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**Subject:** Policy Update – Whistleblower Policy, Code of Ethics/Conflict of Interest Policy and Recruitment and Selection Policy

**Report to:** Corporate Services Committee

**Report date:** Wednesday, March 11, 2020

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## **Recommendations**

1. That the Whistleblower Policy (Appendix 1 to Report CLK 4-2020) **BE APPROVED**;
2. That the updated Policy C-A-007 Code of Ethics - Conflict of Interest (Appendix 2 to Report CLK 4-2020), **BE APPROVED**; and
3. That the updated Policy C-HR-010 Recruitment and Selection (formerly Employment and Staffing) (Appendix 3 to Report CLK 4-2020) **BE APPROVED**.

## **Key Facts**

- The purpose of this report is to seek Council's approval of a Whistleblower Policy and to update the policies respecting Code of Ethics – Conflict of Interest and Employment and Staffing in accordance with the direction provided by the Ontario Ombudsman in his report "Inside Job".
- At its meeting held on December 12, 2019, Regional Council directed staff to prepare a draft whistleblower policy for Council consideration.
- Report CAO 17-2019 provided staff with direction to review and update policies respecting Code of Ethics – Conflict of Interest and Employment and Staffing.

## **Financial Considerations**

There are no financial implications associated with this report.

## **Analysis**

At its special meeting held on December 5, 2019, Regional Council approved Report CAO 17-2019 that directed staff to begin to undertake work associated with implementing the recommendations of Ontario Ombudsman Report "Inside Job". Recommendation 1 of the Ombudsman Report was as follows:

**The Regional Municipality of Niagara should ensure it has an employee code of conduct or ethics that provides for the protection of confidential information.**

The Code of Ethics – Conflict of Interest policy has been updated to include provisions related to disclosure of confidential or personal information. The provision provides that employees may not use or disclose confidential, privileged, or personal information belonging to or in the custody or control of the Region except as necessary to perform their duties in accordance with the Region's policies and procedures. Further, any release of information must be done in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and *Personal Health Information Protection Act* or as otherwise required by law.

Although not within the scope of any Recommendation arising from the Ombudsman Report, the policy was updated with enhanced clarification concerning employees of the Region shall not use their position within the Region to gain any particular personal, business, educational, financial or political advantage; this includes a prohibition that employees not use any Region property, assets, resources, tools, materials, staff, etc... for personal matters.

Recommendation 6 of the Ombudsman Report is as follows:

**The Regional Municipality of Niagara should adopt a policy clarifying that employees should not engage in any behaviour that provides an unfair advantage to a candidate during a hiring process, including assisting candidates by providing inside information such as interview questions and suggested answers.**

The Employee and Staffing Policy has been updated to include provisions related to favoritism and/or discrimination in any recruitment process. In addition, the policy includes that all persons involved in the recruitment and selection process shall keep confidential all related information, including a Confidentiality Acknowledgement or Commitment, where applicable, or as otherwise required by law.

The policy is applicable to Members of Council, staff, external vendors and anyone else approved to be part of the recruitment process. The policy provides that no one shall engage in any behavior that provides an unfair advantage to a candidate during a recruitment process to assist any candidates by providing inside information, such as but not necessarily limited to, interview questions and suggested answers, presentation materials, information about other candidates, or any information gathered in meetings, conversations, email or any other form of communication or discussion. These updates satisfy the concerns that the Ombudsman raised in his report "Inside Job".

At its meeting held on December 12, 2019, Council passed a resolution directing staff to prepare a draft whistleblower policy for consideration by the Corporate Services Committee and Council.

To create the policy, a scan of comparable policies from various municipalities was completed which provided an overview of best practices for inclusion in the policy. The final draft has been reviewed by Legal and Human Resources as well as the Corporate Leadership Team (CLT).

The draft Whistleblower Policy attached as Appendix 1 is a result of examining various policies that are currently in place in other municipalities and make sense to implement here at Niagara Region. Once the policy is approved, staff will begin work on implementing a procedure with respect to the policy.

### **Alternatives Reviewed**

No alternatives were reviewed as the policy updates were a result of the recommendations of the Ombudsman Report. Direction was provided by Council to bring forward a Whistleblower Policy.

