

Standards of Conduct

for BC Corrections Employees



Ministry of
Public Safety and Solicitor General
BC Corrections

Standards of Conduct for BC Corrections Employees

This booklet outlines standards of conduct for employees of BC Corrections, Ministry of Public Safety & Solicitor General. These standards satisfy the expectations of employees and management for a code of professional behaviour that is common to all BC Corrections employees. For BC Corrections to provide safe, reliable and consistent service, it is important that BC Corrections employees understand and uphold these standards.

The BC Public Service “*Standards of Conduct*” are incorporated throughout this booklet. BC Corrections employees serve as officers of the court and/or peace officers and are entrusted with confidential information related to clients and matters before the courts. To comply with these responsibilities, BC Corrections employees adhere to special standards of on and off-duty conduct beyond those expected of regular government employees. These special standards are set out in blue text.

In addition to the standards in this booklet, BC Corrections employees are expected to be familiar with information relevant to their responsibilities, including those listed in Appendix A.

General Standards of Conduct

BC Corrections Standards

Our standing as employees within the criminal justice system requires that we maintain principled and honest relationships in our dealings with colleagues in corrections, the courts, police, judiciary, and other agencies, as well as with clients and former clients of BC Corrections.

We conduct our responsibilities according to relevant legislation, directives from the assistant deputy minister, local directives, or directives related to our official responsibilities.

We recognize our obligation as BC Corrections employees to immediately report to our supervisor, ministry designated officer, Public Service Agency designated officer or the Ombudsperson any breach of rules and guidelines established to ensure the safety of clients, employees and the public.

We understand that unprofessional behaviour not specified in the Standards of Conduct for BC Corrections employees does not mean immunity from discipline.

Public Service Standards

This policy statement applies to all persons and organizations covered by the “*Public Service Act*.” The policy statement supports the core policy objective that “public service employees exhibit the highest standards of conduct.”

Employees will exhibit the highest standards of conduct. Their conduct must instill confidence and trust and not bring the BC Public Service into disrepute. The honesty and integrity of the BC Public Service demands the impartiality of employees in the conduct of their duties.

The requirement to comply with these standards of conduct is a condition of employment. Employees who fail to comply with these standards may be subject to disciplinary action up to and including dismissal.

Loyalty

Public Service Standards

Public service employees have a duty of loyalty to the government as their employer. They must act honestly and in good faith and place the interests of the employer ahead of their own private interests. The duty committed to in the "*Oath of Employment*" requires BC Public Service employees to serve the government of the day to the best of their ability.

Confidentiality

BC Corrections Standards

We recognize our responsibility to protect the privacy of clients, former clients, and victims by:

- Accessing, using or disclosing information we collect only for intended and authorized purposes;
- Informing them of the reasons for collecting personal information;
- Allowing them to correct, within reason, material they believe to be incorrect or incomplete; and
- Using a secure method during the disposal of information about them.

Public Service Standards

Confidential information, in any form, that employees receive through their employment must not be disclosed, released, or transmitted to anyone other than persons who are authorized to receive the information. Employees with care or control of personal or sensitive information, electronic media, or devices must handle and dispose of these appropriately. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing, releasing, or transmitting it.

The proper handling and protection of confidential information is applicable both within and outside of government and continues to apply after the employment relationship ends.

Confidential information that employees receive through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains. (See the "*Conflicts of Interest*" section of this policy statement for details.)

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Public Comments

Public Service Standards

BC Public Service employees may comment on public issues but must not engage in any activity or speak publicly where this could be perceived as an official act or representation (unless authorized to do so). Employees must not jeopardize the perception of impartiality in the performance of their duties through making public comments or entering into public debate regarding ministry policies. BC Public Service employees must not use their position in government to lend weight to the public expression of their personal opinions.

Political Activity

Public Service Standards

BC Public Service employees may participate in political activities including membership in a political party, supporting a candidate for elected office, or seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment.

If engaging in political activities, employees must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Employees must not engage in political activities during working hours or use government facilities, equipment, or resources in support of these activities.

Partisan politics are not to be introduced into the workplace; however, informal private discussions among co-workers are acceptable.

