



# Standards of Conduct



**Legal Aid BC**

# Standards of Conduct

## Policy

LABC employees must comply with the Standards of Conduct policy in the delivery of legal aid services to the public.

## Purpose

To provide guidance on the standards of conduct expected of all employees of LABC, and to promote integrity, respect, confidentiality, accountability, public responsibility, cultural competence and disclosure of wrongdoing as the society's core principles.

To assure the public that LABC employees fulfill their duties honestly and impartially.

## Application

This policy applies to:

- employees and
- contractors during the course of providing services to or for LABC.

In this policy, any reference to “employees” includes contractors. “Contractors” means any contractor, consultant or supplier who has a contract with LABC in which adherence to this policy is included as a term of the contract.

**Responsibility:** Chief Executive Officer

**Questions to:** The employee's supervisor or Human Resources. Supervisors may contact the Vice President, Strategic Planning, Policy, and Human Resources for policy guidance. Contractors should bring questions to their primary LABC contact.

# Standards of Conduct

## General Principles

Employees at every level of the organization will:

- Conduct business lawfully and ethically, establishing honest dealings in all relationships while expecting the same of those with whom LABC has business relationships.
- Avoid conflicts of interests between their personal interests and their role in LABC's business.
- Protect confidential LABC client and other information.
- Protect LABC's assets and use them responsibly for LABC purposes.
- Provide service in a way that protects the health and safety of the public and fellow employees.
- Provide service in an environmentally responsible manner.
- Disclose, in good faith, information concerning any wrongdoing at LABC.

# Standards of Conduct

## Dignity and Respect

- Employees will treat clients, colleagues and contractors with dignity and respect.
- Employees will help contribute to a positive work environment.
- Employees will provide service to the public in a manner that is courteous, professional, efficient, and effective.
- Employees will be sensitive and responsive to the changing needs, expectations, and rights of a diverse public in the proper performance of their duties.

# Standards of Conduct

## Safe Work Environment

- Each employee has a personal responsibility to come to work fit for duty.
- All employees have the right to expect, and the responsibility to create, a workplace where all employees are safe. Violence in the workplace is unacceptable and will not be tolerated.
- See LABC's Violence in the Workplace: Prevention policy and the Violence in the Workplace: Response policy for further policy guidance.
- LABC will not tolerate discrimination, bullying or harassment in the workplace. All LABC employees are encouraged to help identify and eliminate discriminatory practices.
- See LABC's Discrimination, Bullying & Harassment policy and refer to the BC Human Rights Code and the BCGEU or PEA collective agreements for further guidance.

**Violence** includes any attempted or actual exercise by any person, including a co-worker, of any physical force so as to cause injury to an employee, and includes any express threat of violence.

**Discrimination** occurs when an individual or a group of people are denied opportunities and rights because of a personal characteristic, such as race or sex. Bullying and harassment are particular types of discrimination and include insulting and abusive treatment of people because of a personal characteristic.

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## Cultural Competence and Elimination of Inequities and Biases

- LABC values the background, experience, perspective and talent of each individual. LABC employees will respect and support the social and cultural fabric of the communities where we work, live and serve.
- Employees will help to eliminate inequities and biases from existing programs, services, and methods of service delivery.
- LABC will promote cultural competence by:
  - Creating an environment that values diversity, in which all individuals are treated in a fair and equitable manner.
  - Periodically reviewing the legal service needs of people of diverse cultures, including Aboriginal people.
  - Providing information and training programs to improve employees' familiarity with Aboriginal cultures and other diverse cultures and values.
  - Working to eliminate attitudinal, cultural, informational and systemic barriers.

***Cultural competence** is the willingness and ability of LSS to value the importance of culture in the delivery of legal services to people with low incomes in BC.*

# Standards of Conduct

## Confidentiality

- Employees, both during and after employment with LABC, will treat client information as privileged and keep confidential client information received through their employment that is not known to the general public.
- Employees, both during and after employment with LABC, are responsible to maintain the confidentiality of all LABC information not known to the general public and must not disclose it to anyone inside or outside the organization except as required by legitimate business duties.
- Employees will not knowingly take advantage of, or benefit from, or use in any way, information obtained during the course of their duties that has not been made available to the public.
- Contractors hired to do work for LABC must sign a contract that includes a confidentiality provision.
- Contractors must ensure that confidentiality obligations are in place with their employees and any sub-contractors who may have access to LABC's confidential information.
- Employees will read and agree to abide by LABC's Confidentiality policy.

# Standards of Conduct

## Freedom of Information and Protection of Privacy

- LABC is required to comply with the information access and protection of privacy requirements established in B.C.'s Freedom of Information and Protection of Privacy Act (FIPPA).
- Employees must not disclose to third parties any personal information, including that related to employees or former employees, without authorization. Information about employees is subject to FIPPA, and access to it is restricted by collective agreements and terms of conditions in force at LABC.
- LABC records may be subject to an access to information request. Refer all such requests to the Manager, Communications and General Counsel.
- See Freedom of Information and Protection of Privacy policy for further guidance.