### **Relationship to Council Strategic Priorities**

This report is based on the recommendations of the Ontario Ombudsman and at the direction of Council. The implementation of policies aligns with Council's Strategic Priority of Sustainable and Engaging Government.

### **Other Pertinent Reports**

CAO 17-2019      Recommendations from the Ontario Ombudsman Report "Inside Job" November 2019

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Franco Meffe  
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#### **Submitted by:**

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*This report was prepared in consultation with D. Gibbs, Director, Legal and Court Services.*

## **Appendices**

Appendix 1	Draft Whistleblower Policy
Appendix 2	Updated Policy C-A-007 Code of Ethics - Conflict of Interest
Appendix 3	Updated Policy C-HR-010 Recruitment and Selection

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Whistleblower Policy

<b>Policy Owner</b>	Enter Department, Division, Job title
<b>Approval Body</b>	Council
<b>Approval Date</b>	
<b>Effective Date</b>	
<b>Review by Date</b>	Every two years

## 1. Policy

The Regional Municipality of Niagara ("Niagara Region") is committed to accountability, transparency, integrity and maintaining high ethical standards in the workplace.

To maintain an organizational culture that is ethical, transparent and accountable, it is important to provide a process for employees to report any allegations of wrongdoing, in good faith and without fear of reprisal.

This policy recognizes that it is in the public interest to maintain and enhance public confidence in Niagara Region and its employees, by providing for:

- the disclosure of wrongdoing with respect to the Region's operations;
- the protection from reprisals against employees for disclosing wrongdoings;
- appropriate investigation and disciplinary actions in response to disclosures of wrongdoings when made in good faith

All disclosures of wrongdoing will be investigated in accordance with the provisions set out in this policy.

Niagara Region will not tolerate reprisals against employees who report acts of wrongdoing in good faith and all employees have a duty to report any suspected acts of wrongdoing.

Any employee who knowingly reports a wrongdoing in bad faith, or who knowingly makes a false or misleading statement that is intended to mislead an investigation of wrongdoing, may be subject to legal action or disciplinary action, up to and including dismissal.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Whistleblower Policy

### 1.1. Reporting Wrongdoing

- All employees who become aware or suspect that an act of wrongdoing has occurred will immediately notify their supervisor, manager, or director, as applicable and appropriate (see 1.4 Appropriate Authority chart).
  - Where a supervisor, manager is suspected of wrongdoing, reports should be directed to the Director or Commissioner
  - Where a Director or Commissioner is suspected of wrongdoing, reports should be directed to the CAO and or Regional Clerk
  - Where the Regional Clerk is suspected of wrongdoing, reports should be directed to the CAO
  - Where the CAO is suspected of wrongdoing, reports should be directed to the Regional Chair
- In the interests of facilitating a timely investigation, employees are encouraged to bring forward complaints at the earliest opportunity.
- When disclosing an allegation of wrongdoing, all employees must provide sufficient evidence to substantiate the allegation through the Whistleblower Complaint Form.
- If an employee is uncomfortable disclosing an act of alleged wrongdoing to the Appropriate Authority, they can notify an Appropriate Authority a level above (see 1.4 Appropriate Authority chart).
- All employees who report wrongdoing in good faith will be protected from reprisal.
- Any employee who reports a wrongdoing in bad faith, or who knowingly make a false or misleading statement that is intended to mislead an investigation of wrongdoing, may be subject to legal action or disciplinary action up to and including dismissal.
- Any allegation related to Respectful Workplace Conduct, Harassment, or Workplace Violence is to be in accordance with those policies.

### 1.2. Investigation

- All disclosures of alleged wrongdoing will be investigated by Niagara Region or an independent investigator, where appropriate.
- All disclosures of alleged wrongdoing will be investigated in an objective and thorough manner as expeditiously as possible with fair due process of all persons involved.
- Any individual against whom allegations are being made will be given a reasonable opportunity to respond to the allegations, as part of the investigation.

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Whistleblower Policy</i>

- All employees, including the individual making the disclosure of wrongdoing and the individual who is the subject of the investigation, will be required to cooperate.
- No individual shall obstruct or interfere with the investigation.
- If alleged wrongdoing by an employee is substantiated through an investigation, the employee may be subject to disciplinary action up to and including dismissal.
- Upon conclusion of an investigation, recommendations may be made and implemented in order to minimize future risk.