Service to the Public

Public Service Standards

BC Public Service employees must provide service to the public in a manner that is courteous, professional, equitable, efficient, and effective. Employees must be sensitive and responsive to the changing needs, expectations, and rights of a diverse public in the proper performance of their duties.

Workplace Behaviour

BC Corrections Standards

Our behaviour, on and off duty, should reflect positively on BC Corrections and the public service. At work, we conduct ourselves in a manner that promotes a professional image through our words and actions. Our dress and appearance while on duty comply with provincial and local policies and are consistent with employee health and safety.

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We do not report for duty while under the influence of, or impaired by, any substance including alcohol or cannabis, nor with the odour of any substance present. We understand that the misuse of alcohol, cannabis, prescription drugs, or use of illegal substances during off-duty hours may compromise our professional credibility and the reputation of BC Corrections.

It is understood that all staff take prompt action when they become aware of discrimination, harassment or disrespectful treatment of a staff member by other employees.

We do not use government radios and cellular telephones for unauthorized or personal calls, and do not use abusive or profane language during transmission. We use government electronic mail and office equipment according to ministry policy or as authorized by management.

Public Service Standards

Employees are to treat each other with respect and dignity and must not engage in discriminatory conduct prohibited by the *"Human Rights Code."* The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, gender identity or expression, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment.

Further, the conduct of BC Public Service employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. Bullying or any other inappropriate conduct compromising the integrity of the BC Public Service will not be tolerated.

All employees may expect and have the responsibility to contribute to a safe workplace. Violence in the workplace is unacceptable. Violence is any use of physical force on an individual that causes or could cause injury and includes an attempt or threatened use of force.

Employees must report any incident of violence. Any employee who becomes aware of a threat must report that threat if there is reasonable cause to believe that the threat poses a risk of injury. Any incident or threat of violence in the workplace must be addressed immediately.

Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of the WorkSafeBC *"Occupational Health and Safety Regulations."*

Employees must conduct themselves professionally, be fit for duty, and be free from impairment (for example: from alcohol or drugs).

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Conflicts of Interest / Professional Conduct with Clients or Former Clients

BC Corrections Standards

We use authority to promote honesty, fairness and trust.

We do not allow off-duty activities and conduct to interfere with our work obligations as employees of BC Corrections.

We immediately advise the Personnel Security Screening Office (PSSO) by telephone **(1-855-587-0185 and select the appropriate option)** or email (sgspdra@gov.bc.ca) if we are arrested, charged or convicted of a "*Criminal Code*" or other federal or provincial statutory offence, with the exception of personal minor motor vehicle violations.

If employed in a capacity that requires us to maintain a valid driver's licence, we immediately advise our supervisors if our driving privileges are suspended.

To protect BC Corrections and ourselves, we are cautious about relationships or associations with clients and former clients.

NOTE:

1. We understand that any past and current association with clients and former clients of a correctional centre or community corrections office in Canada must be reported and disclosed in writing to BC Corrections. Failure to report these associations to BC Corrections will result in discipline, up to and including termination of employment.

Following disclosure, BC Corrections determines the extent of the relationship, to which the following definitions of conflicts of interest apply:

- A "*client*" is an accused person or a person subject to an active court order, including bail, probation, conditional sentence, recognizance, conditional release or custody;
- A "*former client*" includes, but is not limited to, an individual who:
 - a) Has been previously subject to a court order, including bail, probation, conditional sentence, conditional release, or peace bond or custody in any correctional facility in Canada within the last seven years; or
 - b) Is considered by the employer to be currently involved in a criminal lifestyle. This includes, but is not limited to, individuals engaging in criminal activity, or associating with individuals who the employer determines to be involved in a criminal lifestyle. Such

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associations include, but are not limited to, known gangs, individuals known to the police, and members of the criminal/drug subculture and other similar circumstances.

