

# Chapter 13 - Conflict of Interest

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Public trust in the government of Curve Lake First Nation depends to a large degree on the honesty, integrity, fairness and good faith of the employees. This trust is compromised when an employee's interest and the public interest are compromised.

Trust is earned when the public not only sees but feels that there is a consistent delivery of high quality service. To do this, Council members, employees and Committee members must carry out their duties and responsibilities with integrity. The performance of employees must not be compromised by private or personal interests.

It is the expectation of that any person employed with the First Nation, acts within the law. This obligation is not only to obey the law but to act in a manner so scrupulous that it will bear the closest public scrutiny and foster confidence in the operations and the government of Curve Lake First Nation.

It is important that the policies of the First Nation reflect the community's and Council's priority of encouraging employment and economic development within the membership and on the First Nation.

The consistent application of these rules and procedures will ensure that integrity in all business dealings and employment will be beyond doubt.

Conflict of interest exists in any situation in which an employee either for himself/herself or some other person(s) attempts to promote a private or personnel interest which may be perceived or actually present.

The responsibility for determining whether or not an employee is in a conflict of interest rests with the First Nation Manager.

When an employee is hired, and on an ongoing basis, shall arrange their personnel dealings in a manner that will prevent a conflict of interest. If a potential conflict of interest arises the employee shall immediately,

- a) Report the matter to the First Nation Manager;
- b) Resolve the conflict in favor of the public interest;
- c) An employee who feels there may be a conflict of interest is responsible to advise the First Nation Manager of the "potential" conflict to seek clarification.
- d) Any person who is in a conflict of interest situation shall immediately declare the conflict and be removed from the situation.
- e) These decisions and/or actions will be recorded and filed on the individual's personnel file.

No person in a position of responsibility within the First Nation is permitted to take part in or attempt to influence the hiring process in favor of, or directly supervise an immediate relative. Nor will any person

in a position of responsibility directly or through a committee award contracts to, purchase goods or services from or in any way impart financial gain to his/her self or an immediate relative.

Immediate relative, for the purpose of the Conflict of Interest Guidelines, within this Human Resource Management Policy shall be defined as spouse, parent, grandparent, child, grandchild, sibling, father-in-law, any other person permanently residing in the household.

### **Bribery – Fraud**

Legal action will be taken by the Curve Lake First Nation on matters of bribery, fraud, neglect of duty to collect monies, etc.

### **Casual Benefits**

It is contrary to this policy for an official or employee of the Curve Lake First Nation to demand, accept or offer, or agree to accept, offer or agree to accept from a person who had dealings with the First Nation, a commission, reward, advantage or benefit of any kind directly or indirectly, by himself/herself or through a member of his/her family through anyone for his/her benefit, unless with express written consent by the First Nation.

The acceptance by employees from persons having dealings with the First Nation of sporadic or casual benefits such as hospitality or small gift items is permitted where the value is less than One hundred dollars (\$100.00). These benefits or gifts must be within the bounds of propriety and should be a normal expression of business courtesy or advertising and should not be such as to bring suspicion upon the objectivity of a member of the staff or the First Nation.

### **Disclosure of Information and Confidentiality**

This policy prohibits employees from improperly disclosing information on any matter of which they obtain knowledge by reason of their employment with the First Nation.

All employees will be required to sign a “Statement of Confidentiality” and “The Code of Conduct” and will respect individual information as private and any business information learned as a result of their employment shall remain confidential until it is released to the public domain.

### **Procedures for reporting a Potential Conflict of Interest**

1. When an employee has a sense that they may be in a Conflict of Interest position, they must immediately report to their supervisor, describing the circumstance in sufficient detail to allow the supervisor to make the final determination.
2. If it is determined that there is a real or perceived Conflict of Interest the supervisor, will make a recommendation to remove the employee from the situation causing the conflict.
3. If an employee is found to have acted in Conflict of Interest, the employee will be subject to the Discipline Policy of the First Nation, or subject to Legal Action being taken against them.