

TYPE:	Employment-Related
TITLE:	Conflict of Interest
NO.:	EMPL-303
RESPONSIBILITY:	Vice-President, People, Communications and Enrolment
APPROVED BY:	Durham College Leadership Team
EFFECTIVE DATE:	June 2026

1. Introduction

The public is entitled to expect the highest standards of conduct from all employees who work for Durham College.

2. Purpose

The purpose of the Conflict of Interest (COI) Policy (hereafter referred to as “the Policy”) is to safeguard Durham College's ability to conduct its operations without prejudice or self-interest. It also assists employees in making sound decisions when their responsibilities to the College and external roles intersect.

3. Scope

This Policy applies to all employees of Durham College for the duration of employment.

4. Definitions

Refer to Durham College's Standard Definitions.

5. Policy statements

5.1. Principles and standards

- 5.1.1. Durham College is committed to avoiding any actual, perceived or potential conflicts between the private interests of its employees and the interests of the College. The Policy provides for the College to review, assess, and, as appropriate, provide direction to employees in situations where an actual, perceived or potential conflict of interest may exist.
- 5.1.2. It is the policy of Durham College to enhance public confidence in the integrity of its employees and in the organizational decision-making process by:
 - a) Setting clear rules of conduct for conflict-of-interest practices that apply to all College employees.
 - b) Reducing the possibility of conflicts between the private interests and public-service duties of College employees

5.1.3. The College shall adopt the following principles and standards:

- c) Ethical Standards – College employees must act honestly and in a way in which the public has confidence and trust in the integrity, objectivity and impartiality of the College.
- d) Public Scrutiny – College employees are obligated to perform their official duties and conduct themselves in a manner that will bear the closest of public scrutiny.

5.2. Private activities

5.2.1. Generally, a College employee may engage in any private interest except where:

- a) It may result in an actual, perceived or potential conflict of interest.
- b) It may interfere with the individual's ability to perform their duties and responsibilities.
- c) It is to the detriment of the College and its reputation.
- d) It has the possibility of influencing or affecting the carrying out of their duties as a College employee;
- e) It involves the use of College assets, which may include, but is not limited to, premises, equipment or supplies, client lists, student lists, logo and reputation;
- f) The activity would place them in potential competition with the College.

5.3. Use of confidential information

5.3.1. College employees shall not, nor attempt to:

- a) Disclose any confidential information about any College undertaking, acquired in the performance of duties for the College, to any person or organization not authorized by law or by the College to have such information.
- b) Benefit directly or indirectly in return for or in consideration for revealing confidential information.
- c) Use confidential information in any private interest in which they are involved.

5.4. Applied/Scholarly Research

5.4.1. At Durham College, it is essential that policies reflect the central focus of placing student success foremost in policy creation. To that end, it is important to recognize and deal with actual or potential conflicts of interest in the conduct of research and scholarly activities. The following are a non-exhaustive list of situations in research and scholarly activities in which actual, perceived or potential conflicts of interest may arise:

- a) When the work of students is directed with a view to benefiting the private interests of the researcher, or their relations or associates, to the detriment of the student's academic progress or goals.
- b) When a researcher employs students in any commercial venture related to the student's study, research, or proceeds to commercialize the student's work in such a way as to restrict the student's ability to complete their academic program or communicate their findings.
- c) When the private interests of the researcher, their relations or associates, compromise the independence and impartiality necessary to perform required duties.
- d) When a researcher uses confidential information that is gathered in the course of their duties, or interactions with students for private interests or for the gain of their relations or associates.
- e) When the private interests of the researcher, including the interests of their relations and associates, conflicts with the researcher's obligations to the College, students or employees under their supervision.
- f) When, without prior agreement, use is made of College resources, including secretarial, office, administrative, technical, laboratories, assistants, premises, logo or insignia, for the private interest or benefit of researchers or for the gain or benefit of others related to or associated with the researchers.
- g) When a researcher accepts an appointment, employment, or shares in any non-College organization that might reasonably expect them to disclose confidential information to which they have access to by virtue of a College appointment.
- h) When a researcher accepts, without written authorization of the College, a research grant or contract (in accordance with the terms of a collective agreement or a contract of employment) from any outside non-College organization from which they receive or may subsequently receive direct or indirect benefits.
- i) When a researcher finds themselves in direct supervision of an immediate family member who has been contracted as part of the research initiative.

