

Military Police Complaints Commission of Canada Code of Conduct

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Message from the Chairperson

Dear Colleagues,

I am pleased to present the *Military Police Complaints Commission of Canada (MPCC) Code of Conduct*, which provides guiding principles for ethical behaviour and decision making for all MPCC employees. The *MPCC Code of Conduct* is an important document that articulates our organizational culture regarding values and ethics, it also complements the broader Values and Ethics Code for the Public Sector. All employees are required to adhere to the Public Sector Code as well as the *MPCC Code of Conduct* as a term and condition of employment, and the guidance offered by our Code will enable MPCC employees to do this.

MPCC believes in a healthy and safe working environment, which is reflected in this Code. All MPCC employees are expected to treat each other with respect and dignity.

I encourage you to read and familiarize yourself with the *MPCC Code of Conduct* and its guiding principles.

This *MPCC Code of Conduct* is effective as of July 1, 2021 and replaces the *Military Police Complaints Commission Values and Ethics Code* of April 2, 2012.

Original signed by:

Hilary C. McCormack

Chapter 1: Values and Ethics Code for the Public Sector

Expectations about values and ethics for public service employees are outlined in two primary documents that apply to all public service employees:

- The [Values and Ethics Code for the Public Sector](#) (VECPS) is available on the Treasury Board of Canada Secretariat website. The code may be updated from time to time and it is the responsibility of employees to stay abreast of changes in the code. The [appendix of the VECPS](#) includes the duties and obligations of public servants.
- The [Public Servants Disclosure Protection Act](#) has been in place since 2007 and is part of the [Federal Accountability Act](#) (FAA) implementation. Section 5 of the PSDPA requires the Treasury Board to establish a general code of conduct to apply to the entire public sector, including Crown corporations and separate agencies.

All MPCC employee must, as a condition of their employment, observe the [Values and Ethics Code for the Public Sector](#), the Treasury Board [Directive on Conflict of Interest](#), as well as any additional measures instituted by MPCC, including this Code, and make such declaration as is appropriate in their situation.

Chapter 2: MPCC Code of Conduct

Objective

The *MPCC Code of Conduct* provides us with guidance on our conduct as employees of the MPCC. This Code complements the [Values and Ethics Code for the Public Sector](#) and the [MPCC's Mission, Vision and Values](#) and serves as a guide to decision-making and conduct.

This Code outlines the values and expected behaviours that guide public servants in all activities related to their professional duties. By committing to these values and adhering to the expected behaviours, public servants strengthen the ethical culture of the public sector and contribute to public confidence in the integrity of all public institutions.

Application

The *MPCC Code of Conduct* applies to all MPCC employees, including employees on approved leave with or without pay, employees on secondment or Interchange agreements within or outside MPCC, casual employees and students. The Code does not replace or in any way change MPCC's policies, business practices or collective agreements.

Acceptance and adherence to this Code is a condition of employment for every MPCC employee. A breach of the Code may result in disciplinary measures, up to and including termination of employment. Under the authority of the [Financial Administration Act](#), MPCC's Deputy Head has the authority to establish standards of discipline and set penalties.

MPCC Mission, Vision and Values

MPCC mission, vision and values can be found at: <https://www.mpcc-cppm.gc.ca/01/100/130-eng.aspx>

Standards of Conduct

As employees of the MPCC, we observe and foster the highest standards of conduct, consistent with our values, duties and responsibilities, and in support of our Mission, Vision and Values.

We are committed to the following standards of conduct:

