

Members of Executive Council
Code of Conduct/Ethics

To: Honourable Terry Lake
Minister of Health

From: Premier Christy Clark

Subject: Code of Conduct and Ethics

Effective Date: June 10, 2013

This letter is intended to ensure you are aware of my expectations of your conduct as a Minister in my Cabinet.

The guidelines in this letter are based on legal requirements, such as the *Members' Conflict of Interest Act*, as well as my expectations as Premier. As a member of Cabinet you have a responsibility to be familiar with and to comply with the law. I will expect compliance not just with the letter but also with the spirit of the guidelines outlined here. I would like you to read these guidelines, and sign this letter as acknowledgement that you will observe them and meet these expectations as a condition of holding your office.

For your information, a more detailed explanation of these matters pertaining to conducts and ethics is included in the attached summary.

I also expect you to make yourself familiar with the *Members' Conflict of Interest Act* and to file all disclosures with the Conflict of Interest Commissioner as required under the *Act*.

RESPONSIBILITIES AND VALUES

Our Government is committed to providing fair, professional and respected governance. We are all expected to maintain the highest standard of conduct and we must make our decisions in a way that is beyond reproach.

I expect you and all of your colleagues to act with honesty and to uphold the highest ethical standards to enhance and uphold public confidence and trust in the integrity, objectivity and impartiality of government.

I expect you to perform your official duties and arrange your private affairs in a manner that will bear the closest and most critical public scrutiny. I want you to not only meet this obligation, but also to exceed it.

CONFLICTS OF INTEREST - REAL AND PERCEIVED

As a Minister in my Cabinet, you are required by law to avoid any situation where you exercise an official power or perform an official duty or function knowing that in doing so there is an opportunity to further your private interest.

In addition, our legislation clearly states that a member has a conflict if there is a reasonable perception which a reasonably well informed person could properly have, that your ability to exercise an official power or duty or function must have been affected by your own private interest. You must fully disclose immediately any real, perceived or potential conflicts to the Conflict of Interest Commissioner. The *Act* has broad disclosure requirements and you should become familiar with them to ensure complete compliance.

With this in mind, if you have a conflict of interest in a matter that is to be brought before Cabinet, or that arises at any time during Cabinet deliberations, you must disclose the general nature of the conflict and withdraw from the meeting without participating in any discussions. Your withdrawal will be noted in the Cabinet minutes. I expect you to review the Cabinet minutes each and every meeting to ensure that any such withdrawals are properly noted.

PREFERENTIAL TREATMENT

Do not allow yourself to be placed, or appear to be placed, under obligation to any person or organization that might profit from special consideration from a Minister.

When forming Government policy or making decisions, you must ensure that no persons or groups are given preferential treatment based on the individuals hired to represent them. This applies particularly to family members, friends or other acquaintances.

Many of the decisions made by a Minister are considered statutory decisions and can be subject to judicial review by a Court.

BUSINESS CONFLICTS

You may not continue practicing a profession or carry on a business or hold an office or directorship other than in a social club, religious organization or political party, if this is likely to conflict with your public duties. However, you can place your business in a blind trust approved by the Conflict of Interest Commissioner. You should consult with the Commissioner and obtain independent legal advice as appropriate if this applies to you.

CABINET AND CONFIDENTIALITY

Discussions you have at Cabinet are confidential, except where confidentiality is waived by Cabinet in accordance with the Oath that you swore on June 10, 2013. It is your responsibility to preserve this confidentiality and to ensure that it is not waived through inadvertent disclosure. Outside of the Cabinet room, you must not publicly disclose the substance of Cabinet deliberations or decisions that are before Cabinet, or provide any public opinions regarding the likely outcome of such deliberations except as authorized by Cabinet.

You will see in the *Members' Conflict of Interest Act* that you are legally prohibited from using information gained in the execution of your duties that is not available to the general public to further or seek to further your private interest.

ACCEPTING BENEFITS

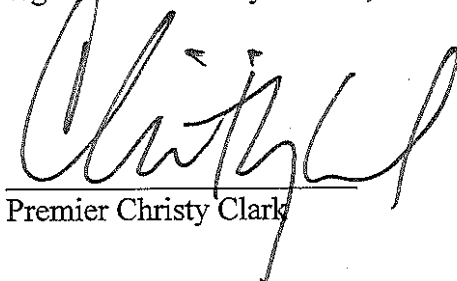
Under the *Members' Conflict of Interest Act*, you are forbidden to accept any fees, gifts, or personal benefits that are connected directly or indirectly with the performance of your duties of office, except compensation authorized by law. The ONLY exceptions are gifts or personal benefits that are received as an incident of protocol or social obligations that normally accompany the responsibilities of office. If a gift or personal benefit you receive through protocol or social obligation exceeds \$250, or if the total value received from one source in a year exceeds \$250, by law you must inform the Commissioner. Again, questions regarding this subject should be directed to the Commissioner.

