

Code of Conduct Policy Advisory

November 2023



Project Beginning

- Since 1993, the SSBA has had a Code of Ethics that most member boards have adopted into their own Code of Conduct board policies.
- The SSBA Executive noted that while the Association has a process to review foundational documents with the membership, like Position Statements, there was no similar review process for the Code of Ethics.

Good Governance

Reviewing policies regularly is a good governance practice.

- Outlines the Board's approach to governance.
- Policies provide clarity and direction to the Board and outlines the expectations of the Board.
- Effective policies mitigate risk.
- Policies are publicly available on your website and should be up-to-date.

Good Governance

- Individual board members are responsible for oversight of themselves!
 - Duty of care
 - Fiduciary duty
 - Behaviour
 - Code of conduct
 - Ethical behaviour
 - Conflict of interest

Working Advisory Group

- A Working Advisory Group (WAG) was created in 2022.
- Donna Banks (Chair), Cathy Cornet, Ken Duncalfe, Karen Itterman, Jennifer Lemky, Jana Wolfe, and SSBA staff Ted Amendt, Yinka Jarikre, Joe Couture.
- Tasks: Review the current SSBA Code of Ethics. Review a sample of member boards Code of Conduct policies. Review similar documents from like organizations such as SUMA and SARM, and other provincial education boards' associations.
- The WAG met in fall 2022.

WAG Findings

- That some member boards had the SSBA Code of Ethics as their board Code of Conduct policy. Other boards referenced the Code of Ethics in their Code of Conduct board policy. Others had Code of Conduct board policies which no longer referenced the Code of Ethics. Some board policies included sanctions.
- That other organizations had a more formal Code of Conduct policy complete with sanctions, as well as conflict of interest guidelines/practices for their members.
- That the existing SSBA Code of Ethics (1993) was primarily a principles-based document of commitment statements.
- Recommendation: That the SSBA create a new Code of Conduct policy advisory for which boards could adopt/adapt.

Tasks to Create a New Code of Conduct Policy Advisory

- The SSBA Executive accepted the recommendation of the WAG. The existing members of the WAG were tasked with the following:
 - Review Code of Conduct board policies of member boards of education to identify important elements for consideration.
 - Review a sample of Code of Conduct board policies from provincial education boards' associations and boards of education in other jurisdictions in Canada to identify important elements for consideration.
 - Review Code of Conduct policies from like organizations in Saskatchewan (e.g., SUMA/SARM) and including the Government of Saskatchewan's website of tools/resources for Conflict of Interest for municipalities to identify important elements for consideration.
 - Review the sample Code of Conduct policy in the supplemental information of the SSBA Governance Handbook.
 - Conduct a legal analysis and draft a Code of Conduct policy advisory to recommend to the SSBA Executive for approval.

Code of Conduct Policy Advisory

The new SSBA Code of Conduct Policy Advisory is a sample board policy that establishes code of conduct principles that attends to important matters such as:

- Ethical standards
- Confidentiality
- Public scrutiny (including use of social media)
- Conflict of interest
- Whistleblowing
- Use of school board property
- Gifts, benefits, and donations
- Undue influence
- Board member conduct

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- **Appendix A** includes the 1993 SSBA Code of Ethics.
- **Appendix B** includes sanctions for violation of the policy, including recommended processes to address and remedy such situations.
- **Appendix C** is a Conflict of Interest Protocol to provide boards with specific advice in this key area.
- **Appendix D** is a sample Annual Declaration of Potentially Conflicting Interests form.
- **Appendix E** includes Online Presence and Social Media Guidelines for board members to consider.

Conclusion

- The SSBA approved the new Code of Conduct Policy Advisory and distributed to member boards in June 2023.
- The WAG is confident that based on its review of the research and analysis undertaken (including a legal analysis) that boards of education can be assured that the new Code of Conduct policy advisory is robust and positions boards and board members well in this important area.
- Member boards are urged to consider the document and adopt/adapt as they deem appropriate.

Questions?

You can find the SSBA Code of Conduct policy advisory on our website at:

<https://saskschoolboards.ca/publications/policy-advisories/>

Thank You



www.saskschoolboards.ca