### 1.3. Appropriate Authority

<b>Respondent of Complaint</b>	<b>Parties Responsible to Receive the Complaint</b>
Employee	Supervisor, Manager, Director
Supervisor or Manager	Director
Director	Commissioner or CAO
Commissioner	CAO or Regional Clerk
Regional Clerk	CAO
CAO	Regional Chair

### 1.4. Protection from Reprisal

- No person shall reprise against a Niagara Region employee acting in good faith for:
  - Reporting an incident of actual or suspected wrongdoing;
  - Seeking information or advice about making a disclosure;
  - Initiating or cooperating in any subsequent investigation;
  - Appearing as a witness, giving evidence, or participating in any proceeding relating to the wrongdoing;
  - Acting in compliance with this policy

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Whistleblower Policy</i>

- An employee informed of, or who becomes aware of a reprisal against another employee must notify their supervisor, manager, or director, as applicable and appropriate.
- Complaints of reprisal will be investigated and where allegations of reprisal are substantiated, any staff involved in the reprisal will be subject to appropriate disciplinary action, up to and including dismissal.

### 1.5. Confidentiality

- The name of a complainant and the circumstances related to the complaint will not be disclosed except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures. Every effort will be made to keep the identities, details of the incident and circumstances confidential; however, there cannot be a guarantee of anonymity in association with a complaint.
- All records of workplace wrongdoing including reports and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.
- All Niagara Region employees and officials aware of or participating in an investigation of wrongdoing shall treat all information received confidentially.
- It is recognized that in some cases absolute confidentiality cannot be guaranteed and disclosure may be required in order to properly assess and/or investigate any complaint. Any information obtained during any investigation will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident, or is otherwise required by law.
- Individuals who improperly breach confidential information may be subject to legal action or disciplinary action up to and including dismissal.

## 2. Purpose

The purpose of this policy is to facilitate the disclosure of wrongdoing with respect to Niagara Region's operations, provide a mechanism where employees who disclose wrongdoings are protected from reprisal and where, under appropriate circumstances, investigations are undertaken in response to disclosures of wrongdoing.

## 3. Scope



<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Whistleblower Policy

This policy applies to all Niagara Region employees. Niagara Region prohibits wrongdoing and reprisals against employees who report wrongdoing. Disclosures of wrongdoing will be investigated in accordance with the provisions set out in this policy and any procedures.

Complaints about members of Regional Council are addressed through the process outlined in the Code of Conduct for Members of Council.

The provisions set out in the policy address those matters that are in the public interest and for which there are no established mechanisms for consideration and investigation. Nothing in this policy is intended to conflict with any existing reporting rights, mechanisms, or procedures established by any other policies of Niagara Region or by any collective agreement. This policy should be interpreted to be consistent with Niagara Region's policies regarding workplace violence and harassment, and with the Ontario *Human Rights Code*.

Individuals who do not comply with the provisions set out in this policy may be subject to legal action or disciplinary action up to and including dismissal.

### 3.1. Roles and Responsibilities

Employees:

- All employees who become aware or suspect that an act of wrongdoing has occurred will immediately notify their supervisor, manager, or director, as applicable and appropriate
- Follow the internal processes established in making allegations of wrongdoing in the workplace
- Respect the reputation of individuals by not making trivial or malicious allegations or by making disclosures in bad faith
- Report incident(s) of reprisal to the Appropriate Authority if they believe they have witnessed an act(s) of wrongdoing in their work environment
- Fully co-operate during the course of an investigation and will make all reasonable efforts to be available to assist with the investigation.

Supervisors, managers, directors, or persons in a position of authority (i.e. those directing work of others):

- Inform their employees of this policy

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Whistleblower Policy</i>

- Reinforce the opportunity for all employees to report wrongdoing, unethical behaviour or illegal acts, including preventing any acts of retaliation against the whistleblower
- Promote ethical conduct and support ethical decision-making in their areas of responsibility
- Act promptly when information concerning an act of wrongdoing is brought to their attention
- Undertake investigations of alleged wrongdoing seriously and appropriately
- Report the results of investigations of alleged wrongdoing to the Appropriate Authority
- Be familiar with the types of wrongdoing that could occur within their area of responsibility and be proactive in taking steps to guard against such activities.
- Keep the information of a disclosure confidential and bring the matter to the immediate attention of Human Resources who may provide advice, consultation, and support under this policy
- Protect from reprisal the employees who disclose acts of wrongdoings in good faith
- Cooperate with any investigation and ensure that all relevant resources and information are made available

