

	<b>Abbotsford Police Department Policy</b>	
	<b>Administration</b>	<b>Conduct</b>
	<b>I.C.040</b>	<b>Conflict of Interest</b>

## PRINCIPLES

To serve the public interest and to be effective in pursuing its mission and vision, the Abbotsford Police Department (AbbyPD) must maintain the highest levels of credibility, confidence and trust with the parties with which it works. All employees have a duty of faithfulness and honesty to the AbbyPD and to the community it serves. A breach of this policy has the effect of eroding the public's trust and confidence in the integrity of the AbbyPD, as well as the confidence and trust necessary between the AbbyPD and its employees.

## PURPOSE

- (1) To reinforce positive, accountable performance within the AbbyPD.
- (2) To reinforce public trust and confidence in the integrity of the AbbyPD and its employees.
- (3) To comply with BC Provincial Policing Standards [Addendum 1 – Continuation of Policing Standards Established by the Former BC Police Commission](#) s.A1.1.6.

## DEFINITIONS

- (4) **Conflict of Interest** – an actual or apparent conflict between the public duty and the private interest of an AbbyPD employee, in which the employee's private-capacity interest could improperly influence the performance of their official duties and responsibilities.
- (5) **Close Associate** – for the purposes of this policy, a person with whom the employee has a strong, deep, or close association or acquaintance, that may range in duration from brief to enduring, formed by emotional bonds and/or interactions. The association may be based on family relations, intimate relations, friendship, relations with business associates or roommates, or established through work, clubs, neighbourhoods or places of worship.

- (6) **Family Member** – for the purposes of this policy, means spouse (including common-law), parent, child, sibling, aunt or uncle.
- (7) **Intimate Partner**- - an employee who is in a romantic or intimate relationship with another person (other than a spouse), whether living in the same household as the other person or not. Examples of Intimate Partners include boyfriends or girlfriends, dating partners, or sexual partners.
- (8) **Preferential Treatment** – treatment of one individual or group of individuals in a manner that is likely to lead to greater benefits, access, rights, opportunities or status than those of another individual or group of individuals.

## POLICY

### GENERAL

- (9) In order that honesty and impartiality may be beyond doubt, AbbyPD employees must not place themselves in a position where they are under obligation to any person who might benefit from special consideration or favour on their part or seek in any way to gain special treatment from them.
- (10) No conflict must exist or appear to exist between the private interests of employees and their official duties. Employees are required to arrange their private affairs in a manner that will prevent work-related Conflicts of Interest.

*Example: An employee who is a shareholder of a ballistic vest manufacturing company will not be involved in the selection and/or purchase of ballistic vests for the AbbyPD.*

- (11) Information acquired during an employee's official duties, and which is not generally available to the public, must not be used to benefit, or appear to benefit, the employee or the employee's Close Associates.
- (12) In the performance of their official duties, employees must not grant (or give the appearance that they are granting) Preferential Treatment to any individual person, business or organization.

### GIFTS AND GRATUITIES

- (13) Except as noted in paragraphs (14) and (18), AbbyPD employees, by virtue of their employment with AbbyPD, will not seek out, solicit or accept, either directly or indirectly, gifts, gratuities or compensation, either in cash or in kind, for their own benefit or the benefit of their Close Associates.

- (14) The acceptance of a gift or gratuity is permissible where the gift or gratuity:
- (a) is offered as the result of a customary or hospitable practice;
  - (b) is of nominal economic value;
  - (c) is not viewed as placing any obligation on the member;
  - (d) would not impact, or appear to impact, the member's impartiality; and
  - (e) would not compromise, or appear to compromise, the integrity of the AbbyPD.

*Example: A T-shirt, mug or notebook given as a gift of appreciation for presenting at an event.*

- (15) Paragraph (14) notwithstanding, employees will not accept any cash gift or gift card, regardless of value.
- (16) If the employee does not have the opportunity to respectfully decline a gift or gratuity prohibited under paragraph (13) or (15), the employee must notify their supervisor. The supervisor will determine whether it is to be relinquished, and if yes, will direct the gift or gratuity to the Chief Constable for assessment and disposition.

*Example: Tickets to a hockey game valued at \$300 or a Starbucks gift card.*

## HONORARIUMS

- (17) Employees will not personally accept an honorarium for providing services on behalf of the AbbyPD. If an honorarium is offered, the employee may, in consultation with the Chief Constable, request that the honorarium be directed to an AbbyPD-authorized charity. If a donation to an AbbyPD-authorized charity is not possible, the honorarium must be respectfully declined. If respectfully declining an honorarium is not possible, the honorarium must be forwarded to the Chief Constable for assessment and disposition.