BUSINESS RELATIONSHIPS

Further, you are forbidden to seek any advantage through improper use of business courtesies or other inducements. You will need to use your best judgement and moderation to avoid misinterpretation and possible adverse effects on your reputation as Minister or on the reputation of our Government. If there is ever any doubt you should ensure that you have obtained and acted in accordance with appropriate independent advice.

In conclusion, I trust that the above guidelines will inform your conduct at all times as they are a condition of serving in my Cabinet. As this letter touches on only a few of your legal responsibilities you should become familiar with your legal requirements as a Cabinet Minister and ensure that your conduct is within those limits at all times. If you have any further questions regarding these or any other matters, please do not hesitate to contact me.

Signed this 10th day of June, 2013



Premier Christy Clark



Minister



June 10, 2013

Honourable Terry Lake
Minister of Health
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Colleague:

Congratulations on your new appointment as Minister of Health.

British Columbians have asked us to build a strong economy, a secure tomorrow and a lasting legacy for generations to come. Now it's time to deliver.

We must be alive to the challenges of a fragile global economy. We have a duty to be disciplined for taxpayers today, and a responsibility to be fair to future generations. Protecting British Columbia for us and our children means making tough choices now to control spending and balance the budget. By charting a course for a debt-free BC, our children can be free to make their own choices when it's their turn to lead.

To grow our economy and create high-paying jobs for British Columbians, I am asking you to keep your ministry focused on the *BC Jobs Plan*. Our province is blessed with both abundant natural resources, and the resourcefulness and diversity of our people and businesses. We have a generational opportunity to develop Liquefied Natural Gas. This will demand determination and purposeful work.

We are committed to building a strong economy in the province because we know that it is the only way we will be able to afford strong public services for our citizens. World class health care, education, skills training and social safety nets are only possible if we have an economy that can sustain them over the long term.

To that end our first priorities across government are:

- To bring back the legislature to pass *Balanced Budget 2013*;
- To ensure that government does not grow;
- To conduct a core review of government to make sure we are structured for success on all of our objectives; and
- To eliminate red-tape so that we can get to yes on economic development without needless delay.

In the course of our decision making we must always maintain respect for taxpayers and remember that our fellow British Columbians are looking to us to help make life more affordable for them and their families.

These priorities, along with your specific ministerial objectives, will allow us to achieve results that reflect our shared values.

The Minister of Health is responsible protecting and enhancing the health care system in British Columbia while ensuring the best possible value for taxpayers. Currently, British Columbia has the best outcomes for patients in Canada while having the second best spending on a per capita basis. I expect this to continue, despite significant demand pressures that arise from a growing and aging population.

Your job will be to live within the funding envelope provided by the Minister of Finance while at the same time continuing to innovate and improve patient services. In *Balanced Budget 2013*, your ministry received predicted increases of \$2.4 billion over the next three fiscal years. We must meet our objectives to balance the budget and get onto the path of a debt-free B.C. This means that your task will be to continue to innovate and find savings throughout the health system and continue to drive the cost of administration and overhead down in order to focus as much of our resources as possible on direct patient care.

In your role as Minister of Health I expect that the following initiatives are completed by you and your ministry over the coming years:

1. Balance your ministerial budget in order to control spending and ensure an overall balanced budget for the province of British Columbia.
2. Ensure services are delivered within health authority budget targets.
3. Review and recommend to Cabinet within eight months the priorities of a new government to ensure maximum value for taxpayers while providing maximum benefit to patients.
4. Continue our governments' change and innovation agenda within the health care sector. We will continue to strive for better outcomes for patients while ensuring the best possible value for money. As our population continues to age, controlling the growth of health care spending will be a critical component to ensuring successive balanced budgets. Driving innovation and change will be necessary within the following sectors:
 - Primary Care;
 - Community and Home Care;
 - Hospitals (care team design and pay for performance initiatives); and
 - Prevention.
5. Ensure full implementation of provincial mental health plan, *Healthy Minds, Healthy People*.
6. Successfully conclude labour negotiations within the health sector for the 2014 round of collective bargaining.

7. Complete laboratory reform initiative and achieve required savings.
8. Increase the scope of practice for Nurse Practitioners in British Columbia by working with the BC College of Physicians and Surgeons and other credentialing organizations.
9. Create and implement addiction space expansion that includes a significant role for the non-profit sector in the delivery of these new spaces by 2017 as committed in *Strong Economy, Secure Tomorrow*.
10. Continue executing our government's end of life care strategy and create plan for hospice plan expansion and begin process of doubling the number of hospice spaces in British Columbia by 2020.
11. Work with the provincial health authorities to develop a preventative health plan for the province.

I have outlined in a separate letter my requirements for conduct of all members of Cabinet. It is imperative that you review and understand this letter, and the *Members' Conflict of Interest Act*, and that you act in accordance with both as you carry out the duties of a Minister of the Crown. I will evaluate any circumstances that may call into question the conduct of a Minister against the expectations and obligations set out in applicable statutes and this letter.

