



**AC11**

**CONFLICT OF INTEREST**

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**POLICY**

1. Employees of the Delta Police Department (“Department”) have a primary occupational responsibility to the Department. Extra employment, external business interests, and membership in organizations and volunteering, separate from employment with the Department, are expected to remain secondary.
2. Engaging in any form of secondary employment or external business interest without prior authorization from the Chief Constable is prohibited.
3. The Chief Constable will not authorize, and will withdraw a prior authorization for any employee to engage in secondary employment, external business interests or membership in an organization that, in the Chief Constable’s opinion, gives or may give rise to a conflict or potential conflict of interest or the appearance of the same, or which brings or may bring discredit upon the Department.
4. Expect as prohibited by this policy, with the written authorization of the Chief Constable employees may invest or engage in an external business interest or venture and may accept secondary employment, provided that:
  - a) their participation does not create a conflict of interest with their duties within the Department and is not likely to do so;
  - b) the employee’s participation does not derive an advantage from their employment with the Department;
  - c) the employee’s effectiveness and performance of their Department duties is not adversely affected; and
  - d) a member’s position as a peace officer is not demeaned.
5. The Department supports its employees’ individual and democratic rights to engage in political activity and religious freedom to engage in religious activity; however, such activities must not infringe on the public’s right to impartial delivery of police services.



6. Employees are prohibited from membership in, employment by or volunteering with organizations that are illegal or could reasonably be considered to bring discredit upon the Department or policing generally, or have the potential to adversely affect an employee's discharge of their duties.
7. While on duty, employees may not engage in secondary employment or business activities, or volunteering, unrelated to their Department duties, without the permission of the Chief Constable.
8. Employees will not accept any gift, favour or gratuity without the consent of the Chief Constable.
9. Employees may only use Department equipment for purpose related to the duties of their employment with the Department, unless otherwise authorized by the Chief Constable.

## **REASON FOR POLICY**

10. To ensure the necessary level of performance by employees in the carrying out of the duties of their employment with the Department.
11. To reinforce public trust and confidence in the integrity of the Department and its employees.
12. To maintain the neutrality of employees while on duty without restricting their rights and freedoms.

## **RELATED POLICIES**

AC19 – Personal Relationships  
AC21 – Independence of Investigations

## **DEFINITIONS**

13. For the purpose of this policy, the following definitions will apply:



**Conflict of Interest** - a conflict between an employee's personal, business or political interests and his or her responsibilities or duties as an employee of the Department and/or a peace officer, and includes actual or perceived conflicts and those situations that have potential to be actual or perceived conflicts. A conflict of interest may give rise to a reasonable concern that the employee may take action or fail to take action, or make a decision or fail to make a decision, based in whole or in part on the employee's personal, business or political interests and/or relationships, rather than on the employee's professional duties and responsibilities as an employee of the Department and/or as a peace officer.

**Employee** – any employee of the Delta Police Board, including constables and staff, and including exempt, temporary, auxiliary, permanent part-time employees and contractors.

**Supervisor** – an employee who is responsible for evaluating, assigning work, directing, instructing or approving reports of another employee, or required to investigate the other employee.

**Prohibited interest** - one listed in the Prohibitions Section of this policy, for which authorization will not be granted.

**External business interest** - a monetary or proprietary interest in any undertaking carried on with a view to a gain or profit. It includes such things as farming operations, rental properties, multi-level marketing schemes and “consulting” practices, but does not include such things as personal investment portfolios or a spouse's business interest, unless the member has a monetary or proprietary interest separate from the spouse. Employees should consult with the Professional Standards Section if in doubt about a particular activity.

## **PROCEDURES**

### **Disclosure**

14. All employees will disclose to the Chief Constable all external business ventures or interests, and any secondary employment.
15. Employees who have a membership in an organization or intend to obtain a membership in an organization may consult with the Inspector, Human Resources Branch to determine if a conflict of interest may exist, and the



Inspector shall report any identified possible conflicts to the Chief Constable.

## **Prohibitions and Restrictions**

### ***Prohibitions***

16. Employees may not invest in, be a member of, participate in, be employed by or volunteer with any business, association or enterprise involving:
- a) bill collecting;
  - b) skip tracing;
  - c) the provision of property or personal security services;
  - d) private investigative services;
  - e) the licenced sale of alcohol\* or cannabis;
  - f) licenced gaming;
  - g) insurance adjusting or investigation;
  - h) escort services;
  - i) the serving of legal process;
  - j) the requirement to be armed;
  - k) pornography; or
  - l) stripping.

\* police staff are exempt from the restriction regarding the licenced sale of alcohol in 'food-primary licence' or 'liquor-primary licence' employment.

17. The Chief Constable may exempt an employee from the application of section 16, if the employee has submitted a notice of intention to retire or resign from the Department and is, and remains, on leave until their date of retirement or resignation.
18. Employees may be members of the Canadian Forces Reserves for the purposes of military training or while performing a peacekeeping role, and if so employed must provide annual written notice to the Chief Constable, including details as to their responsibilities and the time commitment involved.

