



Conflict of Interest Policy

Policy owner:	Legal Services
Approval:	Board of Directors
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Policy statement

Promoting public confidence in Toronto Community Housing is the responsibility of every employee. Therefore, in carrying out their job duties, employees are expected to promote Toronto Community Housing's core values and to observe a high standard of honesty, integrity, accountability, and ethics. This policy provides guidance on expectations of Toronto Community Housing related to conflicts of interest, including how to identify and resolve a conflict of interest.

Scope

This policy applies to every employee and volunteer of Toronto Community Housing. Tenant Representatives are not considered to be volunteers for the purpose of this policy. Third parties who have business dealings with Toronto Community Housing, including contractors and vendors of Toronto Community Housing, are expected to comply with provisions of their contracts related to conflicts of interest. Members of the Board of Directors are governed by the Conflict of Interest Policy for Directors.

The standards outlined in this policy are of particular importance to employees who are in a position to make or influence decisions of the organization.



Definitions

Conflict of interest: Any situation in which an employee's personal or business interests may compete or appear to compete with their duties as an employee of Toronto Community Housing, or may cause the employee to act contrary or appear to act contrary to the best interests of Toronto Community Housing.

A conflict of interest can be one or more of the following types:

Actual conflict: a conflict of interest that the employee has, or will have, at the present time.

Potential conflict: any situation which may lead or have the potential to lead to a conflict of interest in the future.

Apparent conflict: any situation which could reasonably be perceived as a conflict of interest by others, regardless as to whether or not there is an actual conflict of interest.

An apparent conflict of interest may arise where the employee (or the employee's family, friends, or business associates) stands to benefit personally from their own actions, or from a decision of Toronto Community Housing that they are able to influence.

Personal or Business Interest: Includes any personal gain, benefit, privilege, or advancement the employee, and/or the employee's family, friends, or business associates (past and present) may receive or expect to receive, whether monetary or non-monetary. Examples of conflicts of interest include, but are not limited to:

- Using information learned during the course of an employee's employment for personal benefit.
- Making a decision that may result in a benefit for a personal business partner.
- Being on the hiring panel for a close friend or family member.
- Being the employee, owner or shareholder of, or having a financial interest in a company submitting a 'bid' application to Toronto Community Housing.
- Accessing the information of a friend or family member who is a resident of Toronto Community Housing.
- An employee 'exchanging hospitality' with a contractor or supplier, in which the employee uses their position to benefit the contractor or supplier in exchange for something that may personally benefit the employee or the employee's family, friends or business associates (past or present).
- Entering into a business or legal relationship with a resident, such as agreeing to be the executor of a resident's will.



Compliance with this Policy

The rules which follow do not cover all possible situations of a conflict of interest. Employees should use proper judgment and act in the spirit of this policy at all times. If employees have any questions about this policy or need any clarification about what is expected of them, they are expected to consult with their divisional head or the General Counsel and Corporate Secretary for guidance.

Contravention of this policy is a serious matter. Non-compliance with this policy may lead to discipline, up to and including dismissal for cause. Non-compliance includes failing to declare a conflict of interest in accordance with this policy. In some cases, non-compliance can also lead to legal action by Toronto Community Housing.

Policy Details

Avoiding a Conflict of Interest

Employees must not enter into any situation, arrangement or agreement that results or could result in a conflict of interest (actual, potential, or apparent) and should arrange their personal affairs to ensure that any conflicts of interest are avoided.

Employees should consider any advantage their position at Toronto Community Housing may give them, whether it be the power to influence decisions, their ability to use company resources, or their access to information about others.

In deciding whether their actions could result in a conflict of interest, employees are expected to consider how their actions will be seen by their colleagues or the public.

Should an employee have any questions or need any clarification about this policy, they are expected to consult with their divisional head or the General Counsel and Corporate Secretary.

Gifts or donations

Employees may not solicit or accept any fees, advances, gifts, money, personal discounts, donations, personal benefits, meals, tickets, personal loans or the like from a resident or any other person or entity that has, or might have, business dealings with Toronto Community Housing where it could result in a conflict of interest.

The exceptions are gifts of a nominal value, such as a greeting card, hat, token, memento, fridge magnet, or occasional coffee, which do not influence or would not be perceived as influencing, the performance of the employee's duties. Other exceptions are accepting money where doing so is required as part of the employee's job (e.g. collecting rent or a fee established by Toronto Community Housing).



For example (but not intended to be a complete list), this means that an employee should never accept:

- A tip.
- Any meals, unless the employee pays their own expenses.
- Offers to make a donation to a charitable cause on the employee's behalf.
- An invitation to an event at the expense of the other person.
- Tickets to a sporting event or concert from a vendor or supplier.

