

CHAMPLAIN REGIONAL COLLEGE

OF GENERAL AND VOCATIONAL EDUCATION



ADMINISTRATIVE FRAMEWORK FOR CONFLICT OF INTEREST AND NEPOTISM For Senior Management

Please Note:

An Administrative Framework (AF) is an administrative document that provides general guidelines for: the implementation of College Bylaws and Policies; ongoing administrative activities; and specific administrative functions. An AF usually outlines the guiding principles, procedures, and responsibilities related to a specific administrative function. However, College management is always expected to exercise good judgment, therefore, specific situations and circumstance may require some adjustments in procedures.

This administrative framework was adopted for the first time by the Director General's Advisory Committee (DGAC) on November 5th, 2013.

Admin. Framework: Conflict of Interest and Nepotism

1. Purpose:

The purpose of this policy is to set a framework under which College Directors and managers may operate while avoiding situations which may constitute a conflict of interest or nepotism.¹

1. Definitions:

1.1. A *conflict of interest* is a set of circumstances that creates a risk that professional judgement and/or actions will be unduly influenced by a personal interest.

Personal interest includes financial gain, professional advancement, and the desire to favour family and friends.

The *conflict* in a conflict of interest exists whether or not a particular individual is actually influenced by a personal interest

Therefore, a *declaration of a conflict of interest* is essential to reducing the “*risk*” of any real or perceived ability for one’s professional judgement and/or actions to be guided by a personal interest.

1.2. *Nepotism* is favouritism given to a relative in a transaction undertaken on behalf of the College.¹

2. Guiding Principle:

No employee or member of the Board shall exert any direct or indirect influence or derive any direct or indirect advantage or benefit by virtue of his/her position in the College with respect to the hiring of a relative or associate or the awarding of any contract.¹

3. Procedures:

- If there is any possibility that a Director may be in a position of real or perceived conflict of interest, the Director will inform the Director General as soon as they are aware of the possibility.
- If the Director General agrees that there is in fact the possibility of a real or perceived conflict of interest, the Director General will take over the recruitment, selection, and hiring processes.
- Proper recruitment, selection, and hiring processes as per College practice will be adhered to strictly when there is a possibility of real or perceived conflict of interest.
- The Director General will take full responsibility for the processes as per College policy and practice, and must sign all related documentations, including but not limited to the *Requisition for Staff* and the *Employment Contract*.
- The Director General may delegate portions of the recruitment, selection, and hiring processes to other individuals, but must make sure that any real or perceived conflict of interest is addressed at each step.
- To this end, anyone delegated a portion of the recruitment, selection, and hiring process will provide the Director General with a full report on those portions for which they have acted on behalf of the Director General.

¹ Excerpt or paraphrased from the College Policy on Conflict of Interest and Nepotism

Admin. Framework: Conflict of Interest and Nepotism

- Any candidate who has the potential for a real or perceived conflict of interest will be informed by the Director involved that the Director General will be responsible for the recruitment, selection, and hiring processes, and only when the Director General has signed off on the hiring will the hiring be duly approved in accordance with College policy and practice.
- No individual will be offered a position until the Director General has fully reviewed the process and approved the hiring, which will normally be done by signing the *Employment Contract*.
- The Secretary General will review all processes to ensure that the College policy has been respected.
- In the case that the Secretary General is in a position of real or perceived conflict of interest, the Director of Financial Services will review the processes to ensure that the College policy has been respected.
- Directors who have a member of their management staff in a position of real or perceived conflict of interest will follow the intent of this guideline in exercising their responsibilities.
- It is important to note that in certain circumstances, a Director may be in a situation of real or perceived conflict of interest when hiring someone close to a member of their management team. If there is any doubt or concern as to the possibility of a real or perceived conflict of interest, the Director will discuss the situation with the Director General, who will determine if there is the potential for a conflict of interest.