

2.1-1 Code of Conduct

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“Association” or “employer” when used in this document refers to Hospice Palliative Care Ontario (HPCO). “Employee” when used in this document refers to paid, volunteer, and contracted work, and work by vendors for or on behalf of HPCO. “Their” when used in this document is an inclusive gender-neutral term that replaces his or her.

The Mission for HPCO

To provide leadership on behalf of our members by informing policy and promoting awareness, education, knowledge transfer and best practices in the pursuit of quality hospice palliative care in Ontario.

CODE OF CONDUCT

This Code applies to all employees (permanent full-time, hourly, fixed term contract, permanent part-time) and volunteers, and any third-party contracted individual or entity (referred to as contractors in this policy) operating or providing service on behalf of HPCO. This Code covers a wide range of business practices and procedures. It does not cover every issue that may arise, but it sets out basic principles to guide all employees of HPCO. All HPCO employees must conduct themselves accordingly and seek to avoid even the appearance of improper behavior or conflict of interest.

If a law conflicts with any part of this Code, the individual must comply with the law. If questions arise pertaining to conflicts between the law and this code, employees should consult their supervisor to resolve the situation. Employees are responsible for understanding the legal and policy requirements that apply to their jobs, and reporting any suspected violations of law, this Code, or HPCO policy.

Individuals who violate the standards in this Code will be subject to disciplinary action, including possible dismissal. Furthermore, violations of this Code may also be violations of the law and may result in civil or criminal penalties for the individual, their supervisors and/or HPCO. If the individual is in a situation which they believe may violate or lead to a violation of this Code, they should seek clarification from their supervisor and if necessary, follow the procedures set out in HPCO’s Complaints Policy.

The Code is organized into categories, as follows:

Service:

Always act with fairness, honesty, integrity, and openness; respect the opinions of others and treat everyone with equality and dignity without regard to gender, race, color, creed, ancestry, place of origin, political beliefs, religion, marital status, gender identification, disability, age, or sexual orientation.

Accountability:

Act with honesty and integrity and in accordance with any professional standards, governing laws and regulations, HPCO's bylaws, policies and procedures that have application to the responsibilities you perform for or on behalf of HPCO. To act in accordance with the values of HPCO which are:

Courage: We make the best decisions not just the popular ones, we dare to go down new roads and challenge accepted wisdom, and we place clear expectations on one another and promote change.

Integrity: We are professional and honest in our relationships, we honour our commitments, and we hold ourselves accountable.

Respect: We value the diversity of our members and stakeholders, their opinions, experiences, and contributions.

Comply with both the letter and the spirit of any training or orientation provided to you by HPCO in connection with those responsibilities.

Adhere to the policies and procedures of HPCO and support the decisions and directions of the Board and its delegated authority.

Take responsibility for your actions and decisions. Follow reporting lines to facilitate the effective resolution of problems. Ensure that you do not exceed the authority of your position.

Conflict of Interest:

A conflict of interest exists when a person's private interest interferes in any way - or even appears to interfere - with the interests of HPCO. A conflict situation can arise when an employee takes actions or has interests that may make it difficult to perform their work on behalf of HPCO objectively and effectively. Conflicts of interest may also arise when an employee, or a member of their family, receives improper personal benefits as a result of their position in HPCO. Loans to, or guarantees of obligations of, employees and their family members by HPCO may create conflicts of interest and in certain instances are prohibited by law.

Conflicts of interest are prohibited as a matter of HPCO policy, except as approved by the CEO for situations involving employee, or the Board of Directors for situations involving the CEO. It is the duty of employees to adhere to the Conflict of Interest Policy at all times. In the event that such a matter arises, the person shall formally disclose the interest, recuse themselves from any discussion or voting on the matter and refrain from attempting to persuade or influence other persons participating in the decision.

Conflicts of interest may not always be clearly defined; hence, where potential conflicts arise, employees should consult their immediate supervisor. Any employee who becomes aware of a conflict or potential conflict should bring it to the attention of a supervisor.