An employee should never solicit donations for a charitable cause on behalf of a contractor or supplier, unless it is for a program/initiative established by Toronto Community Housing.

This section does not apply to any gifts covered by the Gift Distribution to Residents Procedure (Interim), as long as the gift is received/distributed in accordance with that procedure.

Outside Activities and 'Moonlighting'

Employees are not entitled to engage in outside work (which includes being self-employed) or other similar activities outside of working hours, unless the outside work or activity is not in conflict with their work for Toronto Community Housing. This includes having another job if the work demands will conflict with the employee's position at Toronto Community Housing or if the employee could use information they learn while working at Toronto Community Housing for the benefit of the other company or themselves.

If an employee:

- (a) wishes to engage in outside work, or
- (b) be a director for any board or committee which may deal with issues affecting Toronto Community Housing,

the employee must first declare a potential conflict to their divisional head or the General Counsel and Corporate Secretary in writing and receive authorization for the engagement or appointment.



Business Interests (Examples)

If the employee is, or seeks to be, an employee, director, or officer of a company (or the employee has a financial interest in the company) that has business dealings with Toronto Community Housing, this is a conflict of interest.

If an employee (or a family member, friend or business associate of the employee) has a financial interest in a company that has business dealings with Toronto Community Housing, and the employee is involved in any process related to a business transaction involving the company, this will be a conflict of interest.

The employee must declare the conflict or potential conflict of interest to their divisional head or the General Counsel and Corporate Secretary in writing and seek advice on their role in such circumstances. The General Counsel and Corporate Secretary, in consultation with the divisional head, will review the circumstances to determine what other actions, if any, should be taken to resolve the conflict.

Personal Relationships

Employees should always maintain a professional relationship with other employees and all persons with whom Toronto Community Housing has dealings. This includes residents, commercial tenants ('tenants'), contractors, suppliers, and vendors. However, Toronto Community Housing acknowledges that some employees will develop or have existing relationships with such individuals.

Employees must take all reasonable steps to manage these relationships so the employee is not placed in a conflict of interest position (actual, potential, or apparent).

An example is if an employee works at, or has access to, a Toronto Community Housing-owned or operated building and has direct contact with a friend or family member who is a tenant or resident at that building (or access to the information of friends or family because of their job at Toronto Community Housing) as this will usually result in a conflict of interest. A friend includes someone the employee is dating or has a relationship with.

If an employee is involved in the hiring process for, or will supervise, family, friends, or business associates (past/current) this will also be a conflict of interest.

Employees must declare any conflicts or potential conflicts of interest to their divisional head. The General Counsel and Corporate Secretary in consultation with the divisional head will review the circumstances to determine what actions, if any, should be taken to resolve the conflict, such as making changes to a reporting relationship or work location.



Information about Toronto Community Housing

In performing their duties and responsibilities for the organization, employees will learn information about Toronto Community Housing and its operations which is not known to the public. Employees are prohibited from trying to access such information if it is not associated with their work. Employees are also expected not to use or disclose such information for any purpose that is not associated with their work (unless authorized by their divisional head or when required by law).

For more information regarding the responsibilities that employees have to protect the property and information of Toronto Community Housing, please see the Code of Conduct.

Reporting and Resolving a Conflict of Interest

All employees shall receive a copy of this policy. Employees are required to declare any conflict of interest (real, potential, or apparent) they may have under this policy upon hire. If, during the course of their employment, an employee is in or will be in a conflict of interest situation, the employee must immediately report/declare the conflict of interest in writing to their divisional head or the General Counsel and Corporate Secretary.

Toronto Community Housing shall, on an annual basis, review with employees their obligations under this policy, including the requirement to declare a conflict of interest.

Employees are expected to fully cooperate in any discussion or investigation related to the resolution of a conflict of interest. The General Counsel and Corporate Secretary in consultation with the divisional head will review the circumstances to determine what actions, if any, should be taken to resolve the conflict.



Governing and Applicable Legislation

- *Employment Standards Act*
- *Ontario Human Rights Code*
- *Municipal Freedom of Information and Protection of Privacy Act*

Related Policies and Procedures

- Code of Conduct Policy
- Acceptable Use of Information Technology Policy
- Gift Distribution for Residents Procedure (Interim)
- Fraud Prevention Policy
- Media and Issues Protocol
- Elections Policy

Commencement and Review

Revision	Date	Description of changes	Approval
First approval:			
[Revision #]			
Last review:*			