## GOODS AND SERVICES DISCOUNTS

- (18) AbbyPD employees must pay market price for products and services purchased, and must not seek or accept discounted or free goods or services based on their employment status with AbbyPD, except in the following circumstances:
- (a) employees may accept standard corporate discounts or industry discounts that are offered to other corporate or industry organizations, as well as to the AbbyPD; and
  - (b) employees may accept group discounts negotiated on the part of members of an association or organization to which they belong.

- (19) For clarity, paragraph (18) extends to free or discounted food and beverages. If an employee is not able to respectfully decline a meal discount, the employee is to provide payment to a minimum of the full market value of the meal (i.e. tip to the full price).

*Example: A restaurant does not charge the employee for their beverage or applies a 20% discount to their total meal bill. The employee must leave payment to a minimum of the pre-discounted meal.*

- (20) One-time gifts of food and beverages of nominal value gifted to employees by individual members of the public (i.e. the gift is not associated with an organization or business) as a gesture of kindness may be accepted by the employee.

*Example: A customer at a coffee shop pays for the AbbyPD employee's coffee.*

- (21) Unsolicited food and beverages gifted to the AbbyPD must be reported to the Chief Constable. The Chief Constable will assess the gift and will determine whether the vendor will be advised that future gifts cannot be accepted.

*Example: A restaurant delivers coffee and cookies to AbbyPD for the benefit of all employees.*

- (22) There are instances when it may be appropriate for a gift, ceremonial or otherwise, to be accepted by AbbyPD outside of these policy terms. In such circumstances, employees are to seek the guidance and approval through the chain of command of the Chief Constable.

## **POLICE BUSINESS**

- (23) If an employee has conducted, or is required to conduct, AbbyPD business involving a Close Associate (potentially creating a Conflict of Interest for both the AbbyPD and the employee), the employee is required to report the interaction to their supervisor.

## **SECONDARY EMPLOYMENT**

- (24) See policy [I.C.180 Off-Duty Activities](#).

## **DONATIONS, SPONSORSHIPS AND FUNDRAISING**

- (25) See policy [I.D.160 Sponsorships, Donations and Fundraising](#).

**POLITICAL ACTIVITY BY ABBYPD EMPLOYEES**

- (26) The AbbyPD supports its employees' individual and democratic rights to engage in political activity. However, employees' activities must not infringe on the public's right to an impartial police service. In order to ensure an impartial police service, employees will, while on duty or in uniform, refrain from any public expression of political opinion.
- (27) An employee may, while off duty and not in uniform, attend, participate in, and express views on any issue not directly related to their responsibilities as an employee of AbbyPD, if:
- (a) they do not associate their position as an employee of the AbbyPD with the issue;
  - (b) they do not represent their views as those of the AbbyPD; and
  - (c) the activity is not in conflict with their obligations, if any, under the *Police Act*.
- (28) An employee's participation in political activity, whether an appointment to a Board or candidacy in an election, is regulated by federal, provincial and municipal legislation. Appointment, candidacy or service by an employee is prohibited if it interferes with the member's duties as an AbbyPD employee, or places or is likely to place the employee in a position of Conflict of Interest.

**WEARING OF UNIFORM WHILE OFF-DUTY**

- (29) Other than at an AbbyPD -sanctioned event or in the course of their duties, employees will not appear in uniform at any event without first obtaining approval in writing from the Chief Constable or their delegate. Members wishing to obtain permission will submit a request in writing, through the appropriate chain of command, to the Chief Constable outlining:
- (a) the nature of the event;
  - (b) the identity of the organization sponsoring the event;
  - (c) the employee's affiliation to the organization; and
  - (d) the reason the employee feels it would be beneficial to appear in uniform.

**EMPLOYEE RELATIONSHIPS**

- (30) AbbyPD will consider an employee's Family Member, or the employee's Intimate Partner, for employment if the candidate meets all the requisite qualifications and an appointment will not create a Conflict of Interest.

