

Executive Committee Code of Conduct



Building Officials' Association of B.C.

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Table of Contents

- 1. Introduction..... 2
- 2. Scope & Application..... 2
- 3. Purpose 2
- 4. Executive Member Responsibilities 3
- 5. Mandatory Compliance..... 3
- 6. Duty of Loyalty..... 4
- 7. Duty of Care..... 4
- 8. Duty of Confidentiality 5
- 9. Conflict of Interest 6
- 10. Addressing Conflicts of Interest..... 6
- 11. Respectful Workplace 7
- 12. Member Responsibilities..... 7
- 13. Ethical Workplace 8
- 14. Receiving and Accepting Gifts 8
- 15. Compliance & Reporting Contraventions..... 9
- 16. Investigations..... 9
- 17. No Retaliation For Reporting 10

Executive Member Code of Conduct

1. Introduction

- 1.1. The *Building Officials' Association Act* empowers the Building Officials' Association of B.C. (Association) to protect the public interest by regulating building and plumbing officials.
- 1.2. The Act also created the Executive Committee (Executive) which is authorized to govern the Association and the Executive has established this Code of Conduct (the Code) to set out its commitment to conducting business and fulfilling its legislated responsibilities according to the highest ethical and professional standards.
- 1.3. The Code is based on the Association's history and values, the laws applicable to the organization and its business, and good governance practices.

2. Scope & Application

- 2.1. In the context of the Code, 'Member' means an elected or appointed member of the Executive or any of its standing committees or working groups.
- 2.2. The Code governs the conduct of Members when engaged in Association business.
- 2.3. Compliance with the Code is mandatory for any person to serve on the Executive.

3. Purpose

- 3.1. The Code provides ethical and professional direction, expectations and guidance for Members by outlining the values of the Association.
- 3.2. The Code fosters a consistent understanding of the ethical duties and professional responsibilities of Members and, in addition, their role in promoting a respectful and ethical work environment.
- 3.3. The Code cannot foresee every ethical decision or professional situation that may arise for Members.
- 3.4. Members who are unsure about the appropriate course of action in any given situation must act in the best interests of the Association and may wish to consider the following questions:
 - 3.4.1. Does it comply with relevant legislation?
 - 3.4.2. Does it comply with the Association's Code of Conduct and related policies?
 - 3.4.3. Does it feel like "the right thing to do"?

- 3.4.4. Does it reflect the Association's values or further its interests?
 - 3.4.5. Could the decision create a negative perception of the Association or Executive?
 - 3.4.6. Would it embarrass or negatively impact the Association or Minister if it appeared in news headline or social media?
 - 3.4.7. Is there a private interest or perceived conflict that could influence the Member's ability to carry out their duties in a responsible and impartial way?
- 3.5. In any situation where there is doubt, the Member should discuss the situation with the President. If the President is party to the situation, the Member should discuss the situation with the Past President.

4. Executive Member Responsibilities

- 4.1. In their role as members of the Executive, Members must ensure that the Association is well-managed and sustainable.
- 4.2. As part of their responsibilities to the Association, each Member must discharge the following duties and responsibilities:
 - 4.2.1. Duty of Loyalty
 - 4.2.2. Duty of Confidentiality
 - 4.2.3. Duty of Care
- 4.3. Members must exercise care to avoid any real or perceived conflicts of interest to meet their Duty of Loyalty.
- 4.4. Members are also responsible for promoting and upholding a respectful and ethical workplace.

5. Mandatory Compliance

- 5.1. Members must review, understand and comply with the Code, which includes cooperating in any investigation of any allegations or misconduct.
- 5.2. This Code applies in addition to other Association policies, including the Respectful Workplace Policy and the Member Code of Conduct and Rules of Professional Conduct that are established in the Association bylaws.

Responsibilities

6. Duty of Loyalty

- 6.1. Members must exercise a duty of loyalty to the Association at all times when engaged in Association business.
- 6.2. In exercising the duty of loyalty, Members must act honestly, in good faith, and always place the interests of the Association ahead of their own.
- 6.3. Members must not act in their own self-interest or as a delegate of a specific segment of Association members, their employer, or other stakeholders when engaged in Association matters.
- 6.4. Members must disclose information within their knowledge that is of significance to the Association. This could include any information that would reasonably be expected to impact, either positively or negatively, the interests, operations or reputation of the Association.
- 6.5. If a Member engaged in Association matters cannot place Association interests ahead of their own, they may be in a position of conflict and must address that conflict pursuant to the Code.

