

CODE OF CONDUCT

October 11, 2012

I. Preamble

The Code of Conduct (Code) for the Alberta Council on Admissions and Transfer (“ACAT” or “agency”) applies to the Chair and all members (collectively referred to as “members”). The Code reflects a commitment to the agency’s values and provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the agency. Members are expected to behave in a way that aligns with this Code. They understand that this Code does not cover every specific scenario. Therefore, they use the spirit and intent behind this Code to guide their conduct, and exercise care and diligence in the course of their work with the agency.

To demonstrate commitment to transparency and accountability, this Code is available to the public on the agency’s website.

II. Mission

The mission of the Alberta Council on Admissions and Transfer (ACAT) is to be a catalyst for beneficial change and an advocate for learners in the areas of post-secondary admission and transfer. To carry out its mission Council provides leadership and direction in the improvement of educational opportunities for Alberta students through inter-institutional transfer. This requires a commitment to improving communication among Alberta post-secondary institutions and to promoting the advantages of a system of education, with all that this means for educational planning for the benefit of learners.

III. Core Values

- a. Members act with impartiality and integrity. Acting with impartiality generally refers to being unbiased, treating all without prejudice and basing decisions on objective criteria. Acting with integrity generally refers to the quality of being honest and having principles that are firmly adhered to.
- b. Members demonstrate respect and accountability. Demonstrating respect generally means treating others with courtesy and dignity. Demonstrating accountability generally means assuming responsibility for decisions, actions and behaviours.

IV. Guiding Principles

These principles guide the behaviour and decisions of members:

- a. The actions and decisions of members are made to promote the public interest and to advance the mandate and long-term interests of the agency.
- b. Members are responsible stewards of public resources.
- c. To serve the public interest, members have a responsibility to uphold the agency's mandate.
- d. Members have a responsibility to act in good faith and to place the interests of the agency above their own private interests.
- e. Members behave in a way that demonstrates that their behaviour and actions are fair and reasonable in the circumstance.
- f. Members enjoy the same rights in their private dealings as any other Albertan, unless it is demonstrated that a restriction is necessary in the public interest.
- g. When a member as an individual is subject to more than one code of conduct, the member must consider the expectations in all. Members understand that this Code is not intended to conflict with other Codes of Conduct, and will discuss any potential conflicts with the Code Administrator.
- h. The Code applies to all members unless a specific exemption is granted by the Code Administrator.
- i. Members know that when they become aware of a real or apparent conflict of interest, they must at the first opportunity disclose this conflict to the Code Administrator.
- j. Members understand that disclosure itself does not remove a conflict of interest.
- k. Members encourage their colleagues to act fairly and ethically and know that they are able to raise concerns about a suspected breach by another to the Code Administrator without fear of reprisal.
- l. Members know that breaches of this Code may result in disciplinary action, up to and including removal of the member.
- m. Members know that if they have any questions about the Code, or are not sure how to apply these principles, they should consult with the Code Administrator.
- n. Each member confirms on an annual basis their understanding of, and commitment to, the Code's expectations.

V. Behavioural Standards

Behavioural standards help members make appropriate decisions when the issues they face involve ethical considerations. Behavioural standards cannot cover all scenarios but provide guidance in support of day-to-day decisions. All members must adhere to the following standards:

- a. Members must not engage in any criminal activity and must comply with all relevant laws, regulations, policies and procedures.
- b. Members must not use their status or position with the agency to influence or gain a benefit or advantage for themselves or others.
- c. Member conduct contributes to a safe and healthy workplace that is free from discrimination, harassment or violence.
- d. Members must not use drugs or alcohol in a way that affects their performance and safety, or the performance and safety of their colleagues, or that negatively impacts the reputation or operations of the agency.
- e. Members must act in a way that is consistent with the agency's protocols on public comment.
- f. Members must take reasonable steps to avoid situations where they may be placed in a real or apparent conflict between their private interests and the interests of the agency. In other words, actions or decisions that members take on behalf of the agency must not provide them with an opportunity to further the private interests of themselves, their families, their business associates, or others with whom they have a significant personal or business relationship.
 1. Confidential Information
Members must respect and protect confidential information, use it only for the work of the agency and do not use it for personal gain. Members must comply with protocols that guide the collection, storage, use, transmission, and disclosure of information.
 2. Gifts and Gratuities
Members may only accept or receive gifts or gratuities that are the normal presentation of gifts to people participating in public functions.
 3. Outside Activities
Members must avoid participating in outside activities that conflict with the interests and work of the agency. For example:
 - i. **Business Interests:** Members must not hold interests in a business directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the agency.

