

Trustee Code of Conduct

Board Policy

Policy Adopted: **October 5, 2016 (M16-0143)**

Revision Date: **October 2024**

Responsibility: **Board of Trustees**

1. Policy

The Trustees of the Halton District School Board (HDSB) occupy positions of public trust. They are expected to carry out their duties and responsibilities in a professional and impartial manner. The Trustees shall uphold the letter and spirit of this Trustee Code of Conduct.

Trustees have clearly defined duties and powers which are outlined in Sections 169 through 171 of the Education Act. Trustees are elected to represent students, parents and stakeholders. This relationship with the electorate is governed by the Municipal Elections Act and the Education Act.

This Code of Conduct is a covenant among the Trustees of the HDSB. It is intended to instruct and guide Trustees through the challenges of public office as they undertake their individual and joint responsibilities. It is meant to provide clarity regarding Trustees' conduct and the management of their relationships with the Board of Trustees (the Board), staff, students, parents and stakeholders in public education. A Code of Conduct fosters a sense of confidence in the integrity and transparency of the role that Trustees have in the HDSB and broader community.

The HDSB Trustee Code of Conduct is made pursuant to the Education Act, R.S.O. 1990, c. E.2, O. Reg. 312/24 "Members of School Boards - Codes of Conduct".

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2. Scope

This Code of Conduct Policy and the Trustee Code of Conduct Governance Procedure apply to all Trustees of the Board.

This Policy does not apply to Student Trustees; however it should be used as a guide.

3. Definitions

The definitions appended to the Policy and Procedure Framework Policy will be used.

4. Respect for Confidentiality

A Trustee shall:

1. Keep confidential any confidential information obtained or made available to them in their role as a Board member except as authorized by law or by the Board.
2. At no time use confidential information obtained or made available to them in their role as a Board member in a manner that would be detrimental to the interests of the Board or for the purpose of personal gain or for the gain of the member's parent, spouse or child;
3. Not divulge confidential information, including personal information about an identifiable individual or information subject to solicitor-client privilege that a Trustee becomes aware of because of their position, except when required by law or authorized by the Board to do so;
4. Accept that the duty of confidentiality with respect to private and confidential financial information, business and/or commercial information, personnel information, student information, and legal matters and opinions survives their term as Trustee.

5. Compliance with Legislation

A Trustee shall:

1. Fulfill their duties in accordance with the Education Act and any regulations, directives or guidelines thereunder, and any other relevant legislation, HDSB policies and procedures;
2. Respect and understand the roles and duties of the individual Trustee, the Board, the Director and the Chair;
3. Accept the Chair as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board under clause 218.4 (e) of the Act. No other Trustee shall speak on behalf of the Board unless expressly authorized by the Chair or the Board to do so. When individual Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board;
4. Entrust the day to day management of the HDSB to its staff through the Director.

6. Integrity and Dignity of Office and Civil Behaviour

A Trustee shall:

1. Fulfill their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the HDSB;
2. When acting or holding themselves out as a Board member, treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
3. When acting or holding themselves out as a Board member, conduct themselves in a manner that would not discredit or compromise the integrity of the Board.
4. Recognize that the expenditure of school board funds is a public trust, and endeavour to ensure that the funds are expended efficiently, in the best interests of the students;
5. As leaders of the HDSB, respect and uphold the spirit of the [HDSB's Code of Ethics](#);

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6. At no time use or permit the use of board resources for any purpose other than the business of the board.
7. Respect the differing points of view of other Trustees, staff, students and the public when expressing individual views;
8. At all times act with decorum and shall be respectful of other Trustees, staff, students and the public;
9. Express individual opinions on issues under consideration, refraining from personal, demeaning or disparaging comments;
10. Participate in Trustee development opportunities to enhance their ability to fulfill their obligations as a Trustee;
11. At no time give notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the Act if the allegation is frivolous or vexatious or the notice is given in bad faith.);
12. At no time engage in reprisal or the threat of reprisal against,
 - i. A member who gave notice of an alleged breach of the code of conduct under subsection 218.3 of the Act, or
 - ii. Any person who provides information about the alleged breach to the integrity commissioner appointed under clause 218.3 (3) (b) of the Act.
13. Endeavour to work with other Trustees and staff in a spirit of respect, openness, courtesy, and co-operation.

7. Upholding Decisions

Trustees shall:

1. Be bound by the decisions of the Board;
2. Uphold the implementation of any Board resolution after it is passed by the Board;
3. Be prepared to explain the rationale for any decision passed by the Board. A Trustee may respectfully state their position on a resolution provided it does not in any way undermine the implementation of the resolution;
4. Monitor the decisions and direction of the Board in accordance with the Education Act and applicable law;

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5. Accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.

8. Conflict of Interest

Trustees shall:

1. Comply with the Municipal Conflict of Interest Act, R.S.O., 1990, c. M-50 provisions, which requires a Trustee to declare and disclose the general nature of the interest for all direct, indirect, and deemed pecuniary conflicts of interest and abstain from discussions and voting. Declarations must be given to the Director of Education in writing by completing the online form;
2. Be responsible and accountable for exercising good judgement and avoiding situations that might present a conflict of interest or the appearance of a conflict of interest. Where a conflict of interest might exist, each Trustee has an affirmative duty to disclose such conflict when it becomes apparent;
3. Not use their office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated;
4. At no time accept a gift from any person, group or entity that has dealings with the board if a reasonable person might conclude that the gift could influence the member when performing their duties unless,
 - i. the gift is of nominal value,
 - ii. the gift is given as an expression of courtesy or hospitality, and
 - iii. accepting the gift is reasonable in the circumstances);
5. Not use their office to obtain employment with the HDSB for the Trustee or any family member.

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Acknowledgement and Undertaking

As Trustee of the Board I shall uphold this Code of Conduct.

I confirm that I have read, understand, and agree to abide by the HDSB's Trustee Code of Conduct Policy, Trustee Code of Conduct Governance Procedure, and the Board Governance By-law, and agree to abide by any applicable Board resolution, policy or procedure.

TRUSTEE SIGNATURE: _____

NAME: _____

DATE: _____

WITNESS SIGNATURE: _____

NAME: _____

DATE: _____

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Policy Due for Review: May 2027

(maximum of 4 years from last comprehensive review)

Revision History

- October 2024 (M24-111) - Type of Review: Targeted
 - Amendment to section 6.5 - reference to HDSB's Code of Ethics
- September 2024 (M24-097) - Type of Review: Targeted
 - Amendments reflect legislative changes (O. Reg. 312/24) to Trustee Codes of Conduct throughout the province. These legislative changes have been incorporated into the HDSB Trustee Code of Conduct Policy, under Obligations (s.1), Prohibitions (s. 4.1 and 4.2), and Additional Content (s.3).
- May 2023 (M23-092) - Type of Review: Comprehensive
- May 2019 (M19-075) - Type of Review: Comprehensive