

Codiac Regional Policing Authority

Policy #: G-102
Category: Values and Ethics
Subject: Conflict of Interest for CRP Authority Members
Date: Insert
Review Cycle: Year 1/5
Review Date: 2021

Framework

Police Act

Under s. 1.1(1) of the *Police Act*, the Minister of Justice and Public Safety shall (a) promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing, and (b) coordinate the work and efforts of police forces and the RCMP within the Province.

Section 1.1(2) of the *Act* provides that the Minister may provide to boards, councils, police forces, a regional policing authority and the RCMP:

- (i) information and advice respecting the management and operation of police forces and the RCMP in handling special problems, and
- (ii) such other information as the Minister considers to be of assistance.

Finally, Section 1.1 (3) provides that subject to the *Act* and regulations, the Minister may issue guidelines and directives to any police force within the Province for the attainment of the purposes in s. 1.1(1) above.

Governance Guidelines

In 2011, the Department of Public Safety issued the Police Governance and Oversight in New Brunswick Policy Guidelines (“Governance Guidelines”). These Guidelines apply to a regional policing authority, as well as to other models of police governance in use in New Brunswick. The Guidelines suggest the following Conflict of Interest policy for police governance and oversight bodies:

“Members of the Board must avoid any conflict of interest that might impair the independence, integrity or impartiality of the Board. There must be no apprehension of bias, based on what a reasonable person might perceive.

Conflict of interest means a conflict that exists between Board members’ personal and/or business interests and the members’ responsibility as a member of the Board. A conflict of interest may occur when a Board member participates in discussions or in decision making that benefits him/her personally or someone close to him/her. And

also occurs, whether or not the member accrues a financial gain from the matter.

- Upon appointment and during the term of office, members must declare any potential or perceived conflicts of interest; the Board will then determine whether the member will be excluded from discussion and voting on any matter. The perception of a conflict of interest is a conclusion that may be drawn by a reasonably well-informed person that the member's ability to exercise the responsibility of a member of a Board has been, or may be, affected by the member's private interests.
- In the performance of their duties, members of the Board will not give preferential treatment, or request the Police Force to give preferential treatment to friends, relatives, business associates, or any other person or organization.
- Members of the Board shall not accept any fees, gifts, gratuities or other benefit that could reasonably be seen to influence any decision made by him/her in the performance of his/her functions as a member of a Board, or for his/her personal gain or for the personal gain of a family associate make use in any way of his/her position or of any privileged information to which he may have access or to which he is privy because of his position.
- Members of the Board will not hold outside employment, on paid or volunteer basis, that may, or may be perceived to, impair the member's ability to exercise their responsibilities as a member of the Board. This includes paid or volunteer employment within the Police Force.
- The Chair shall call for any declared conflict of interest with respect to meeting agenda items, at the commencement of the meeting. All declarations of conflict of interest are to be entered in the minutes of the meetings of a Board.
- Members having a concern that another member of the Board may have a conflict of interest must bring the concern to the attention of the Board as soon as practicable.
- Conflicts of interest that are brought to the attention of the Board must be resolved such that the public trust in the integrity, objectivity, and impartiality of the Board is sustained or enhanced.
- Board members who are determined to be in breach of the conflict of interest guidelines must abide by the policy of the Board and remove himself/herself from further discussion of the matter that created the breach. Failing to do so, may result in sanctions.
- The conflict of interest guidelines shall be reviewed annually for the information and guidance of Board members. Any new members of the Board shall be advised of the guidelines upon becoming a member of the Board."

Policy

It is incumbent upon all members of the Codiac Regional Policing Authority (CRP Authority) to sustain and enhance the public trust in the integrity, objectivity and

impartiality of the CRP Authority.

CRP Authority members must avoid any conflict of interest that might impair the independence, integrity or impartiality of the CRP Authority. There must be no apprehension of bias, based on what a reasonable person might perceive. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards, councils or staffs. It also supersedes the personal interest of any CRP Authority member acting as an individual consumer of the Codiak Regional Police Service (CRPS)'s services. CRP Authority members shall not use their office to advance their interest or the interests of any person or organization with whom they are associated.

Conflict of interest means an actual, potential or perceived conflict between a CRP Authority member's personal and/or business interests and the member's responsibility as a member of the CRP Authority. The perception of a conflict of interest is a conclusion that may be drawn by a reasonably well-informed person that the CRP Authority members' ability to exercise his/her responsibilities as a CRP Authority member has been, or may be, affected by the members' private interests. A conflict of interest may occur when a CRP Authority member participates in discussions or in decision-making that benefit him/her personally or someone close to him/her. A conflict of interest also occurs whether or not the CRP Authority member accrues a financial gain from the matter.

CRP Authority members will:

1. Avoid any actual or perceived conflict of interest which may bring the governance of policing or the impartiality of the CRP Authority into disrepute.
2. When called upon by the CRP Authority Chair at the beginning of every CRP Authority meeting, declare any potential, actual or perceived conflict of interest so that the declaration can be recorded in the minutes of the CRP Authority.
3. Where determined by the CRP Authority to be in a conflict of interest, abide by the requirements herein to declare the conflict and withdraw from having any involvement in discussions or decisions relating to the matter in question. Failure to do so may result in sanctions.
4. Avoid using their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated.
5. In the performance of their duties, not give preferential treatment or request the Codiak Regional Police Service (CRPS) to give preferential treatment to friends, relatives, business associates, or any other person or organization.
6. Not use their office to obtain employment with the CRP Authority or the CRPS for themselves or any family members (family member means the parent, spouse, child of the person, or any other related person occupying the same residence).
7. If he/she wishes to apply for employment with the CRPS (including employment on contract or fee for service), first resign from their Board

position.

8. Immediately resign if a family member (parent, spouse or child) gains employment with the CRP Authority or CRPS.
9. If seeking political office (municipally, provincially or federally), take a leave of absence from the CRP Authority if a nominated candidate and shall resign if elected.
10. Withdraw from any discussions or decisions relating to a matter in respect of which a conflict has been declared by leaving the meeting room during that discussion or decision.
11. Bring any concerns they have about another member of the CRP Authority being in a conflict of interest to the attention of the CRP Authority, through the CRP Authority Chair or the Chair of the Governance Committee, as soon as practicable.
12. Conflicts of interest that are brought to the attention of the CRP Authority must be resolved such that the public trust in the integrity, objectivity, and impartiality of the CRP Authority is sustained or enhanced.

The CRP Authority Chair will ensure that this conflict-of-interest policy will be reviewed annually at a CRP Authority meeting for the information and guidance of CRP Authority members. Any new members of the CRP Authority will also be provided with a copy of the policy.

Procedure:

1. The Chairperson must ensure that all new CRP Authority members sign the Code of Conduct for CRP Authority Members, complete and sign the Oath of Office for CRP Authority Members and sign the Conflict of Interest Policy for CRP Authority Members prior to attending their first meeting.
2. The Chairperson will ensure that all CRP Authority members re-read and sign the Code of Conduct and the Conflict of Interest Policy on an annual basis.
3. A signed copy of these documents will be kept in each CRP Authority Members' file maintained by the Executive Assistant to the Board.
4. The Chairperson will remind CRP Authority members of this conflict of interest policy at the beginning of every meeting and invite members to declare any conflicts relating to the agenda for the meeting.