- ii. **Employment:** Members must not take employment which affects their performance or impartiality with the agency.
 - iii. **Political Activity:** Members may participate in political activities including membership in a political party, supporting a candidate for elected office or seeking elected office. In addition, any political activity must be clearly separated from activities related to the work for the agency, must not be done while carrying out the work of the agency, and must not make use of agency facilities, equipment, or resources in support of these activities.
 - iv. **Volunteer Activity:** If members are involved in volunteer work, the activity must not influence or conflict with decisions relating to the agency.
4. **Pre-Separation**
Members considering a new offer of appointment or employment must be aware of and manage any potential conflicts of interest between their current position and their future circumstance, and must remove themselves from any decisions affecting their new appointment or employment.
5. **Post-Separation**
Once members have left the agency, they must not disclose confidential information that they became aware of during their time with the agency and must not use their contacts with their former colleagues to gain an unfair advantage for their current circumstance.
6. **Property**
Members may have limited use of the agency's premises and equipment for authorized incidental purposes providing such use involves minimal additional expense to the agency, must not be performed on the member's work time, must not interfere with the mission of the agency and must not support a personal, private business.
7. **Related Persons or Parties**
Members must avoid dealing with individuals when the relationship between them might bring into question the impartiality of the member.

VI. Administrative Processes

Administrative processes help members manage ethical dilemmas, including any real or apparent conflict of interest concerns.

- a. **Administration**
The Code Administrator for the ACAT Chair is the ACAT Ethics Committee.
The Code Administrator for ACAT members is the ACAT Chair.

The Code Administrator receives and ensures the confidentiality of all disclosures and ensures that any real or apparent conflict of interest is avoided or effectively managed. As well, the Code Administrator is responsible for providing advice and managing all concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the agency. Even though an agency may have a delegated process for responding to and managing concerns, the Code Administrator is responsible for ensuring procedural fairness.

b. Disclosure

It is the responsibility of each member to declare in writing to the Code Administrator those private interests and relationships that they think could be seen to impact the decisions or actions they take on behalf of the agency. When there is a change in their responsibilities within the agency or in their personal circumstance, members shall disclose in writing any relevant, new, or additional information about those interests as soon as possible. Where a real or apparent conflict of interest cannot be avoided, members must take the appropriate steps to manage the conflict.

Members must disclose these real or apparent conflicts of interest so that the Code Administrator is aware of situations that could be seen as influencing the decisions or actions they are making on behalf of the agency. This provides members, following a review by the Code Administrator, an opportunity to take action to minimize or remove the conflict. To actively manage a conflict of interest, options include:

- removing themselves from matters in which the conflict exists or is perceived to exist;
- giving up the particular private interest causing the conflict; and
- in rare circumstances, resigning their position with the agency.

c. Reporting a Potential Breach by Another

Members are encouraged to report in writing a potential breach of this Code by another to the Code Administrator. When reporting a potential breach in good faith and with reasonable grounds, members are protected from retaliation for such reporting.

d. Responding to Potential Breach

Once a potential breach has been reported, the agency's procedures for responding to and managing a potential breach will be promptly initiated. The Code Administrator will review the circumstance and details of the potential breach and will notify the alleged member. The alleged member has the right to complete information and the right to respond fully to the potential breach. The identity of the reporter will not be disclosed unless required by law or in a legal proceeding. The Code Administrator makes a decision and completes a report of the review in a timely manner. The decision may range from finding no potential breach to one that reveals suspected criminal conduct.

- e. Consequences of a Breach
Members who do not comply with the standards of behaviour identified in this Code, including taking part in a decision or action that furthers their private interests, may be subject to disciplinary action up to and including removal of the member.
- f. Review of a Decision
Members can request in writing to review a decision that has been made by the Code Administrator about a real or apparent breach of the Code, including a conflict of interest involving that member.

VII. Other Resources

- a. Where to Get Advice
When members require advice and guidance in determining whether misconduct or a conflict exists, or need clarification, they may discuss their issue with their Code Administrator.
- b. Questions to Consider
When members are faced with a difficult situation, the following questions may help them decide the right course of action:
- Have I reflected on or consulted with the Code Administrator about whether I am compromising the Code's values, principles, or behavioural standards?
 - Have I considered the issue from a legal perspective?
 - Have I investigated whether my behaviour aligns with a policy or procedure of the agency?
 - Could my private interests or relationships be viewed as impairing my objectivity?
 - Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
 - Could my decisions or actions be perceived as granting or receiving preferential treatment?

VIII. Affirmation

The Code of Conduct for the Alberta Council on Admissions and Transfer (ACAT) was introduced on October 28, 2009 and is reaffirmed annually by ACAT to ensure it remains current and relevant.