### **Authorization Process**

19. An employee must submit a request for approval to the Chief Constable specific to their investment or participation in any business, association or



- enterprise, or secondary employment, and the Chief Constable will assess each request individually and may approve the same if no conflict of interest is determined to exist. Employees receiving approval will be sent an Indemnification Agreement that must be signed to activate the approval.
20. If an employee disagrees with the Chief Constable, the employee may appeal to the Delta Police Board (“Board”). The decision of the Board is final.
  21. All authorizations must be renewed on a yearly basis, following the procedures outlined above for initial approval.
  22. Any changes between renewals to the ownership or nature of the business or venture, or the employee’s duties within the business interest or venture, must be reported promptly to the Chief Constable in writing. The Chief Constable may continue or cancel the authorization.
  23. Employees will not, under any circumstances, use any of the resources of the Department to assist them in carrying out any function of an external business interest or venture or employment. This prohibition includes the use of departmental computer equipment, photocopiers, telephones, fax machines, pagers, and vehicles.

### **Directorships**

24. Where an organization seeks to have an employee, in the role of representative of the Department, assume a directorship position, the Chief Constable may require the organization to enter into an Indemnification Agreement to protect the employee and the Department against financial liability associated with the position.
25. Employees seeking a directorship, as a representative of the Department or in their private capacity must first submit a memo to the Chief Constable requesting approval and providing:
  - a) the name and address of the corporation, society or non-profit organization;
  - b) the purposes of the corporation, society or non-profit organization;
  - c) the responsibilities of the directorship role;
  - d) the start date of the position; and
  - e) the term of the appointment.



26. The Authorization Process is as per Section 19 to 20 above.
27. Any approval will be limited to the term of the Directorship. Employees seeking or appointed to subsequent Directorship terms will request a renewal of the approval, providing the information required in Section 25.
28. Employees will inform the Chief Constable in writing of their resignation from the Directorship of a corporation, society, or non-profit organization.

### **Political Activity**

29. In order to ensure an impartial police service employees must, while on duty or in uniform, refrain from any public expression of political opinion or political association.
30. Employees may, while off duty and not in uniform, attend, participate and express views on any issue not directly related to their responsibilities as a police officer or employee of the Department, as long as the employee does not associate their position as a police officer or employee with the issue or represent their views as those of the Department
31. Other than at a Department sanctioned event or with the prior written approval of the Chief Constable, employees shall not appear in uniform, either on or off duty, at any rally, march or political or religious event.
32. Members wishing to obtain permission to appear in uniform shall submit a request in writing, through the 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 member's affiliation to the organization; and
  - d) the reason the member feels it would be beneficial to appear in uniform.
33. An employee's participation in political activity, whether an appointment to a Board or candidacy in an election, is prohibited if it interferes with the duties specific to their employment with the Department and/or as a police officer, or places or is likely to place the employee in a position of conflict of interest.



### **Charitable Events and Fund-Raising Activities**

34. Prior to an employee organizing, participating in, or endorsing a charitable fund-raising event, as a representative of the Department, he or she must make written application to, and receive permission in writing from the Chief Constable.
35. Prior to an employee soliciting funds for a Department project, he or she must make written application to, and receive permission in writing from the Chief Constable.
36. Any business, charity or member of the public wishing to make a donation to the Department will be directed to the Office of the Chief Constable, and the Chief Constable will report all accepted donations in excess of \$500 to the Board.
37. The Chief Constable may grant approval for the Department name, emblem or flag to be used to promote any non-police function.

### **Gratuities and Gifts**

38. Unless approved by the Chief Constable, no employees may accept any gift, favour, gratuity, commission or special recognition, whether or not the same has monetary value, from an individual, organization or business enterprise, if offered or to be awarded to the employee on account of or in association with their employment with the Department:
39. A person seeking to offer a gratuity or gift to an employee, specific to their employment with the Department, is to be directed to make the offer through the Chief Constable, and if accepted, the gratuity or gift will be deposited to the credit of the Department.
40. An award of special recognition, specific to an employee's service with the Department, may be accepted and retained by an employee, if it is of no monetary value or benefit and approved by the Chief Constable.

### **Contracting for Services**

41. Employees of the Department shall not enter into any agreement to supply services to the Department without the approval of the Chief Constable.



### **Department Equipment**

42. Employees of the Department will not use, provide, sell or make available, any Department equipment, uniform issue or materials to anyone for purposes other than as authorized by the Chief Constable.

### **Personal Relationships**

43. Policy regarding employees' responsibility to disclose personal relationships that may give rise to an actual, potential or perceived conflict of interest is found in related Policy **AC19 – Personal Relationships**.

### **Independence of Investigations**

44. Where a conflict of interest may impact the integrity or independence of an investigation refer to related Policy **AC21 – Independence of Investigations**.