Chief Administrative Officer (CAO):

- Disseminate information on the policy, provide interpretation and related advice on the policy
- Ensure that a Whistleblower whose allegations of wrongdoing are made in good faith is protected from reprisal regardless of the outcome of the investigation process
- Ensure the following process:
  - a) Allegations received are reviewed
  - b) Allegations received are screened for legitimacy and potential investigation
  - c) Appropriate discipline is imposed when an allegation is substantiated
  - d) Adequate resources are made available to support all investigations
  - e) Advise Regional Council of any allegations that, if sustained, may involve significant imminent risk to the Region or may involve past, present or imminent criminal activity that would affect the Region

Regional Council:

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Whistleblower Policy

- Review allegations of wrongdoing made against the CAO and any applicable investigation reports
- Take disciplinary action against the CAO if the CAO is found to have committed acts of wrongdoing

#### 4. Definitions

**Allegation:** means a complaint submitted under this Policy alleging serious wrongdoings on the part of any employee or alleging that any person has been a victim of retaliation for making a disclosure of wrongdoing.

**Disclosure:** means an oral or written allegation to an Appropriate Authority by an employee alleging an act of wrongdoing by another employee.

**Good Faith:** means an act which is done for a proper and honest purpose and is not done trivially, frivolously or for a vexatious purpose.

**Misconduct:** means intentionally wrongful, improper or unlawful conduct.

**Whistleblower:** means a person who makes an allegation of wrongdoing.

**Wrongdoing:** refers to serious actions that are contrary to the public interest, which may include, but is not limited to, the following:

- A contravention of a federal or provincial statute or regulation, or Niagara Region by-law, policy
- An act or omission that results or is likely to result in the misappropriation or misuse of Niagara Region funds or assets
- A contravention of Niagara Region's Code of Ethics / Conflict of Interest Policy for employees that results or is likely to result in unjust profit, advantage, payment or compensation to the employee
- An act or omission that creates or is likely to create a substantial and specific danger or harm to the life, health or safety of any person
- An act or omission that creates or is likely to create a substantial and specific danger or harm to the environment
- Taking reprisal against someone for disclosing wrongdoing or otherwise acting in compliance with this policy
- An abuse of authority
- Breach of public trust
- Directing or counselling someone to engage in wrongdoing

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Whistleblower Policy

**Disciplinary Action:** means any consequence imposed upon a person as a result of the determination under this policy that they have committed an act of wrongdoing, which may include, but is not limited to, the following:

- Educational training on ethical conduct
- Removal of an employee from any place where the employee represents Niagara Region, including any committee, board, or corporation;
- Removal from any position of responsibility at Niagara Region;
- Suspension of duties;
- Termination of employment with the Region;
- Termination of a contract;
- Legal action depending on the severity of the action
- Other acts of discipline as may be considered appropriate in the circumstances.
- Public or private apology

**Reprisal:** refers to any action or threat of action that is intended as retaliation for the good faith disclosure of actual or suspected wrongdoing, initiating or cooperating in an investigation into alleged wrongdoing, or otherwise acting in compliance with this policy, including but not limited to, the following:

- The dismissal, suspension, demotion, discipline, harassment or abuse of an employee;
- The denial of a benefit of employment to an employee;
- The intimidation, coercion or attempt to intimidate or coerce an employee.
- Any punitive measure that adversely affects the employment or working conditions of the employee
- Directing or counselling someone to commit a reprisal.
- Reprisal against an employee is any measure taken or threatened as a direct result of disclosing or being suspected of disclosing an allegation of wrongdoing, initiating or co-operating in an investigation into an alleged wrongdoing.

## 5. References and Related Documents.

### 5.1. Legislation, By-Laws and/or Directives

### 5.2. Procedures

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Whistleblower Policy</i>

**6. Related Policies**

C-A-007 Code of Ethics/Conflict of Interest

**7. Document Control**

The electronic version of this document is recognized as the only valid version.