- (31) Family Members or Intimate Partners may only work together on the same shift or within the same unit/section where Conflicts of Interest can be eliminated or adequately managed.
- (32) Within the context of employee relationships, Conflicts of Interest include, but are not limited to:
- (a) direct or indirect supervisor/subordinate relationships;
  - (b) trainer/trainee relationships;
  - (c) an employee directly or indirectly involved in assessing and/or processing a Family Member's or Intimate Partner's application for employment or promotion; and
  - (d) Family Members or Intimate Partners working on the same shift, where risks include, but are not limited to, employees being:
    - (i) faced with an emotionally charged or hazardous situation involving their Family Member or Intimate Partner, which may render them unable to safely or competently carry out their duties; and
    - (ii) called as a witness during a regulatory or criminal review where their Family Member or Intimate Partner is a respondent or subject officer.
- (33) An AbbyPD employee who becomes involved in an Intimate Partner or Family Member relationship within the context defined in paragraph (32) must disclose that relationship, as soon as practicable, to their immediate supervisor or the Director of Human Resources. If the employee discloses to their supervisor, the supervisor will advise the Director of Human Resources.
- (34) The potential for Conflict of Interest exists when employees become romantically or intimately involved with another employee of a higher or lower rank or status within AbbyPD. If such relationships do occur, that relationship must, for the purposes of assessment and risk mitigation, be disclosed in accordance with paragraph (33).
- (35) AbbyPD will review, on a case-by-case basis and pursuant to the *Human Rights Code*, situations where a Conflict of Interest may arise involving Family Members or Intimate Partners. AbbyPD will attempt to reasonably accommodate employees where possible. Accommodation will not be possible where accommodation would lead to undue hardship. Accommodation may include transferring one of the employees to another section or position within the AbbyPD.
- (36) Exceptions to this policy will be considered in exigent circumstances.

## REPORTING A CONFLICT OF INTEREST

### Employees

- (37) Employees who believe that they may be engaged in any activity which could present a Conflict of Interest, must report such Conflict of Interest to their supervisor or to the Director of Human Resources.
- (38) Employees who believe in good faith that they have witnessed a Conflict of Interest must report such Conflict of Interest to their supervisor or to the Director of Human Resources.
- (39) Supervisors are directed to take all appropriate steps to prevent and stop Conflicts of Interest in their areas of responsibility. Any supervisor who is subject to, witnesses, or is given written or verbal complaints of Conflict of Interest must report the Conflict of Interest to the Director of Human Resources.

### The public

- (40) Members of the public will be directed to contact the Chief Constable or any member of the Police Board to report any Conflict of Interest as it relates to the AbbyPD or its employees. Reports of Conflict of Interest received by the Police Board will be forwarded to the Chief Constable for investigation.

### Chief Constable

- (41) Any report of Conflict of Interest involving the Chief Constable will be directed to the Deputy Chief Constable, Administration (DCC-Admin). The DCC-Admin will, as soon as practicable, advise the Chair of the Police Board.
- (42) The Police Board will review any report of Conflict of Interest involving the Chief Constable and will determine the method of investigation. An investigation may be conducted by an external police agency, the Office of the Police Complaint Commissioner (OPCC) or other third party investigator, as appropriate to the circumstances. Any remedial and/or disciplinary action will be determined by the Police Board, or by the OPCC should the matter fall under its jurisdiction.

### Assurance against retaliation

- (43) Retaliation against any witness providing information about a Conflict of Interest is strictly prohibited and will result in an investigation.
- (44) A complaint against an employee will not be made in bad faith or for an improper purpose. If the subject of a complaint alleges the complaint was made in bad

faith or for an improper purpose, the Chief Constable will investigate such allegation, and if the Chief Constable concludes the complaint was brought in bad faith or for an improper purpose, the Chief Constable may impose appropriate disciplinary action upon the complainant.

## INVESTIGATION

- (45) AbbyPD seeks to resolve claims of Conflicts of Interest as expediently as possible. Investigations will be conducted, and the appropriate actions taken to remove or mitigate Conflicts of Interest.
- (46) A Conflict of Interest investigation may include:
- (a) determining the veracity of allegations of a Conflict of Interest;
  - (b) determining whether a reported act is indeed a Conflict of Interest;
  - (c) resolving the Conflict of Interest;
  - (d) administering punitive or corrective actions as appropriate; and
  - (e) administering punitive actions if allegations were knowingly falsely made.
- (47) The Chief Constable is responsible for determining and administering the methods and means of addressing identified instances of Conflict of Interest. Sanctions for employees in breach of this policy will be applied following the principles of progressive discipline, recognizing that certain serious breaches may require a greater response. An employee Conflict of Interest which cannot be managed to the satisfaction of the Chief Constable may result in discipline.

RELATED DOCUMENTS	
Policy:	<a href="#">I.C.180 Off-Duty Activities</a>
Policy:	<a href="#">I.D.160 Donations, Sponsorships and Fundraising</a>

POLICY HISTORY	
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