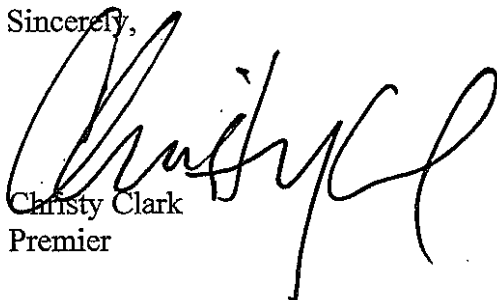
To assist you in the transition to your new role, I ask that you also review the attached document that provides further direction for you as a Minister.

I look forward to discussing your ideas and priorities for your ministry in the coming weeks and working with you to fulfill the mandate we were elected to fulfill.

Our government faces many exciting challenges and opportunities in the months ahead. Our success will be defined by our ability to develop and implement an agenda that reflects priorities and circumstances of BC citizens. Our ability to make this connection is a function of the degree to which we engage citizens and stakeholders in pursuing change. I am confident that we will succeed in this, and have every expectation that you will make a significant contribution to our success.

I look forward to working with you.

Sincerely,



Christy Clark
Premier

Attachments (2)

Direction for Ministers

In addition to the expectations outlined in your mandate letter, please find additional direction to guide you in your duties as a Minister.

a) Caucus Participation and Engagement

I have an expectation of all Ministers to actively engage the government caucus and ask that you routinely seek their input on policy considerations within your portfolio. I encourage you to look for opportunities where private members may assist you with your duties, and will expect each member of Cabinet to facilitate a caucus engagement session in which ideas are shared and solicited on at least a quarterly basis.

In accordance with the expectations above, I remind all Ministers of the importance of their responsibilities as members of the Legislature and the Government Caucus. Attendance at Caucus is mandatory.

b) Parliamentary Secretaries

In the event your ministry is assigned a Parliamentary Secretary (PS), it will be your responsibility to prepare your PS for a Cabinet role in the future. Parliamentary Secretaries are assigned to assist you in your role. Please ensure that the duties they are assigned are as specific as possible and that they are provided with the tools and support they need to fulfill their duties and prepare for new roles in our government.

c) Cabinet Committees

You will receive your committee assignments by way of a separate letter. The cabinet committee structure aligns with our commitment to growing our economy as outlined in *Strong Economy, Secure Tomorrow*.

Cabinet Committees will continue to involve private members, and will be expected to meet regularly to consider and shape policies and legislation in key areas of focus. As a Minister, I expect that you will play a leadership role in ensuring that the committees you sit on play an active and strategic role in defining the priorities of government.

d) Ministers' Office Staff

Each Minister's Office will be provided with staff that will include a Chief of Staff, Ministerial and/or Executive Assistants, administrative support staff, and a Communications Director from your Ministry.

All staff in Ministers' offices will be appointed by OIC, however, only the Chiefs of Staff, Ministerial and Executive Assistants will be political appointees. The Communications Director will provide ongoing communications support to you in the execution of your responsibilities.

Staff assignments are being finalized, and are the responsibility of my Chief of Staff, Dan Doyle, and Deputy Chief of Staff, Michele Cadario. I would encourage you to contact them should you require any clarification on staffing in your office.

e) Political / Caucus Communications

Implementation of the government's agenda will be coordinated by the Director of Communications in the Premier's Office, who will work closely with Government Caucus Communications to ensure that all government MLAs are able to communicate in an integrated fashion.

f) Executive Staff

Deputy Ministers have been appointed by OIC and are effective in their roles as of today. Stephen Brown will serve as your Deputy Minister. He will have a dual reporting relationship to you and to my Deputy Minister, John Dyble.

Deputy Ministers or Assistant Deputy Ministers and equivalents are appointments of the Premier. As such, any further changes to these positions will be coordinated by my Deputy Minister.

A clear understanding of the role of the Public Service vis-à-vis that of Ministers is of crucial importance in carrying out the responsibilities you have been given. Public Servants must maintain your confidence and respect and are in your service as providers of good policy advice and executors of government directions and programs. However, they are not your political advisors. As a Minister your role is to provide overall direction to your Ministry in accordance with the government's mandate, and to ensure that issues are identified and properly analyzed for resolution by you or by Cabinet where resolution requires a broader policy or political lens.

In finding the right balance of oversight, you must avoid taking on the role of chief executive officer of your Ministry. That is the role of your Deputy Minister. I would encourage you to engage John Dyble, the Deputy Minister to the Premier and Cabinet Secretary and Head of the Public Service, should you require any further clarification on this division of responsibilities.

In order to ensure that ministries are executing on the priorities of government effectively and continue to find new ideas, I have created a new Policy Coordination Office (PCO) to support my office and Cabinet. I expect your Ministry to work cooperatively with this new PCO as we implement our plan and improve the economy of British Columbia.