7. Duty of Care

- 7.1. Members must exercise the degree of care, skill, and diligence that would be reasonably expected from a person having their knowledge and experience, and in comparable circumstances.
- 7.2. To meet their duty of care, Members must make sound and informed decisions that align with the Association's interests.
- 7.3. To make such decisions, Members must be familiar with the following:
 - 7.3.1. motto, mission, strategic and business plans of the Association;
 - 7.3.2. legislation governing the Association and its business, including:
 - 7.3.2.1. *Building Officials' Association Act*;
 - 7.3.2.2. *Building Act*;
 - 7.3.2.3. *Freedom of Information and Protection of Privacy Act (FOIPPA)*;
 - 7.3.3. bylaws, policies and procedures of the Association;
 - 7.3.4. the Code; and

- 7.3.5. the building regulatory system and external environment within which the Association and its stakeholders operate.
- 7.4. Members are also expected to:
 - 7.4.1. be informed and prepared to discuss matters that come before the Executive by reviewing meeting agendas and materials in advance;
 - 7.4.2. attend and contribute to Executive meetings, including meetings of standing committees, working groups and other bodies;
 - 7.4.3. attend and contribute to strategy, planning, and professional development sessions, as well as other corporate events, as required;
 - 7.4.4. monitor and ask questions about the budget and financial reports;
 - 7.4.5. serve on at least one committee or as a Zone Director; and
 - 7.4.6. remain aware of external trends, issues, opportunities, and other developments that may benefit or impact the Association.

8. Duty of Confidentiality

- 8.1. In the course of their duties, Members will be provided with and have access to non-public or confidential information relating to the Association. They may also learn of non-public or confidential information, including personal information, relating to third-parties (i.e. organizations or individuals).
- 8.2. Members must maintain the confidentiality of all such information and only disclose non-public or confidential information if authorized by the Executive or required by law, and only after consulting with the Executive Director.
- 8.3. Members must not use information obtained through participation in the Association for personal gain, but instead must act in the best interests of the Association at all times.
- 8.4. For greater clarity, the following are confidential:
 - 8.4.1. views and opinions expressed by Members during Executive meetings;
 - 8.4.2. all proceedings of any in-camera sessions during Executive meetings;
 - 8.4.3. all personal information as defined by FOIPPA;
 - 8.4.4. all information relating to specific Association complaint investigations and disciplinary matters;
 - 8.4.5. legal advice; and

- 8.4.6. performance reviews or assessments of Members or the Executive Director by Members or committees of the Executive.
- 8.5. Members must also comply with any policies that govern the circulation, disclosure, or use of reports, briefings and other materials prepared for Members.
- 8.6. The Association is included in Schedule 3 – Governing Bodies of Professions or Occupations of the FOIPPA and is subject to the records and information management requirements and standards of that legislation.
- 8.7. Members must comply with FOIPPA with respect to their use and management of Association records and information.
- 8.8. Members must maintain the confidentiality of non-public or confidential information even after the Member ceases to hold a position on the Executive.

Duty to Avoid

9. Conflict of Interest

- 9.1. To fulfill their duties, Members must, at all times, use their best efforts to assist the Association with pursuing its mission and must base decisions on the best interests of the organization.
- 9.2. This means that they must avoid situations or making decisions where they have or could be perceived to have personal or private interests that are in conflict with the interests of the Association.
- 9.3. A conflict of interest exists when a Member, or their family member, business partner, or other personal associate may personally benefit, either directly or indirectly, financially or otherwise, from the Member's position on the Executive.
- 9.4. Even when an actual conflict of interest may not exist, Members must avoid situations where there is a potential or reasonable perception of a conflict between their personal and Association interests.

10. Addressing Conflicts of Interest

- 10.1. Members must promptly disclose any actual or perceived conflicts of interest to the Executive.
- 10.2. Disclosure alone does not remove or otherwise address the conflict.

- 10.3. Once disclosed, the Executive will determine how the matter will be addressed to maintain its reputation and the integrity of its decisions.
- 10.4. Members must contact the President if they are unsure or have questions about potential or perceived conflict of interest. If discussion between the President and Member identifies an actual or perceived conflict of interest, the matter must be addressed by the Executive at its next meeting.

Respectful Workplace

11. Respectful Workplace

- 11.1. Everyone has a right to work and associate in a respectful, professional environment free from discrimination, harassment, violence and retaliation.
- 11.2. The Association is committed to maintaining an environment where everyone is treated with respect and is free from discrimination, bullying, harassment, and violence of any kind, as is defined in the organization's Respectful Workplace Policy.