5.5. Gifts, hospitality and other benefits

- 5.5.1. Individuals must refuse gifts, hospitality or other benefits that could influence their judgment and performance of their duties to or at Durham College, or otherwise damage the reputation and integrity of Durham College. Individuals must comply with all applicable legislation, policies, and directives at all times.
- 5.5.2. Subject to sections 5.5.3 and 5.5.5, individuals must not accept, directly or indirectly, any gifts, hospitality or other benefits from persons, groups or organizations dealing with Durham College or from clients, or other persons with whom they deal in the course of their work or services to or at Durham College.
- 5.5.3. Individuals may accept incidental gifts, hospitality or other benefits associated with their duties and responsibilities to or at Durham College only if such giveaways, promotional items, gifts or benefits are considered a common expression of courtesy or within the normal standards of hospitality. The employee should consult with their supervisor about materiality and should decline gifts or other benefits when in doubt.
- 5.5.4. In situations where gifts cannot reasonably be refused at the time of presentation, the gifts should either be returned with thanks and an explanation within five business days of the event or reported to the Office of the President. The Office of the President may require that such a gift be held by Durham College, given to charity, or may take such other action as they see fit and appropriate.
- 5.5.5. For greater certainty, employees of Durham College shall be permitted to accept prizes where such prizes are either (i) offered to all individuals in attendance at the event; or (ii) awarded to an individual through a blind draw, raffle or game of chance, provided that Durham College has not sponsored the event by providing financial support or any other form of sponsorship and provided further that the event is in no way considered a Durham College event.

5.6. Avoidance of preferential treatment

- 5.6.1. College employees shall not grant preferential treatment in relation to any official matter to any person, organization, or immediate family member, or to any organization in which the College employee's or an immediate family member has an interest.

- 5.6.2. Employment will not be permitted where an employee would be subject to the supervisory control of a relative in such matters as promotion, salary, performance or conduct.
 - 5.6.3. College employees involved in the awarding of contracts must declare a conflict of interest if an immediate family member may potentially personally benefit from the process.
- 5.7. Community Elections and Political Activity
- 5.7.1. College employees who participate in partisan political activities outside of their professional commitments to the College are guided by the provisions of this policy.
 - 5.7.2. Employees shall not publicly associate their position at the College with political activity or represent, or be reasonably perceived as representing, the views or position of the College.
 - 5.7.3. Employees shall not use College-owned or College-produced photographs, videos, logos, or other College identifiers for election campaign or political purposes.
 - 5.7.4. Employees shall not engage in political activity while wearing College-branded clothing, uniforms, or any apparel that reasonably associates the individual with the College.
 - 5.7.5. An employee shall not use College email, any College facilities, equipment, funds or supplies when engaging in political activity.
 - 5.7.6. Employees shall not engage in political activity on social media in a manner that represents, implies, or could reasonably be perceived as representing the views or position of the College, including through the use of College identifiers, branding, or official titles.
 - 5.7.7. An employee may be required to take an unpaid leave of absence from employment at the College to engage in political activity if doing so could interfere with the performance of their duties as a college employee, be perceived as a position of the College, or otherwise unduly affect the interests of the College. The leave would be subject to the terms of the employee's collective agreement or contract of employment.
 - 5.7.8. Employees seeking to run for public office will notify their supervisor. Should it be anticipated that campaign activities may interfere with an employee's ability to perform their duties, or that they be perceived to conflict with the interest of the College, a leave of absence without pay may be granted. This discussion is to take place prior to undertaking campaign activities. The supervisor will then notify the Office of the President if the leave of absence is approved.

- 5.7.9. For clarity, unless otherwise limited by this Policy or applicable legislation, College employees, while off duty, may vote, privately discuss and express views as citizens, make personal contributions to a candidate's campaign, and/or engage in social media political discussions, provided they do not identify themselves as an employee of the College, subject to the provisions of this Policy.

6. Duty to disclose

- 6.1.1. A College employee must disclose any real, perceived and/or potential conflict of interest situations to their supervisor, who will then consult with the Vice-President, People, Communications and Enrolment. An employee may have to cease activities that pose a potential conflict of interest. Employees of the College are expected to use good judgment to identify actual, perceived and potential conflicts of interest.
- 6.1.2. College employees must disclose to their supervisor any situation that may require them to supervise, teach, and/or assess a student with whom they currently or previously have had a personal, commercial, familial or other significant relationship. Where a relationship has created, has the potential to create, or has the perception of a conflict of interest, the College employee must terminate the assessment role and make alternative arrangements for the supervision/assessment of the student's work.
- 6.1.3. College employees must disclose to their supervisor any situation that may require them to participate in interviewing a candidate(s) with whom they currently or previously have had a personal, commercial, familial or other significant relationship. Where a relationship has created, has the potential to create, or has the perception of a conflict of interest, the College employee must withdraw from the interview process.
- 6.1.4. College employees delivering services to the Ontario Tech University may encounter conflict of interest situations, and these must be discussed with their respective supervisor.

7. **Accessibility for Ontarians with Disabilities Act considerations**

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Multi-Year Accessibility Plan.

8. Non-compliance implications

- 8.1. The provincial Management Board of Cabinet has directed Colleges to adopt a conflict-of-interest policy that is consistent with the government directive.
- 8.2. Failure to comply with the Policy will result in disciplinary action, up to and including termination. Disciplinary action will be in accordance with the collective agreement, if applicable. Failure to cooperate in a review of a potential, perceived or actual Conflict of Interest or to provide adequate information when requested to do so may result in disciplinary action, up to and including termination.

9. Related forms, legislation or external resources

- Academic Employee's Collective Agreement; Article 11.06