



Title: TRUSTEE CODE OF CONDUCT

Adopted: February 2014

Revised: June 2017, June 2019, October 2024

Authority: Ontario Education Act (Sec 218.2)
Municipal Conflict of Interest Act
Municipal Elections Act, 1996
Municipal Freedom of Information and Protection of Privacy Act
Occupational Health and Safety Act
Ombudsman Act
Ontario Human Rights Code
Child and Family Services Act
Criminal Code of Canada

Related: Procedure BF #1 - Expenditure Guidelines

Policy GOV 001: Governance

Policy GOV 003 – Confidentiality for Trustees

Policy GOV 004 – Trustee Conflict of Interest

Policy GOV 010 – Provision of requested Information to an Individual Trustee

Policy BF 001 – Financial Reporting - Whistleblower

Bloorview School Authority Bylaws

Policy HR 001 - Workplace Harassment

Policy HR 004 – Violence in the Workplace

Procedure GOV #5 – Breaches of the Code of Conduct

POLICY

It is the policy of the Bloorview School Authority (the Authority) that

- a) Members of the Board (Members) discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board,
- b) Members uphold the dignity of the office and conduct themselves in a professional manner while on Authority property or otherwise,
- c) Members participate in trustee development opportunities in order to enhance their ability to fulfill their obligation.
- d) Members commit themselves to an open and transparent governance process.

BACKGROUND

1. Section 218.2 of the *Ontario Education Act* requires that each school board establish a code of conduct for the Members (trustees), acting in the person's capacity as a trustee.
2. A policy regarding the code of conduct for Members contributes to confidence in public education and respect for the integrity of trustees in the community. It deals with acceptable and respectful behaviours.

DEFINITIONS

1. **Confidential information** includes non public;
 - information with respect to litigation or potential litigation affecting the Authority and information subject to solicitor-client privilege;
 - intimate, personal or financial information in respect of a Member or Committee, an employee or prospective employee of the Board or a pupil or their parent or guardian;
 - information about the acquisition or disposal of the Authority's real property;
 - decisions with respect to negotiations with staff members of the Authority;
 - information discussed during Private (In-Camera) Sessions of the Board pursuant to Section 207(2) of the *Ontario Education Act*;
 - information protected under the *Municipal Freedom of Information and Protection of Privacy Act*. or any other relevant legislation;
 - information received in confidence from other third parties of a corporate, commercial, scientific or technical nature, and
 - investigations by the Ombudsman.

GUIDING PRINCIPLES

1. Board membership is a volunteer position. At the same time, it is important to recognize the public trust and responsibility the Authority carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.
2. Members shall serve and be seen to serve the Authority community in a constructive, respectful, conscientious and diligent manner;
3. Members are expected to perform their duties in office and in a manner that promotes public confidence and will bear close public scrutiny.
4. Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament and Ontario Legislature, and the bylaws and policies adopted by the Board.
5. Members agree to the common understanding that individual trustees will not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual trustee which is not available to every other individual. Allowable activities include those activities that are reasonably related to a Board member's office, taking into consideration the different interests and the profile of the community.
6. Members recognize that their Oath of Office binds them to the provisions of the *Municipal Conflict of Interest Act (MCIA)*.
7. Members are expected to carry out their duties with impartiality and objectivity. Members must decline from accepting a gift, benefit or hospitality because of the risk that this will compromise the objectivity of the Member or lead to an appearance of lack of objectivity, bias or influence on the part of the member. For these purposes, a gift, benefit or hospitality provided with the member's knowledge to a member's spouse, child, or parent is deemed to be a gift to that Member.
8. Members act in the service of the community. They have the opportunity to set an example for future leaders who may look to them for guidance and leadership. They are expected to respect the procedural rulings of the Chair. They are expected to refrain from verbally attacking or belittling those who complain or do not agree with them. It is vital that Members conduct themselves with decorum at board and committee meetings and in accordance with the provisions of the Authority's bylaw concerning meeting procedures.
9. All Members have a duty to treat members of the public, one another, and staff members respectfully and without abuse, bullying or intimidation, and to establish policies with the objective that the work environment is free from discrimination and harassment. This provision applies to all forms of written and oral communications, including via social media.

10. When acting or holding themselves out as a Board member, the member shall treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
11. Any comments made by a Member should be issue-based and not personal, demeaning or disparaging regarding any person, including Authority staff or fellow trustees

GUIDELINES

1. This Code of Conduct and enforcement procedures (see – Procedures GOV #5 – Breaches of the Code of Conduct) apply to all trustees of the Board, including the Chair of the Board.
2. No Member shall engage in conduct during Board meetings or committees of the Board, and at all other times, that would discredit or compromise the integrity of the Authority.
3. Each Member shall comply with the Authority policies, procedures, by-laws, and rules of order (per GOV 001 Governance) with respect to Board and Committee meetings
4. Every Trustee shall respect and understand the roles and duties of individual trustees, the Board of Trustees, the Director of Education/Supervisory Officer and the Chair of the Board.
5. It is vital that trustees conduct themselves with decorum at Board, advisory and committee meetings.
6. When expressing individual views, Members shall respect differing points of view from other trustees, staff, students and the public.
7. Members shall accept that decision-making authority rests with the Board and no member or group of members have power to make decisions unless otherwise delegated by the Board or the *Ontario Education Act*.
8. Members shall uphold the implementation of any board resolution after it is passed by the Board. Reconsideration of a Board decision may only be permitted in accordance with the Board's operational by-law.
9. A Member should be able to explain the rationale for a resolution passed by the Board. A trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution.
10. No Member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff members of the Authority, and all Members shall show respect for the professional capacities of staff members.