2. To safeguard our families and ourselves, we avoid circumstances where our relationships with clients or former clients might result in the possibility or perception of becoming:
 - Subject to a conflict of interest;
 - Subject to blackmail or bribery;
 - Vulnerable to exploitation; and
 - Implicated in the commission of an offence.
3. To safeguard BC Corrections, we do not engage in personal relationships with clients or former clients that might compromise:
 - Our integrity or effectiveness as BC Corrections employees;
 - The safety and security of co-workers and BC Corrections employees; and
 - The reputation of BC Corrections.
4. We understand that certain relationships or association with clients or former clients may be appropriate or inevitable for employees of BC Corrections. Examples include but are not limited to:
 - Incidental or unplanned contacts;
 - Contact while engaged in volunteer work, church groups or school functions;
 - Contact as part of our regular job responsibilities or as authorized by management; and
 - Contact with members of our family who were previously involved in a criminal lifestyle.
5. We understand that certain relationships or associations with clients or former clients are inappropriate for employees of BC Corrections. We also understand that our on and off-duty conduct will be subject to disciplinary review by BC Corrections if we engage in certain activities with a client or former client. These activities include, but are not limited to:
 - Financial agreements, personal or business transactions;
 - Sharing accommodations;
 - Sexual or close personal relations;
 - Using a client's services or contacts for personal gain;
 - Concealing or failing to report a client's illegal activities; and
 - Receiving or giving gifts, gratuities, benefits or favours.
6. When we require clarification or direction to protect BC Corrections and ourselves from relationships or associations with clients and former clients, we discuss the matter in person with our supervisor.
7. Supervisors and managers are required to advise their warden, regional director, provincial director, or assistant deputy minister if they believe an unprofessional relationship exists or

appears to be developing between a BC Corrections employee and a client, former client or people who may have an association with these clients.

Public Service Standards

A conflict of interest occurs when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:

- the employee's ability to act in the public interest could be impaired; or
- the employee's actions or conduct could undermine or compromise:
- the public's confidence in the employee's ability to discharge work responsibilities; or
- the trust that the public places in the BC Public Service.

While the government recognizes the right of BC Public Service employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their BC Public Service duties. Upon appointment to the BC Public Service, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

Employees who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter to their supervisor, manager, or ethics advisor. Examples of conflicts of interest include, but are not limited to, the following:

An employee uses government property or equipment or the employee's position, office, or government affiliation to pursue personal interests or the interests of another organization;

- An employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- An employee, in the performance of official duties, gives preferential treatment to an individual, corporation, or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, a government transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments);
- An employee accepts from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of employment in the BC Public Service, other than:
 - the exchange of hospitality between persons doing business together;
 - tokens exchanged as part of protocol;

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- the normal presentation of gifts to persons participating in public functions; or
 - the normal exchange of gifts between friends; or
- An employee accepts gifts, donations, or free services for work-related leisure activities other than in situations outlined above.

The following four criteria, when taken together, are intended to guide the judgment of employees who are considering the acceptance of a gift:

- The benefit is of nominal value;
- The exchange creates no obligation;
- Reciprocation is easy; and
- It occurs infrequently.

Employees will not solicit a gift, benefit, or service on behalf of themselves or other employees.

Conflict of Interest Guidelines

To assist employees, managers, ethics advisors and deputy ministers in establishing conflict of interest issues, the BC Public Service has established guidelines, tools and other resources. Please see the MyHR section of the BC Government website for more information.

Allegations of Wrongdoing

Public Service Standards

Employees have a duty to report any situation relevant to the BC Public Service that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the *"Freedom of Information and Protection of Privacy Act"*). Employees will not be subject to discipline or reprisal for bringing forward to a Deputy Minister, in good faith, allegations of wrongdoing in accordance with this policy statement.

Employees must report their allegations or concerns as follows:

- Members of the BCGEU must report in accordance with Article 32.13;
- PEA members must report in accordance with Article 36.12; or
- Other employees must report in writing to their Deputy Minister or other executive member of the ministry, who will acknowledge receipt of the submission and have the matter reviewed and responded to in writing within 30 days of receiving the employee's submission. Where an allegation involves a Deputy Minister, the employee must forward the allegation to the Deputy Minister to the Premier.

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These reporting requirements are in addition to an employee's obligation to report to the Comptroller General as outlined in Section 33.2 of the "*Financial Administration Act*".

Where an employee believes that the matter requires a resolution and it has not been reasonably resolved by the ministry, the employee may then refer the allegation to the appropriate authority.