**Approval History**

Approver(s)	Approved Date	Effective Date

**Revision History**

Revision No.	Date	Summary of Change(s)	Changed by

<i>Policy Category</i>  <i>Administrative</i>	<i>Name of Policy</i>  <i>Code of Ethics / Conflict of Interest</i>
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<b>Policy Owner</b>	Corporate Administration, Office of the Chief Administrative Officer
<b>Approval Body</b>	Regional Council
<b>Approval Date</b>	
<b>Effective Date</b>	
<b>Review by Date</b>	

### 1. Policy

The Niagara Region (Region) is committed to maintaining excellent ethical conduct and high integrity. Employees are expected to perform their duties in a manner that maintains public trust and confidence trust. Employees should avoid conflicts of interest and unethical behaviour.

### 2. Purpose

The purpose of this policy is to outline acceptable standards of behaviour and related responsibilities and procedures for Region employees.

This policy is intended as a guide to employees in their dealings on behalf of the Region, and to assist them in identifying and properly responding to potential conflicts of interest. This policy should be applied in conjunction with all applicable collective agreement and contractual provisions, legislative requirements, and/or professional standards, where applicable.

### 3. Scope

This policy applies to all union and non-union employees, including regular, temporary/contract, and/or paid student/co-op/intern staff with the Region. Employees are encouraged to direct any questions or concerns regarding the policy to their Manager, Director, Commissioner, or Chief Administrative Officer (CAO) (as appropriate).

Serious breaches of this policy must be reported in accordance with the Region's Whistleblower Policy and Procedure. Employees who report such breaches in good faith will be protected from reprisal in accordance with the terms of that policy.

Policy Category	Name of Policy
Administrative	Code of Ethics / Conflict of Interest

### 3.1. Roles and Responsibilities

#### 3.1.1. Disclosure of Confidential or Personal Information

Employees may not use or disclose confidential, privileged, or personal information belonging to or in the custody or control of the Region except as necessary to perform their duties in accordance with the Region's policies and procedures, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and *Personal Health Information Protection Act* or as otherwise required by law. Where an employee is uncertain whether information may be used or disclosed, they are to seek guidance from their Manager, Director, Commissioner or CAO (as appropriate).

#### 3.1.2. Professionalism and Adherence to Core Values

As ambassadors and representatives of the Region, employees are expected to conduct themselves professionally in all of their interactions with clients, community agencies, contractors, suppliers, and the public.

Employees should conduct themselves in a manner consistent with the Region's core values:

**Respect:** We treat everyone equitably with compassion, sensitivity, and respect.

**Serve:** We serve Niagara with pride, care, and excellence.

**Honesty:** We value honest, integrity, and trust.

**Choice:** We believe in social, environmental and economic choices that support our diverse community.

**Partnerships:** We foster collaboration and value partnerships.

#### 3.1.3. Respect, Truth, Honesty and Integrity

1. Employees shall respect the values of truth, honesty and integrity in all Region matters, issues, and activities.
2. Employees shall not impose their personal, moral or religious standards on others, as every person is an individual with specific rights, values beliefs, and personality traits to be respected at all times.



<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Code of Ethics / Conflict of Interest</i>

3. Employees should respect the right to confidentiality and privacy of all clients, volunteers and employees and be aware of their responsibilities under relevant legislation, corporate and departmental policies, ethical standards, and, where appropriate, professional standards. No discussion regarding clients, volunteers or employees will be conducted other than with authorized persons in accordance with corporate and department policy.

3.1.4. Excellence

1. Employees shall act in the best interest of the community, in a responsible manner, and be held accountable for their actions.
2. Employees shall strive to achieve the highest standards of ethical conduct.
3. Employees shall be cognizant of their position within the Region and the trust and influence that may be afforded these positions by the public, including and not necessarily limited to clients, community agencies, etc. Employees shall ensure that they are performing their duties in a manner that does not violate trust relationships or abuses the power of their position.

3.1.5. Conflict of Interest

Employees shall not use their position within the Region to gain any particular interest, personal or family advantage or benefit in utilizing any service provided by the Region or in conducting any business on behalf of the Region.

1. Employees shall not be involved as an official of the Region in judging, inspecting or making a decision on any matter in which they have a personal or familial interest. Any employee involved in such a matter shall declare a conflict of interest as soon as such conflict is identified.
2. Employees of the Region shall not use their position within the Region to gain any particular personal, business, educational, financial or political advantage; this includes a prohibition that employees not use any Region property, assets, resources, tools, materials, staff, etc., for personal matters.