- We act at all times in full compliance with both the letter and the spirit of all applicable laws.
- We are committed to prudent and responsible stewardship through adherence to the highest standards of sound financial management.
- We do not place ourselves in situations of real, potential or apparent conflict of interest. Accordingly, we disclose when considering or engaged in outside employment and/or ownership of our own business as well as volunteering with organizations or publishing articles. We comply with guidelines related to gifts, hospitality and other benefits.
- We protect and safeguard confidential and personal information, and use it for the purposes for which it was originally collected or created or for consistent purposes in accordance with ATIP legislation.
- We ensure the proper management of procurement activities through compliance with all applicable practices, controls and policies.
- We account for and protect government property and other valuables that we possess or manage. In addition, we use government-owned or -leased property or valuables for authorized business purposes. We adhere to policies and guidelines regarding government computer systems and electronic networks.
- We recognize that in our role as public servants, we owe a duty of loyalty to the Government of Canada. As such, we ensure that our public statements and our actions—including our off-duty conduct—support our ability to carry out our duties; preserve our impartiality and objectivity in the execution of our duties; and reflect positively on our organization.
- We create and maintain accurate, reliable and usable records in support of ongoing business and we protect the integrity of those records.
- We observe health, safety and security rules and procedures at all times, and promptly report any actual or potential work-related hazard, accident or injury.
- We adopt at all times appropriate, reasonable and respectful behaviour and language that reflect the professional image of the organization and Canada's public service.
- We adopt a way of dressing appropriate to our workday, based on our meetings, functions and tasks.
- We adhere to the principles of merit, non-partisanship, fairness, transparency, access and representativeness in our staffing processes.
- We do not engage in any discriminatory practices and at all times support a workplace free from harassment and violence.
- We protect the professional reputation of MPCC employees and the integrity of MPCC operations by reporting any suspicion of work-related wrongdoing to management and/or other appropriate authorities. We do so in good faith and, as embodied in the [Public Servants Disclosure Protection Act](#).
- We respect and follow MPCC organizational policies, directives and guidelines.

- If we are a member of a professional group, we abide by the professional code of conduct of our group, order, association or society.
- We will not report to work while impaired by any substance.

MPCC Statement on Conflict of Interest

Context

As a part of the *MPCC Code of Conduct*, each employee is responsible for preventing real, potential or apparent conflicts of interest. Employees are also required to observe any specific conduct requirements or conflict of interest guidelines applicable to their profession.

Purpose

The purpose of this organizational Statement on Conflict of Interest is to enhance and maintain public confidence in the integrity of employees of MPCC by:

1. informing employees of the public service values and the measures required to comply with the Values and Ethics Code for the Public Sector;
2. minimizing the possibility of conflicts of interest arising between the private interests, such as family or personal relationships, and the public service duties of employees, and providing for their resolution in the public interest should they arise;
3. minimizing the real or perceived possibility of former employees:
 1. receiving preferential treatment or privileged access to government after leaving public office;
 2. taking personal advantage of information obtained in the course of official duties before it has become available to the general public;
 3. using public office to gain an unfair advantage in obtaining employment outside the public service.

Definitions

Apparent conflict of interest (*conflit d'intérêts apparent*): A situation that could be perceived as a conflict of interest by a reasonable observer, whether or not it is the case.

Conflict of duties (*taches conflictuelles*): A conflict, whether real, apparent, or potential, that arises not because of the private interests of a person employed in the core public administration, but as a result of one or more concurrent and competing official responsibilities.

Conflict of Interest (*conflit d'intérêts*): A situation, whether real, apparent or potential, in which the person employed has private interests that could influence the performance of their official duties and responsibilities or in which the person employed uses their office for personal gain.

Potential conflict of interest (*conflit d'intérêts potentiel*): A conflict of interest situation that could reasonably be foreseen to happen in the future.

Responsibilities and Accountabilities

In accordance with the requirements in the Policy on People Management, the [Deputy Head has designated a senior official](#) with delegated authority with regard to prevention and resolution of conflict of interest and conflict of duties situations.

The senior official is responsible for:

1. reviewing employee declarations;
2. advising the employee in writing as expeditiously as possible of the decision as to whether or not a real, potential or apparent conflict of interest exists or may exist;
3. advising the employees that they can or cannot engage in remunerated employment or outside activities (including volunteer activities and publishing) and providing explanations;
4. advising the employee of the necessary measures to take to ensure compliance with the Values and Ethics Code for the Public Sector and the *MPCC Code of Conduct* and of the time frame within which such measures are to be taken, in the event that such a conflict of interest does or will exist;
5. in cases of conflict of interest, following up at the end of the time frame to ensure the employee has complied with the necessary measures;
6. sending out annual reminders to all employees.

Employees are responsible for:

1. taking all possible steps to recognize, prevent, report, and resolve any real, apparent or potential conflicts of interest between their official responsibilities and any of their private affairs;
2. unless formally approved by the senior official, refraining from having private interests that would be unduly affected by government actions in which they participate, or of which they have knowledge or information;
3. reporting fully and without delay any outside activities (not remunerated), relationships, assets or liabilities that place or may place them in a conflict of interest (see [Annex A - List of reportable assets and liabilities](#));
4. in cases of real, apparent or potential conflicts of interest, and in all cases of outside/remunerated employment, sending a Conflict of Interest Declaration describing the situation to the senior official, for review and receiving a written response **before** starting the remunerated outside employment;
5. reviewing their personal situation at least annually, and as circumstances warrant, and if necessary, submitting a revised Conflict of Interest Declaration for review;
6. not knowingly taking advantage of, or benefiting from, information that is obtained in the course of their duties that is not available to the public;
7. refraining from the direct or indirect use of, or allowing the direct or indirect use of, government property of any kind, including property leased to the government, for anything other than officially approved activities;
8. not assisting private entities or persons in their dealings with the government where this would result in preferential treatment of the entities or persons;
9. not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome;