12. Member Responsibilities

- 12.1. As leaders of the organization, Members are expected to demonstrate their commitment to a respectful and inclusive work environment by:
 - 12.1.1. treating others with dignity and respect at all times
 - 12.1.2. working to ensure that the Association is free from any form of discrimination, harassment, abuse, and violence;¹
 - 12.1.3. being open-minded and giving fair consideration to the views and opinions of others;
 - 12.1.4. supporting decisions of the Executive, even where one abstained or voted against the majority;
 - 12.1.5. performing assigned responsibilities and following through on commitments;

¹ Under the BC Human Rights Code, discrimination on the following grounds is prohibited: race or colour, religion, sex, physical or mental disability, age, ancestry or place of origin, marital status, family status, sexual orientation, gender identity or expression, and political belief.

- 12.1.6. supporting diversity and inclusion initiatives to promote equity for historically marginalized or oppressed groups; and
 - 12.1.7. working to ensure there is no retaliation or reprisal of anyone who, in good faith, reports alleged violations of this Code.
- 12.2. At the Association, it is the obligation of Members to not engage in bullying, harassment or discrimination and to report any incidents of bullying, harassment or discrimination they may witness or of which they become aware in accordance with the Respectful Workplace Policy and Investigation Procedure.

Ethical Workplace

13. Ethical Workplace

- 13.1. Members are expected to act ethically and promote an ethical workplace while conducting business on behalf of the Association.
- 13.2. To act ethically and promote an ethical workplace, Members are expected to:
- 13.2.1. be honest, fair, and act in good faith in dealings with others;
 - 13.2.2. do what is right, not what is easy or convenient;
 - 13.2.3. speak up when you recognize something is wrong;
 - 13.2.4. admit when a mistake is made and take action(s) to fix the issue;
 - 13.2.5. tell the truth and encourage others to do the same;
 - 13.2.6. declare and address conflicts of interest in accordance with the Code;
 - 13.2.7. follow the spirit and words of relevant laws and policies.

14. Receiving and Accepting Gifts

- 14.1. Members must not accept or offer a gift or other benefit if that gift or benefit could be reasonably construed as being offered for the purpose of obtaining preferential treatment.
- 14.2. For greater clarity, no gift, entertainment or personal benefit or opportunity should be offered to or accepted by a Member due to their position on the Executive unless it:
- 14.2.1. is consistent with customary business practices,
 - 14.2.2. cannot reasonably be construed as an inducement, and

- 14.2.3. does not violate any laws or regulations.
- 14.3. In any event, and for greater certainty, the offer, acceptance or permitting of cash gifts is prohibited.

Compliance

15. Compliance & Reporting Contraventions

- 15.1. Compliance with this Code is required for Members to participate on the Executive.
- 15.2. Members are required to confirm compliance with this Code and report any suspected contraventions of the Code by signing and submitting an annual declaration to the Association.
- 15.3. Members must promptly report any suspected contraventions of the Code, including retaliatory conduct for reporting, to the President in writing. If the suspected contravention involves the President, the report must be submitted to the Past President.
- 15.4. Inappropriate delay in reporting a suspected contravention of the Code to the President may, in itself, be a contravention of the Code.
- 15.5. The Executive may establish policy to establish additional requirements or criteria regarding compliance with or administration of the Code.

Investigations

16. Investigations

- 16.1. The President will ensure that every report of an alleged contravention is promptly and, where needed, thoroughly investigated.
- 16.2. The action(s) taken by the President with respect to an alleged contravention of the Code will depend upon the nature of the allegations.
- 16.3. The President must consult with the Past President and chair of the Complaints Committee to determine whether further investigation of a complaint is required and, if so, how that investigation will be carried out.

- 16.4. Members must cooperate with any investigation into suspected contraventions of the Code.
- 16.5. The President must share the results of any report following an investigation into an alleged contravention of the Code with the Executive.
- 16.6. The Executive must decide how to address the results of the investigation into the suspected contravention of the Code.
- 16.7. The Executive may refer alleged contraventions of the Code to external agencies, including law enforcement or other regulatory authorities, for review and investigation.

No Retaliation

17. No Retaliation For Reporting

- 17.1. The Association will not condone or engage in retribution or retaliation against anyone who, in good faith, reports an alleged contravention of the Code.
 - 17.1.1. This policy is intended to encourage and enable individuals to raise serious concerns, in good faith, about the actions or behaviour of Members without fear of adverse consequences.