Employee” means an employee of the ASC;

“Code” means this Code of Conduct, as amended from time to time;

The “Code Administrator” for the Chair of the ASC is the Minister of Culture and Tourism;

The “Code Administrator” for members and the Chief Executive Officer is the Chair of the ASC;

The “Code Administrator” for all other employees is the Chief Executive Officer;

“Private Interest” means, specific to an individual, a person directly associated with the individual, or that individual's spouse or minor or adult child, in a matter that is not of general application, or that affects a person as one of a broad class of the public.

“Public Interest” means, affecting an individual as one of a broad class of the public that is of general application;

“Spouse” includes a party to a relationship who is living together with another person on a bona fide domestic basis, but does not include a spouse who is living apart from the person if they have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

II. Core Values

- a. Integrity – members and employees conduct themselves ethically and are open, honest and fair
- b. Respect – members and employees show consideration and appreciation for diversity
- c. Accountability – members and employees are accountable for their actions
- d. Excellence – members and employees are committed to continually improving the services they deliver
- e. Leadership – members and employees demonstrate ability to lead within the ASC and with groups that seek their assistance
- f. Creativity – members and employees demonstrate creativity in responding to Alberta’s opportunities
- g. Efficiency – members and employees efficiently deliver services to clients.

III. Guiding Principles

These principles guide the behaviour and decisions of members and employees:

- a. The actions and decisions of members and employees take into account the public interest and advance the mandate and long-term interests of the ASC, as contained in the Mandate and Roles document.
- b. Members and employees are responsible stewards of public resources.
- c. To serve the public interest, members and employees have a responsibility to uphold the ASC’s mandate.
- d. Members and employees shall foster a collegial and respectful approach to the performance of their duties and devote sufficient time and attention to official duties for informed and balanced decision-making.
- e. Members and employees have a responsibility to act in good faith and to place the interests of the ASC above their own private interests.
- f. Members and employees behave in a way that demonstrates that their behaviour and actions are fair and reasonable in the circumstance.
- g. Members and employees 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.
- h. 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 Code Administrator.
- i. The Code applies to the Chair, all Members, CEO and all employees unless a specific exemption is granted by the Code Administrator.

- j. Members and employees 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 Code Administrator.
- k. Members and employees understand that disclosure itself does not remove a conflict of interest.
- l. Members and employees 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 Code Administrator without fear of reprisal.
- m. Members and employees know that breaches of this Code may result in disciplinary action, up to and including removal of the member or employee.
- n. Members and employees know that if they have any questions about the Code, or are not sure how to apply these principles, they should consult with the Code Administrator.
- o. Each member/employee confirms on appointment/hiring their understanding of, and commitment to, the Code's expectations.

IV. Behavioural Standards

Behavioural standards help members and employees 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 and employees must adhere to the following standards:

- a. Members and employees must conduct their duties with impartiality at all times.
- b. Members and employees must not engage in any criminal activity.
- c. Members and employees must not use their status or position with the ASC to influence or gain a benefit or advantage for themselves, their spouse, families, business associates or others with whom they have a significant personal or business relationship.
- d. Member and employee conduct contributes to a safe and healthy workplace that is free from discrimination, harassment or violence.
- e. Members and employees 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 ASC.
- f. Members and employees must act in a way that is consistent with the ASC's protocols on public comment:
 - 1. The ASC encourages its members and employees to be involved in community affairs. It recognizes that in these capacities they will be solicited for their opinions on various ASC activities. Opinions expressed on ASC matters must reflect the position of the board as a whole, and not personal views.
 - 2. The Chair is the ASC's spokesperson unless otherwise designated. Board members are to direct all inquiries from the media to the Chair to ensure consistency of messages.

g. Members and employees 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 ASC. In other words, actions or decisions that members and employees take on behalf of the ASC must not provide them with an opportunity to further the private interests of themselves, their families, their business associates or others with whom they have a significant personal or business relationship.

1. Confidential Information

Members and employees must respect and protect confidential information, use it only for the work of the ASC and not use it for personal gain. Members and employees must comply with protocols that guide the collection, storage, use, transmission and disclosure of information.

2. Gifts and Gratuities

Members and employees must not accept or receive gifts and gratuities 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 maximum value of a gift must not exceed \$200 and must not include cash or cheques. The total value of such gifts and gratuities must not exceed \$400 annually from the same source.