<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Code of Ethics / Conflict of Interest</i>

3. Employees of the Region who choose to become personally involved in any community board, agency, association or political body must clearly declare that such involvement is not as a representative of the Region. Employees who are requested / required to participate on a committee / board / association or political body as a representative of the Region shall identify themselves as such to the committee / board / association or political body.

3.1.6. Disclosure Process

1. If a potential or real conflict of interest exists because of an employee's personal or familial interests in a matter involving a service provided by the Region, a business dealing with the Region, or similar circumstances, the employee must notify in writing of the situation, detailing their conflict, to their Manager or Director or Commissioner or CAO (as appropriate). The Manager or Director or Commissioner or CAO (as appropriate) will then ensure that someone who is not personally involved in the situation makes the judgment, inspection, or decision using the same objective criteria that would be used for that situation if a non-employee client were using the particular service or involved in the business dealing.
2. If a potential or real conflict of interest exists because an employee is promoting a service or a product in an independent capacity but customers may perceive the employee as a representative of the Region, the employee will notify in writing of the situation to their Manager or Director or Commissioner or CAO (as appropriate). The employee will inform each customer that they are acting in an independent business capacity rather than as an employee or representative of the Region.
3. Whenever an employee considers that he or she could be involved or appear to be involved in a conflict of interest, the employee shall immediately disclose the situation in writing to the Director or Commissioner or CAO (as appropriate).

<i>Policy Category</i>  <i>Administrative</i>	<i>Name of Policy</i>  <i>Code of Ethics / Conflict of Interest</i>
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**3.1.7. Acceptance of Gifts, Favours and Entertainment**

Employees shall not seek or accept any gifts, entertainment, payments for services, valuable privileges, etc., or other favours from any external person or business organization except as provided below:

- i) acceptance of promotional items at a nominal dollar value;
- ii) attendance at social events where:
  - a. the event is attended by a broad range of the sponsoring organization's customers or professional association members and does not specifically cater to the Region;
  - b. there is no actual, potential or apparent conflict of interest, and;
  - c. permission to attend has been granted by the department Commissioner
- iii) charitable donations or fundraising for the benefit of the community; and;
- iv) sponsored community/professional events e.g. educational days.

Gifts that do not meet the criteria in (i) above (i.e. entertainment tickets / vouchers) that are given directly to Niagara Region employees for personal use should be returned to sender or redirected with the sender's approval to a charity or non-profit community association of their choice. Employees should communicate the sensitivity of public perception to these individuals. Suppliers should be informed of this policy.

Failure or refusal to adhere to the terms of this policy may result in discipline up to and including dismissal.

**4. References and Related Documents**

**4.1. Legislation, By-Laws and/or Directives**

**4.2. Procedures**

**5. Related Policies**

- Whistleblower C-xx-xxx

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Administrative</i>	<i>Code of Ethics / Conflict of Interest</i>

## 6. Document Control

The electronic version of this document is recognized as the only valid version.

### Approval History

Approver(s)	Approved Date	Effective Date

### Revision History

Revision No.	Date	Summary of Change(s)	Changed by

<i>Policy Category</i> <i>Human Resources</i>	<i>Name of Policy</i> <i>Recruitment and Selection</i>
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Page 1 of 4

<b>Policy Owner</b>	Administration, Human Resources, Manager Organizational Development and Talent Acquisition
<b>Approval Body</b>	Regional Council
<b>Approval Date</b>	
<b>Effective Date</b>	
<b>Review by Date</b>	

### 1. Policy

Niagara Region is committed to the attraction, selection, and retention of a qualified and effective workforce that embraces the vision, values and culture of our organization in order to consistently deliver on operational objectives and the Council Business Plan. We believe in fair, objective, and transparent recruitment and selection practices. For employment and/or promotion opportunities, we seek out and select the best-qualified available candidates at the time of recruitment while promoting a culture of diversity and inclusion.

### 2. Purpose

The purpose of this policy and its corresponding procedures is to establish a consistent and equitable standard for the recruitment and selection practices at Niagara Region while ensuring equity in recruitment practices, clarity in roles and responsibilities, and promoting career development opportunities for our employees which support our internal succession planning practices.

### 3. Scope

This policy applies to all union and non-union employees as well as any person engaged in the recruitment function on behalf of Niagara Region. This policy is inclusive of all employee, student, co-op, intern, etc., roles at Niagara Region.