If the employee decides to pursue the matter further then:

- Allegations of criminal activity are to be referred to the police in accordance with the Procedure for Reporting Employee Misconduct in Non-Emergency Situations to the Police (please see the [MyHR](#) section of the BC Government website for more information);
- Allegations of a misuse of public funds are to be referred to the Auditor General;
- Allegations of a danger to public health must be brought to the attention of health authorities; and
- Allegations of a significant danger to the environment must be brought to the attention of the Deputy Minister, Ministry of Environment.

Employees may also report wrongdoing under the *Public Interest Disclosure Act* to their supervisor, ministry designated officer, Public Service Agency designated officer or the Ombudsperson. Employees can find information about what types of wrongdoing may be reported under the *Act* and the process for reporting in the HR Policy on Public Interest Disclosure and the Procedures for Managing Disclosures. Please see the [MyHR](#) section of the BC Government website for more information.

Employees who are unsure about whether their concerns could be considered under the *Public Interest Disclosure Act* can seek advice from a supervisor, a designated officer or the Ombudsperson.

An employee reporting a wrongdoing under the *Public Interest Disclosure Act* to the Ombudsperson is not required to report the same wrongdoing to their employer unless the Ombudsperson does not investigate or does not refer their disclosure. Reporting a wrongdoing to the Ombudsperson does not affect an employee's obligations to co-operate in any investigation into the subject matter of the wrongdoing.

Legal Proceedings

BC Corrections Standards

We do not provide legal advice to our clients or members of the public, and instead suggest they discuss problems with the lawyer of their choice.

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Public Service Standards

Employees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings unless the affidavit has been prepared by a lawyer acting for government in that proceeding or unless it has been approved by a ministry solicitor in the Legal Services Branch, Ministry of Attorney General.

In the case of affidavits required for use in arbitrations or other proceedings related to employee relations, the Labour Relations Branch of the BC Public Service Agency will obtain any necessary approvals. Employees are obliged to cooperate with lawyers defending the Crown's interest during legal proceedings.

A written opinion prepared on behalf of government by any legal counsel is privileged and is, therefore, not to be released without prior approval of the Legal Services Branch.

Working Relationships

Public Service Standards

Employees involved in a personal relationship outside work which compromises objectivity, or the perception of objectivity, should avoid being placed in a direct reporting relationship to one another.

For example, employees who are direct relatives or who permanently reside together may not be employed in situations where:

- A reporting relationship exists where one employee has influence, input, or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work, and similar matters; or
- The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the Employer's interest.

The above restriction on working relationships may be waived provided that the Deputy Minister is satisfied that sufficient safeguards are in place to ensure that the Employer's interests are not compromised.

Human Resource Decisions

Public Service Standards

Employees are to disqualify themselves as participants in human resource decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could accrue to them.

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For example, employees are not to participate in staffing actions involving direct relatives or persons living in the same household.

Outside Remunerative and Volunteer Work

Public Service Standards

Employees may hold jobs outside government, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities provided it does not:

- interfere with the performance of their duties as a BC Public Service employee;
- bring the government into disrepute;
- represent a conflict of interest or create the reasonable perception of a conflict of interest;
- appear to be an official act or to represent government opinion or policy;
- involve the unauthorized use of work time or government premises, services, equipment, or supplies; or
- gain an advantage that is derived from their employment with the BC Public Service.

Employees who are appointed as directors or officers of Crown corporations are not to receive any additional remuneration beyond the reimbursement of appropriate travel expenses except as approved by the Lieutenant Governor in Council.

Use of Reasonable Force

BC Corrections Standards

BC Corrections staff, as authorized by the *“Correction Act Regulation”*, may use a type of physical restraint device that is approved by the provincial director if circumstances require use of the physical restraint device in order to:

- Prevent injury or death to a person;
- Prevent property damage;
- Prevent an inmate from escaping; or
- Maintain custody and control of an inmate.

Use of Government Resources and Employee Benefits

BC Corrections Standards

We exercise care when responsible for government resources and property, and only use them when conducting duties that are authorized by management.

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We do not use government vehicles without management approval for purposes other than direct government business, and we operate them according to the rules of the road.

We acknowledge that involvement in stealing government property will result in an immediate discharge from our duties and privileges. We also understand that the fraudulent use of an employee benefit will lead to disciplinary action up to and including dismissal.