3. Outside Activities

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

- i. **Business Interests:** Members and employees must not hold interests in a business, or publicly-traded securities, directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the ASC.
- ii. **Supplementary Employment for Members and Employees:** Members and employees must not take or hold supplementary employment that affects their performance or impartiality with the ASC.
- iii. **Exceptions for Supplementary Employment for Members and Employees:** Employees may take or hold supplementary employment, including self-employment, unless such employment:
 - a) causes an actual or apparent conflict of interest, or
 - b) is performed in such a way as to appear to be an official act, or to represent a Government opinion or policy, or
 - c) interferes through telephone calls, or otherwise, with regular duties, or
 - d) involves the use of ASC premises, equipment, supplies, trade knowledge or intellectual property unless such use is otherwise authorized.

Prior to accepting or continuing any supplementary employment, members and employees are required to notify the Code Administrator in writing about the nature of such supplementary employment.

The Code Administrator will then review the supplementary employment for real and apparent conflicts of interest. If there is no real or apparent conflict of interest, the Code Administrator may approve the employment in writing. If there is a real or apparent conflict of interest, the Code Administrator must then, in writing, deny the employment or allow the employment and put procedures in place to manage the real or apparent conflict of interest.

- e) Employees shall not accept additional compensation for duties which they perform in the course of their employment with ASC.
 - f) Employees shall not allow the performance of their official duties to be influenced by offers of future employment or the anticipation of offers of employment.
- iv. Concurrent Employment for the CEO: The CEO must not be involved in any other appointment, business, undertaking or employment, including self-employment, except with written approval of the Ethics Commissioner and in compliance with any conditions included in such approval. With respect to the current CEO at the time of adoption of this Code of Conduct, this requirement will only apply upon the earlier of: December 15, 2019, or upon renewal or extension of the CEO's appointment or contract.
 - v. The CEO is subject to restrictions on the ownership or beneficial interest in publicly traded securities, unless held in an approved arrangement pursuant to the *Conflicts of Interest Act*. With respect to the current CEO at the time of adoption of this Code of Conduct, this requirement will only apply upon the earlier of: April 4, 2020, or upon renewal or extension of the CEO's appointment or contract.
 - vi. The CEO is subject to the filing of prescribed disclosure statements, and returns relating to persons directly associated with the CEO, with the Ethics Commissioner. With respect to the current CEO at the time of adoption of this Code of Conduct, this requirement will only apply upon the earlier of: April 4, 2020, or upon renewal or extension of the CEO's appointment or contract.
 - vii. Political Activity: Members and employees may participate in political activities including membership in a political party, supporting a candidate for elected office or seeking elected office. However, they must not use their position with the ASC to seek contributions for a political party or activity from current or prospective clients. In addition, any political activity must be clearly separated from activities related to the work for the ASC, must not be done while carrying out the work of the ASC and must not make use of ASC facilities, equipment or resources in support of these activities.

viii. **Volunteer Activity:** If members and employees are involved in volunteer work, the activity must not influence or conflict with decisions relating to the ASC.

4. Pre-Separation

Members and employees considering a new offer of appointment 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.

5. Post-Separation

Members and employees accepting a new offer of appointment/employment must be aware of and manage any potential conflicts of interest for a period of 12 months from the last day they held a position with ASC.

6. Related Persons or Parties

Members and employees must avoid dealing with those in which the relationship between them might bring into question the impartiality of the member or employee.

7. CEO Post-Separation

The CEO is subject to, for a period of 12 months:

- i. After employment: The obligation to refrain from lobbying.
- ii. After having direct and significant official dealings with a department or agency: The obligation to refrain from making representations to that department or agency.
- iii. After having direct and significant official dealings with a department or agency: The obligation to refrain from soliciting or accepting a contract from that department or agency.
- iv. After having direct and significant official dealings with an individual, organization or board of directors or equivalent body of an organization: The obligation to refrain from accepting employment with that individual or appointment to the board or equivalent body of an organization.

With respect to the current CEO at the time of adoption of this Code of Conduct, these requirements will only apply upon the earlier of: April 4, 2020, or upon renewal or extension of the CEO's appointment or contract.