There are to be no acts of favoritism or discrimination in any recruitment process. Members of Council, staff, external vendors and anyone else approved to be part of the recruitment process shall not attempt to influence the hiring of any applicant in a manner that is inconsistent with this policy. This includes that no one shall engage in any behavior that provides an unfair advantage to a candidate during a recruitment process, to assist

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Human Resources</i>	<i>Recruitment and Selection</i>

any candidates by providing inside information, such as but not necessarily limited to, interview questions and suggested answers, presentation materials, information about other candidates, or any information gathered in meetings, conversations, email or any other form of communication or discussion.

Niagara Region is committed to protecting the confidentiality of all candidates seeking employment and advancement regardless of position.

Candidate information confidentially collected through the recruitment and selection process will be restricted to those persons who on behalf of Niagara Region require such information in order to assess those best qualified in each instance and those who administer the recruitment and selection process. All persons involved in the recruitment and selection process shall keep confidential all related information, including in accordance with each person's Confidentiality Acknowledgement or Commitment, where applicable, and shall not release or divulge any information except where required by law or by administration of Niagara Region duties in accordance with this policy and its corresponding procedures.

### **3.1. Roles and Responsibilities**

- a. **Human Resources:** Facilitates the Recruitment and Selection process; serving in a consulting and advisory capacity to Management to ensure effective and efficient hiring/advance of staff and candidates for employment. This includes ensuring, through providing any advice and consultation, including any ancillary recruitment and assessment tools to support the administration of policy and procedure, that a fair and open competition is maintained, particularly with respect to ensuring equal opportunity and adherence to collective agreement, where applicable, and related employment law requirements.
- b. **Hiring Manager:** Accountable for final candidate selection and hiring decisions, except where formal Regional Council approval and/or other regulatory body endorsement or approval is required (e.g. as may be required under the *Municipal Act* or *Health Promotion and Protection Act*). Engages in all policy requirements and procedural elements as outlined in respective procedures. Enforces procedural and policy requirements including confidentiality. Attendance either self or designate at all selection activities, participation in attraction and selection consultations, and engaging in onboarding activities for selected candidate. Consultation with Human Resources on all relevant policy and procedures as required, including the engagement of any

<i>Policy Category</i>	<i>Name of Policy</i>
<i>Human Resources</i>	<i>Recruitment and Selection</i>

external vendors who may be acquired to support the recruitment and selection process.

- c. Selection Panel Participant: Engages in all procedural elements either self or designate at all selection activities; participation in attraction and selection consultations as required. Understands and adheres to policy and procedural requirements including confidentiality.
- d. Candidate: Fully completes the application process, including accurate representation of their qualifications, experience, skill, and ability. Engages in selection activities through attendance at interviews either in person or by phone/Skype, including completion of any assessment/testing requirements, as well as onboarding activities as a successful applicant. Engages in all policy requirements and procedural elements as outlined in respective procedures, including adherence to confidentiality requirements.

Failure or refusal to adhere to the terms of this policy may result in discipline up to and including dismissal.

#### **4. References and Related Documents.**

List related legislation, directives, By-laws and associated procedures

##### **4.1. Legislation, By-Laws and/or Directives**

- Employment Standards Act, 2000
- The Ontario Human Rights Code
- Municipal Act, 2001
- Health Protection and Promotion Act, 1990

#### **5. Related Policies**

- C-HR-001 Non-Union Compensation Policy
- C-HR-006 Criminal Records Check
- C-HR-011 Extra Professional Services
- C-HR-013 Job Sharing
- C-HR-015 Re-Employment of Former Employees
- C-HR-017 Secondment Policy
- C-HR-020 Temporary Staffing
- C-HR-026 Chief Administrative Officer – Recruitment, Selection, Offer of Employment, and Performance Management

#### **6. Document Control**

<i>Policy Category</i> <i>Human Resources</i>	<i>Name of Policy</i> <i>Recruitment and Selection</i>
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The electronic version of this document is recognized as the only valid version.

**Approval History**

<b>Approver(s)</b>	<b>Approved Date</b>	<b>Effective Date</b>

**Revision History**

<b>Revision No.</b>	<b>Date</b>	<b>Summary of Change(s)</b>	<b>Changed by</b>