10. maintaining the impartiality of the public service and not engaging in any outside or political activities that impair or could be seen to impair their ability to perform their duties in an objective or impartial manner;
11. ensuring that any real, apparent or potential conflict that arises between their private activities and their official responsibilities as a public servant is resolved in the public interest;
12. minimizing, when leaving the public service, the possibility of real, apparent, or potential conflicts of interest between their new employment and their former responsibilities within MPCC and doing so before engaging in new employment;
13. In addition to the above, employees in the executive category (EX and LC) are subject to a one-year limitation period after leaving office. Before leaving office and during this one-year limitation period, employees are to report to the senior official all firm offers of employment or proposed activity outside the public service that could place them in a real, apparent or potential conflict of interest with their MPCC employment. They are also to disclose immediately the acceptance of any such offer. Employees in the executive category shall not, without receiving written authorization from the senior official:
 1. accept appointment to a board of directors of, or employment with, private entities with which they had significant official dealings during the period of one year immediately prior to the termination of their service (the official dealings with question may be either directly on the part of the public servant or through their subordinates)
 2. make representations to any government organization on behalf of, persons or entities outside the public service with which they had significant official dealings, during the period of one year immediately prior to the termination of their service) the official dealings in question may be either directly on the part of the public servant or through their subordinates) or
 3. give advice to their clients or employer using information that is not publicly available concerning the programs or policies of the departments or organizations with which they were employed or with which they had a direct and substantial relationship.

Compliance and Reporting

1. Employees who disagree with the measures prescribed by the senior official to ensure compliance with the *MPCC Code of Conduct* are encouraged to discuss the issue with that official.
2. In the event they are unable to resolve the issue, employees may present a grievance against the prescribed measures in accordance with the relevant collective agreements or their [terms and conditions of employment](#).
3. An employee who fails to comply with the both the Values and Ethics Code for the Public Sector or the *MPCC Code of Conduct* may be subject to corrective action up to and including termination of employment.

References

Acts and Regulations

- [Canada Labour Code](#)
- [Federal Accountability Act](#)
- [Financial Administration Act](#)
- [Privacy Act](#)
- [Public Servants Disclosure Protection Act](#)
- [Public Service Employment Act](#)
- [Public Service Labour Relations Act](#)
- [Workplace Harassment and Violence Prevention Regulations \(WHVP\)](#)

Treasury Board of Canada Secretariat Publications

- [Collective Agreements](#)
- [Contracting Policy](#)
- [Policy on People Management](#)
- [Directive on Travel, Hospitality, Conference and Event Expenditures](#)
- [Directive on Conflict of Interest](#)
- [Directive on the Duty to Accommodate](#)
- [Directive on Employment Equity, Diversity and Inclusion](#)
- [Directive on Performance Management](#)
- [Duty of Loyalty](#)
- [Policy on People Management](#)
- [Directive on the Prevention and Resolution of Workplace Harassment and Violence](#)
- [Values and Ethics Code for the Public Sector](#)
- [Terms and Conditions of Employment](#)

Inquiries

For additional guidance concerning the Values and Ethics Code for the Public Sector, the Directive on Conflict of Interest and this *MPCC Code of Conduct*, please contact Julianne Dunbar, Senior General Counsel and Director General.

Annex A - List of reportable assets and liabilities

As per the [Directive on Conflict of Interest](#), the senior official must identify the types of assets and liabilities that must be reported by persons employed because ownership might constitute a real, apparent or potential conflict of interest and created and update, as require, the list of reportable assets and liabilities.

As of July 1, 2021, the senior official has not identified any assets and liabilities that must be reported. This decision might be revised and a list could be established in the future.

Regardless of this decision, employees covered by the Directive on Conflict of Interest and the *MPCC Code of Conduct*, are still required to report in writing all outside employment, and activities such as volunteering and publishing, assets, liabilities and interests that might give rise to a real, apparent or potential conflict of interest in relation to their official duties and responsibilities. They also have to report in writing when concurrent or competing official responsibilities give rise to a conflict of duties situation.