11. Members must recognize that the expenditure of the Authority funds is a public trust. They shall endeavour to see that the funds are expended in the best interest of the students.
12. Individual Members are only entitled to information in the possession of the Authority that is relevant to matters before the Board or a committee of the Board.
13. If there is uncertainty about whether information is confidential, the Member should consult with the Director of Education/Supervisory Officer.
14. Members must respect the integrity of this Code of Conduct and are obliged to cooperate with inquiries conducted in accordance with the procedures set by the Board for addressing complaints of a breach of this Code of Conduct. Any reprisal or threat of reprisal against a complainant or anyone else for providing relevant information to the Integrity Commissioner (see Procedure GOV #5: Breaches of the Code of Conduct) is prohibited.
15. A Member shall not allege misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious and/or made in bad faith or vindictive in nature against another trustee.

PROCEDURES

1. All Board members shall keep confidential any information disclosed or discussed at a Board or committee meeting that was closed to the public. For clarity, Board members shall keep confidential and not disclose the content of any matter in either oral or written form, or the substance of deliberations, of a meeting that is closed to the public, unless required by law or until the Board discusses the information at a meeting that is open to the public, consents to the release or releases the information to the public. This is a continuous obligation that extends beyond the member's term of office.
2. Every Member shall respect and understand the roles and duties of the individual trustees, the Board, and the Chair of the Board.
3. Members shall act with decorum and shall be respectful of other trustees, staff, students and the public.
4. All Members shall endeavour to work with other members and staff of the Authority in a spirit of respect, openness, courtesy, and co-operation.
5. No Member shall accept a gift from any person or entity that has dealings with the Authority if a reasonable person might conclude that the gift could influence the trustee when performing duties to the Authority unless:
 - The gift is of nominal value (e.g. baseball cap, t-shirt, book, flowers)
 - The gift is given as an expression of courtesy or hospitality
6. No Member should use, or permit the use of Authority staff members, Authority facilities, Authority funds, Authority information and infrastructure or other

- resources (e.g., Authority-owned materials, websites, and Authority social media platforms) for activities other than the business of the Authority.
7. No Member may obtain personal financial gain from the use or sale of Authority - developed intellectual property (e.g., inventions, creative writings and drawings), computer programs, technical innovations, or items capable of being patented, since all such property remains exclusively that of the Authority.
 8. No Member shall use the influence of his or her office for any purpose other than for the exercise of his or her official duties. This includes using the influence of the office to obtain employment for a family member, or otherwise using one's status as a Member to improperly influence the decision of another person to the private advantage of oneself, or one's parents, children or spouse, staff members, friends, or associates, business or otherwise. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence within the Authority in return for present actions or inaction. It includes refraining from using one's status to improperly influence the decision of another person or to improperly prejudice another person or persons.
 9. No Member shall use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity.
 10. Members shall not advance an allegation of misconduct and/or a breach of the Code that is trivial, frivolous, vexatious, made in bad faith or vindictive in nature against another trustee.
 11. Members should not access or attempt to gain access to confidential information in the custody or control of the Authority unless it is necessary for the performance of their duties and the use and/or disclosure of the information is permitted in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* or required by law.
 12. Individual Board members shall not provide direction to staff members. Board members work with the Chair of the Board and the Director of Education/Supervisory Officer. The Director of Education/Supervisory Officer is responsible for communicating directions and associated expectations to staff on behalf of the Board of Trustees.
 13. The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other member shall speak on behalf of the Board unless expressly authorized beforehand by the Chair or the Board to do so. When individual Members express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.
 14. No board member shall act as a spokesperson to the public on behalf of the board unless authorized to do so.

15. No Board member shall engage in reprisal or the threat of reprisal against,
 - a member who gave notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the *Ontario Education Act*, or
 - any person who provides information about the alleged breach to the integrity commissioner appointed under clause 218.3 (3) (b) of the *Ontario Education Act*.
16. The Authority will periodically review this code of conduct for, among other things, compliance with the regulations to the *Ontario Education Act*, and shall pass a Board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.
17. If one or more changes are set out in a Board resolution, the Authority shall update this code of conduct as soon as reasonably practical.
18. This code of conduct will be made publicly available on the Authority website.
19. The Authority will maintain an archive of all previous versions of this code of conduct, indicating the period during which each version applied, and shall ensure that the versions are publicly accessible.

REFERENCE DOCUMENTS

[Ontario Education Act](#)

[Municipal Conflict of Interest Act](#)

[Municipal Elections Act, 1996](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Occupational Health and Safety Act](#)

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