Employment Opportunities:

Employees are prohibited from taking for themselves opportunities that are discovered through the use of HPCO property, information, or position without the consent of the CEO. For situations involving the CEO, approval of the Board of Directors is required. No employee may use HPCO property, information, or position for personal gain, and no employee may compete with HPCO directly or indirectly. Employees owe a duty to HPCO to advance HPCO's interests when the opportunity to do so arises.

Initials

Duty to Focus:

During your working hours with HPCO you are expected to devote your full time, attention, and effort to your duties with HPCO. Engaging in any work, including but not limited to other employment during your working hours with HPCO is a fundamental breach of your obligations to HPCO and will lead to discipline up to and including termination of your employment with HPCO.

Initials

Confidentiality:

It is to be understood that information related to all aspects of HPCO operations is the property of HPCO not the property of the individual employee. Unless designated as public such information cannot be released to anyone without approval of the CEO or Board of Directors except where disclosure is required by law or contractual obligations.

The following information is designated as confidential at all times:

- Membership information
- Financial information including donations and all accounting entries.
- Customer information including contact, sales history, and financial transactions.
- Personnel information, including any and all information relating to applicants, hiring procedures, supervision, evaluations, disciplinary actions, terminations, etc.
- Proceedings and minutes of "*in camera*" meetings.
- Purchase of property, tendering applications, all legal matters.
- Any other information relating to and/or generated through the day-to-day operations of the corporation identified as confidential by the CEO or Board of Directors.

Non-Compliance with this policy constitutes a breach of confidentiality.

- A breach of confidentiality may result in disciplinary action up to and including termination of employment or volunteer relationship.
- All information received while employed by HPCO will remain confidential when the employee is no longer employed by HPCO.

By signing this Code of Conduct, all employees agree to maintain confidentiality as per this policy. Certain information, including but not limited to financial statements and information about services are available to the general public through HPCO's funders (including government) and through HPCO directly. If you are unsure about what information is public, please speak with your supervisor.

Initials

Intellectual Property and Copyright:

HPCO is the owner of the copyright of all work and intellectual property produced by employees and contractors who have been engaged by HPCO to prepare such works for HPCO, or part of whose normal responsibilities to HPCO is the preparation of such works. By signing this Code of Conduct and Confidentiality Agreement, employees agree to assign to Hospice Palliative Care Ontario, the copyright in any materials they create (the Works) within the course of their employment or volunteer engagement.

Initials

Use of HPCO Information Systems and Electronic Equipment:

The use of HPCO computers, file servers (including cloud-based storage), the internet, internet connections and e-mail are subject to monitoring at any time. Employees may only use such equipment and HPCO email addresses for HPCO business purposes, may not share their user credentials with anyone, nor access or attempt to access information that they have not been authorized to access. Information includes paper and electronic/digital records, files, systems, emails, and other forms of electronic communication.

Record-Keeping, Financial Controls, and Disclosures:

HPCO requires honest, accurate and timely recording and reporting of information in order to make responsible business decisions.

All business expense accounts must be documented and recorded accurately in a timely manner in accordance with HPCO policy. An immediate supervisor should be consulted regarding the legitimacy of an expense where uncertainty exists.

All of HPCO's books, records, accounts, and financial statements must be maintained in reasonable detail, must appropriately reflect HPCO's transactions, must be promptly disclosed in accordance with any applicable laws or regulations and must conform both to applicable legal requirements and to HPCO's system of internal controls.

Business records and communications often become public, and employees should avoid exaggeration, derogatory remarks, guesswork, or inappropriate characterizations of people and companies that may be misunderstood. This applies equally to email, internal memos, and formal reports. Records should always be retained or destroyed according to HPCO's record retention policies.