Responsibilities

Public Service Standards

Agency Head

- Provide timely advice to managers, ethics advisors and deputy ministers respecting the application of this policy statement including guidance on an appropriate employer response to transgressions of the policy statement;
- Coordinate the development of awareness, training, and communication programs in support of this policy statement; and
- Establish procedures for managing investigations of serious wrongdoing under the *Public Interest Disclosure Act* and reporting annually.

Deputy Ministers

- Advise employees of the required standards of conduct and the consequences of non-compliance;
- Designate a senior staff member in their organization as ethics advisor for matters related to standards of conduct;
- Promote a work environment that is free of discrimination;
- Deal with breaches of this policy statement in a timely manner, taking the appropriate action based upon the facts and circumstances;
- Seek out guidance and advice from the Agency Head on issues that are complex and/or cannot be easily resolved;
- Waive the provision on working relationships under the circumstances indicated;
- Delegate authority and responsibility, where applicable, to apply this policy statement within their organization; and
- Designate a ministry designated officer for the purposes of providing advice to employees and receiving disclosures from employees under the *Public Interest Disclosure Act*. The designated officer may be the ministry ethics advisor or another senior official.

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Ethics Advisors

- Provide advice on standards of conduct issues to employees and managers in their organization, including in regards to assessing and addressing possible conflicts of interest;
- Seek out guidance and advice from the BC Public Service Agency on issues that are complex and/or cannot be easily resolved;
- Determine whether an issue requires consideration and/or decision by the deputy minister and provide briefings to the deputy as necessary;
- Document any advice provided and/or decisions made; and
- Participate as ministry representative in working with the Corporate Ethics Lead to ensure a consistent and coordinated approach to ethics management across the public service.

Ministry Designated Officers

- Receive disclosures and provide advice to employees under the *Public Interest Disclosure Act*; and
- Transfer disclosures to the Public Service Agency Designated Officer in a timely manner.

Line Managers

- Provide comprehensive orientation to new employees related to the Standards of Conduct;
- Advise staff on standards of conduct issues, including assessing and addressing possible conflicts of interest;
- Respond to reports of bullying, breaches of the Standards of Conduct, and wrongdoing, or refer them to the next level of excluded manager not involved in the matter;
- Engage the ministry-designated ethics advisor and seek advice from the BC Public Service Agency as may be appropriate in the circumstances;
- Document any advice provided and/or decisions made;
- Contribute to a work environment that is free of discrimination;
- Provide advice to and receive disclosures from employees under the *Public Interest Disclosure Act*; and
- Transfer disclosures to the Public Service Agency Designated Officer in a timely manner.

Employees

- Objectively and loyally fulfill their assigned duties and responsibilities, regardless of the party or persons in power and regardless of their personal opinions;
- Disclose and cooperate with the employer to resolve conflicts of interest or potential conflict of interest situations in which they find themselves;
- Maintain appropriate workplace behavior;

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- Report incidents of bullying, breaches of the Standards of Conduct and wrongdoing;
- Avoid engaging in discriminatory conduct or comment; and
- Check with their supervisor or manager when they are uncertain about any aspect of this policy statement.

Appendix A: Authorities

Legislative Authorities

BC Corrections Standards:

British Columbia Legislation:

- *Correction Act*
- *Public Service Act*
- *Human Rights Code*
- *Freedom of Information and Protection of Privacy Act*
- *Workers Compensation Act*
- *Public Interest Disclosure Act*

Federal Legislation:

- *Canadian Charter of Rights and Freedoms*
- *Criminal Code*
- *Youth Criminal Justice Act*

Other Authorities and References

BC Corrections Standards:

British Columbia Legislation:

- Correction Act Regulation
- Occupational Health and Safety Regulation
- Management Services Policy Manual
- Adult Custody Policy
- Community Corrections Policy Manual
- Standard Operating Procedures
- The Oath of Employment
- Appropriate Use of Government Information and Information Technology Resources Policy
- BC Public Service Agency Core Policy Objectives and Human Resources Policies
- BC Core Policy and Procedures
- Guidelines for Government Use of Social Media by BC Public Servants
- Working Outside the Workplace Policy
- ADM, Divisional and Local Directives

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Public Service

B.C. Government and Service Employees' Union Collective and Component Agreements

Terms of Employment for Excluded Managers

Personnel Management Policy, Human Rights in the Workplace – Discrimination and Harassment

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