# Standards of Conduct

## Conflict of Interest

- Employees will avoid situations of actual and potential conflict of interest.
- Conflict of interest includes obtaining a benefit that advances or protects interests, even though the benefit may not be measurable in money. Examples of such conflicts include:
  - Denying or failing to provide a service for personal reasons.
  - Referring a contract or a client to a friend, relative or associate.
  - Participating in the hiring of a friend or relative.
- Employees must avoid situations where someone could reasonably perceive that there is a conflict between one's personal interests and the role of employee even though there is no intention of acting unfairly, dishonestly or for personal gain.
- Employees will not exploit a work relationship for private advantage or benefit. Employees will arrange their private affairs to prevent real, potential, or apparent conflicts of interest from arising in regard to their work.
- Employees will advise their supervisors of any private interest that could give rise to a conflict of interest or the appearance of conflict of interest. For example, when an employee's family member is applying for legal aid.
- Employees must disclose the names of any relative, or person with whom the employee has a close personal relationship, who the employee knows receive remuneration from the society. Those receiving remuneration from LABC include LABC employees, local agents, contract bar lawyers, contractors, and other service providers such as interpreters or court reports/transcript providers.
- An employee may not hold a significant financial interest, either directly or through a family member or associate, in an organization that has a relationship with LABC unless that interest is disclosed to LABC and is approved by LABC.
- Disclosure must be made in writing to an employee's supervisor and to the Manager, Human Resources.

*A **conflict of interest** is a situation where a personal interest or obligation to another person may prevent an employee from making unbiased and fair decisions on behalf of LSS. Personal interests or obligations include the interests of a friend, family member or business associate, or a corporation or partnership in which the employee holds a significant interest.*

# Standards of Conduct

## Acceptance of Gifts, Entertainment, Benefits, and Favours

- Employees will not accept money or other transfers of economic benefit from individuals or other organizations in the course of their LABC work or LABC work-related activities, other than incidental gifts, customary hospitality, or other benefits of nominal value (e.g. chocolate, coffee mug, flowers).
- Employees shall not accept any personal commission, reward, advantage, or benefit of any value from any person, firm, or corporation which has any direct or indirect business dealings with LABC.
- It is inappropriate for employees to accept monetary payment for outside activities, such as speaking engagements, which are related to their employment.
- It is recognized that moderate hospitality is an accepted courtesy of a business relationship. Recipients should avoid situations where they might be deemed by others to have been influenced in making a business decision as a consequence of accepting such hospitality.
- LABC credit card rewards points may not be redeemed for personal use. All points are redeemed by LABC for the use of LABC.
- Gifts of alcohol may not be accepted under any circumstances.
- Gifts that can be shared among staff or used by the office can be accepted.
- Employees who are unsure whether to accept hospitality or a gift offered as a courtesy in a business relationship should ask their immediate supervisor before accepting the offer.

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## Outside Employment and Volunteerism

- Employees may not accept money or other payment in addition to their regular salary or expenses for duties that they perform in the course of their regular LABC employment.
- All employees may take supplementary employment, including self-employment, provided it avoids:
  - An actual or apparent conflict of interest.
  - The appearance of being an official LABC act, or representing LABC opinion or policy.
  - Interfering with regular LABC duties.
  - Using LABC time, premises, equipment, or supplies, unless authorized by your supervisor.
- Employees must notify their supervisor in writing about outside employment that might contravene this policy.
- An employee must disclose, in writing, any new or existing board appointments to their supervisor and to the Manager, Human Resources, including appointments to the board of a non-profit society or a professional association, so that LABC can determine whether there is a conflict of interest.
- The resources of LABC may not be used in such a way as to create an impression that LABC favours one political party or candidate over another.
- Employees must avoid introducing partisan politics into the workplace. This does not apply to informal private discussions among co-workers.

# Standards of Conduct

## Hiring Relatives (includes persons with whom staff have a close personal relationship)

- LABC follows standard recruitment procedures in all hiring processes, including the hiring of casuals.
- Employees must never have influence, input or decision-making over the hiring, evaluation, promotion or establishment of terms and conditions of employment at LABC of anyone with whom they have a close personal relationship. This includes influence over the hiring, evaluation or retention of contractors. Anyone in doubt as to whether a close personal relationship falls within this policy should err on the side of disclosure and seek advice from a supervisor.
- LABC may employ relatives of existing employees provided the individuals concerned are not in a supervisory relationship with each other and there is no conflict of interest or appearance of a conflict of interest.
- If relatives on LABC staff are found to be in a conflicting reporting relationship and there is an actual or potential conflict of interest, LABC will attempt to transfer one of the affected employees to a suitable position within the organization. If this is not possible, one of the employees will be required to resign.
- If LABC has hired or will hire a relative of an existing employee, that employee must tell their supervisor and the Manager, Human Resources, about the relationship.
- If any actual or appearance of a conflict of interest arises an employee must tell their supervisor and the Manager, Human Resources, about the conflict.