- i. The Chair, CEO, Members and employees must not,
 - 1) take part in a decision in the course of carrying out his/her office or powers knowing that the decision might further a private interest of the Chair, CEO, member or employee, a person directly associated with the Chair, CEO, member or employee, or the Chair, CEO, member or employee's spouse or minor or adult child;
 - 2) use his/her 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 a private interest of the Chair, CEO, member or employee, a person directly associated with the Chair, CEO, member or employee or to improperly further any other person's private interest;
 - 3) use or communicate information not available to the general public that was gained by the Chair, CEO, member or employee in the course of carrying out his/her office or powers to further or seek to further a private interest of the Chair, CEO, member or employee or any other person's private interest.

The Chair, CEO, member or employee must appropriately and adequately disclose a real or apparent conflict of interest. These restrictions come into immediate effect for the Chair and the CEO.

V. Administrative Processes

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

a. Administration

The Code Administrator for the Chair is the Minister of Culture and Tourism.

The Code Administrator for members and Chief Executive Officer is the Chair of the ASC.

The Code Administrator for all other employees is the Chief Executive Officer.

The Code Administrator receives and ensures the confidentiality of all disclosures and ensures that any real or apparent conflict of interest is avoided or effectively managed. As well, the Code Administrator is responsible for providing advice and managing all concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the ASC. Even though an agency may have a delegated process for responding to and managing concerns, the Code Administrator is responsible for ensuring procedural fairness. The Code of Conduct for members and employees will be reviewed annually by the Board to ensure it remains current and relevant.

b. Disclosure

It is the responsibility of each member to declare in writing to the Code Administrator those private interests and relationships that they think could be seen to impact the decisions or actions they take on behalf of the ASC or declare at a Board Meeting, which is recorded in the Board Meeting minutes.

When there is a change in their responsibilities within the ASC or in their personal circumstance, members and employees shall disclose in writing any relevant new or additional information about those interests as soon as possible, and on an annual basis. Where a real or apparent conflict of interest cannot be avoided, members and employees must take the appropriate steps to manage the conflict.

Members and employees 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 ASC. This provides members and employees, 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 ASC.

c. Annual Disclosure

The CEO must file annual disclosure statements with the Ethics Commissioner within 60 days of being first appointed as CEO, or upon the renewal or extension of the CEO's contract or by April 4, 2020, whichever comes first.

d. Disclosure of Criminal Charges

If a Board member or employee is charged with an offence under the Criminal Code of Canada or the Controlled Drug and Substances Act, or any other federal statute, the Board member or employee shall immediately report the charge to the Chair. The Chair will determine if the Board member or employee has: (a) created a real or perceived conflict of interest that impacts the ASC's interests, and/or (b) seriously compromised the Board member's or employee's ability to continue to perform his or her role with ASC.

e. Reporting a Potential Breach by Another

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

f. Responding to Potential Breach

Once a potential breach has been reported, the ASC's procedures for responding to and managing a potential breach will be promptly initiated. The Code Administrator will review the circumstance and details of the potential breach and will notify the member regarding the potential breach. The member and employee have 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 completes the review and prepares a report with recommendations in a timely manner.

The report's findings may range from no potential breach to suspected criminal conduct.

The report with recommendations is then brought to a special or regular board meeting. At that meeting, the affected board member has the opportunity to address the board. The board (by simple majority) then approves the recommendations and sanctions if any.

g. Consequences of a Breach

Members and employees 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. Disciplinary action can range from members and employees being requested to remove themselves from a conflict, abstain from voting on certain matters, voluntary removal from the board, or a recommendation to the Minister of Culture and Tourism for member suspension or removal.

h. Review of a Decision

Members and employees can request in writing that an external party review a decision that has been made by the Code Administrator and board about a real or apparent breach of the Code, including a conflict of interest involving that member. An external party would be someone agreed to by the board, or appointed by the Minister. The external party would determine whether the member, witnesses or legal counsel participate in the review.

- i. To the extent of discrepancy between this Code of Conduct and the *Conflicts of Interest Act*, the Act governs.

i. **Other Resources**

a. Where to Get Advice

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

- The Code Administrator

The Chair may request that an external advisor give advice on whether a proposed activity by the Chair would be a breach of the ASC's Code of Conduct.

The Chair may also contact the Ethics Commissioner for assistance and advice in regard to the Code of Conduct.

b. Questions to Consider

When members and employees are faced with a difficult 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 ASC?

- 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?

j. **Affirmation**

The Code of Conduct for the Alberta Sport Connection is affirmed on the appointment of Board Members and the employment of staff.

Signature

Print Name

Date