Improper Influence on Conduct of Auditors:

Employees are prohibited from directly or indirectly taking any action to coerce, manipulate, mislead, or fraudulently influence HPCO's independent auditors for the purpose of rendering the financial statements of HPCO materially misleading. Prohibited actions include but are not limited to those actions taken to coerce, manipulate, mislead, or fraudulently influence an auditor: (1) to issue or reissue a report on HPCO's financial statements that is not warranted in the circumstances (due to material violations of generally accepted accounting principles, generally accepted auditing standards or other professional or regulatory standards); (2) not to perform audit, review or other procedures required by generally accepted auditing standards or other professional standards; (3) not to withdraw an issued report; or (4) not to communicate matters to the HPCO's Audit Committee.

Corrupt Practices:

HPCO conducts all of its operations in an honest and ethical manner. HPCO takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships.

HPCO prohibits giving or authorizing directly or indirectly any payments to Canadian government officials, officials of other countries, or any business or individual for the purpose of influencing them or inducing them act in HPCO's favour.

Protection and Proper Use of HPCO Assets:

Employees must protect HPCO's assets and ensure their efficient use. Theft, carelessness, and waste have a direct impact on HPCO. All HPCO assets are to be used for legitimate business purposes. Any suspected incident of fraud or theft should be immediately reported to your supervisor or the CEO for investigation.

Personal/Sexual Harassment:

HPCO has a zero-tolerance policy with respect to Personal/Sexual Harassment. Personal/Sexual Harassment in any form is strictly prohibited and may be grounds for termination as a volunteer, or, in the case of an employee or contractor, immediate dismissal for just cause without notice or pay in lieu of notice.

Commitment to Diversity and Inclusion:

HPCO is committed to social justice in the elimination of structures and actions that oppress, exclude, limit, or discriminate on the basis to gender, race, color, creed, ancestry, place of origin, political beliefs, religion, marital status, gender identification, disability, age, or sexual orientation. Employees will not act in any way that discriminates on these grounds.

Health and Safety:

HPCO strives to provide each employee with a safe and healthy work environment. Each employee has responsibility for maintaining a safe and healthy workplace by following environmental, safety and health rules and practices and reporting accidents, injuries and unsafe equipment, practices, or conditions. Violence and threatening behavior are not permitted. Employees are expected to perform their related work in a safe manner, free of the influences of alcohol, illegal drugs, or controlled substances. The use of illegal drugs in the workplace will not be tolerated.

Implementation:

Management has the responsibility of ensuring compliance with all codes and policies of HPCO.

Compliance Procedures:

All employees must work to ensure prompt and consistent action against violations of this Code. However, in some situations it is difficult to know right from wrong. Since we cannot anticipate every situation that will arise, it is important that we have a way to approach a new question or problem. These are the steps to keep in mind:

- (a) *Make sure you have all the facts.* In order to reach the right solutions, we must be as fully informed as possible.
- (b) *Ask yourself: What specifically am I being asked to do? Does it seem unethical or improper?* This will enable you to focus on the specific question you are faced with, and the alternatives you have. Use your judgment and common sense; if something seems unethical or improper, it probably is.
- (c) *Staff discuss the problem with their supervisor (Board members with the Board Chair).* This is the basic guidance for all situations. In many cases, your supervisor will be more knowledgeable about the question, and will appreciate being brought into the decision-making process. Remember that it is your supervisor's responsibility to help solve problems.
- (d) *Seek help from HPCO resources such as HPCO's employee assistance program.* In a case where it may not be appropriate to discuss an issue with an immediate supervisor, or local management, the Chairman of HPCO Board of Directors should be contacted via phone or e-mail.
- (e) *You may report violations in confidence and without fear of retaliation.* If your situation requires that your identity be kept secret, your anonymity will be protected. HPCO does not permit retaliation of any kind against employees for good faith reports of suspected violations.
- (f) *Always ask first, act later:* If you are unsure of what to do in any situation, seek guidance before you act.

Code of Conduct and Confidentiality Declaration

By signing below, I acknowledge that I have read, understood, and agree to abide by the Code of Conduct and Confidentiality of HPCO and I understand that such adherence is a condition of my employment. I understand that a violation of the Code of Conduct may be grounds for disciplinary action including termination.

Employee Name

Employee Signature

Date