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## Future Employment Restrictions

- Except with the consent of the Board of Directors, until one year after the end of employment:
  - an LABC Vice President or the Chief Executive Officer must not lobby or otherwise make representations for any private sector organizations to LABC; and
  - an LABC Vice President or the Chief Executive Officer who has discretion to make decisions or recommendations that materially affect the business interests of any private sector employer with whom the Vice President or Chief Executive Officer had substantial involvement in dealings in the year immediately preceding the end of their employment with LABC, must not accept employment with that private sector employer.
- LABC Vice Presidents must inform the Chief Executive Officer about the prospect of employment that may place them in an actual or perceived conflict of interest, or in breach of the future employment restrictions. The Chief Executive Officer must inform the LABC Board Chair.

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## Professional Appearance

- All employees will present a professional image by ensuring their attire is appropriate, neat, clean and in good repair taking into account that the employee will be representing LABC to the general public.

# Standards of Conduct

## Media

- Employees will not provide statements to the media or address matters of public debate on behalf of LABC unless they have prior authorization to do so.
- Employees will clearly state whether they are speaking personally or on behalf of LABC when making public statements.
- Employees will refer to the Media Relations policy for detailed policy guidance.

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## Electronic Communications

- All employees will use electronic communications for LABC business purposes in a professional, responsible and secure manner.
- Employees must use extreme caution when communicating confidential or sensitive information via email. The transmission of confidential or sensitive information through instant messaging or text messaging is not permitted.
- Employees will refer to the Electronic Communications policy for detailed policy guidance on using electronic communications, including email, instant messaging and text messaging.



# Standards of Conduct

## Protection and Use of Company Property

- All employees are required to use LABC property properly, safely, efficiently and only for LABC purposes. Property includes physical and information assets essential to the operation of LABC.
- All employees are responsible for the appropriate care and protection of all LABC property including exercising reasonable safeguards to prevent theft, cyber-attack or damage. See the Protection of Computer Hardware policy for further guidance.
- Employees may use LABC equipment, email and internet access for brief personal purposes providing this does not interfere with their duties and they do so responsibly and securely. See the Personal Use of LABC Telephones, Fax Machines and Photocopiers policy for further guidance.
- Employees will not use LABC facilities for their personal business enterprises. Any use of LABC assets for a non-business reason (including charitable work) must be approved by a supervisor.
- Accessing unacceptable or illegal web sites is strictly prohibited. See the Internet Use policy for further policy guidance.
- Employees must follow LABC policy on the retention and disposal of records. See the Storage and Disposal of Applicant and Client Files policy for further guidance.

# Standards of Conduct

## Intellectual Property and Proprietary Interests

- All intellectual property conceived or made during or after working hours in the course of employment with LABC, or which is derived from LABC knowhow, is the exclusive property of LABC and is a valuable LABC asset. Employees must disclose all such intellectual property and every employee assigns to LABC all rights to such intellectual property.
- See the Proprietary Rights policy for further guidance.

# Standards of Conduct

## Reporting and Whistleblowing

- Employees are expected to disclose, in good faith, any information concerning wrongdoing at LABC.
- Employees who disclose wrongdoing will be treated fairly and will be protected from reprisal.
- Wrongdoing is:
  - A breach of the Standards of Conduct.
  - A violation of any law or regulation.
  - A misuse of LABC funds or assets.
  - Gross mismanagement.
- Good faith disclosure is:
  - Based on an honest belief that the information is true.
  - Not based on malicious motives or made for personal gain.
- The Board of Directors will receive an annual report outlining the number of disclosures of wrongdoing received, the disclosures under investigation, investigative outcomes and the actions that were taken.
- See the Disclosure of Wrongdoing policy for detailed policy guidance.

# Standards of Conduct

## Compliance with Standards of Conduct and Law

- Employees are required to act at all times in full compliance with the law.
- Employees must report to the Manager, Human Resources all criminal convictions.
- Every employee has the responsibility to:
  - Understand and comply with the Standards of Conduct.
  - Avoid any situation where their acts would enable another LABC employee to violate these standards.
- The Manager, Human Resources has the responsibility to ensure every employee reviews and agrees to the Standards of Conduct and related policies.
- Every supervisor, manager and Vice President has the responsibility to:
  - Create and maintain a workplace where employees are able to comply with these standards.
  - Take responsible action should any breach of these standards come to their attention.

# Standards of Conduct

## History

**EMC Approved April 16, 2019:** Added a section on Electronic Communications.

**September 1, 2018:** Updated job titles.

**Board Approved November 2014 – replaces all previous versions. Formerly Code of Ethics.**

**Revised August 1, 2007:** Altered language under the Disclosure of Wrongdoing section to reflect the Disclosure of Wrongdoing policy.

**EMC Approved February 13, 2007:** Workplace manner and violence guidelines added; confidentiality section shortened; discrimination & harassment definitions updated; security section deleted; disclosure of wrongdoing guidelines added; media and public debate section revised and separated into a media section and an affidavit section; cultural competence guidelines added; reformatted. Revised July 2004. EMC Approved September 1997.

**SEE [POLICY](#) AND [FORMS](#) PAGES FOR:** Other policies and forms referenced in this document.