

Code of Conduct



Consent and Capacity Board

1. PURPOSE AND APPLICATION

This Code of Conduct sets out the standards of conduct governing the professional and ethical responsibilities of members of the Consent and Capacity Board from the beginning of their term of appointment and ongoing obligations as an appointee. It addresses the principles of good conduct, collegial responsibility and personal conduct. Appointees are responsible for applying an appropriate standard of conduct and acting in an ethical and professional manner.

The principles set out in this code are founded on the professional and ethical values of public service, which are set to uphold the public trust.

This Code of Conduct does not refer to appointees' legislated obligations regarding a conflict of interest or political activity rights and obligations. Please refer to the *Public Service of Ontario Act, 2006* and its regulations. Also, it is not intended to conflict with any legal or professional requirements.

2. PRINCIPLES OF CONDUCT

Compliance with Laws

Members shall act in accordance with all applicable laws and should comply with the spirit and intent of the law.

Members shall not commit or condone an unethical or illegal act or invoke another to do so.

Members should be familiar with legislation, policies and directives that apply to their work and the work of the Board in order to comply with or facilitate others' compliance with applicable laws.

Fairness and Courtesy

Members have an obligation to comply with procedural fairness and natural justice requirements and to act impartially in the conduct of proceedings, including in matters of law and Member attitude and demeanour.

Members should treat each person with dignity and respect and in a manner that builds trust.

Accessibility

Members should treat those who appear before the Board fairly, without discrimination or favouritism.

Members should be aware and respectful of social and cultural differences. In the course of their duties, they should act in a manner that promotes an appreciation of diversity.

Members must be sensitive to potential barriers to accessibility.

Members should conduct hearings such that those who appear before the Board understand procedures and practices and can participate equally, whether or not they are represented.

Timeliness

Members should take all reasonable steps to ensure that proceedings are concluded in a timely manner, avoiding unnecessary delays and cancellations of proceedings.

Presiding members must provide the decision(s) to parties by the end of the day following the hearing.

Presiding members must issue Reasons for Decision within four business days of the request.

Members should meet the timeliness standards established by the Board.

Quality and Consistency

Members should be fully prepared for a proceeding and ensure that proceedings are orderly.

Members should maintain the integrity of the hearing process.

Members should ensure that decisions are prepared in accordance with the Board's guidelines on form and language, and meet the Board's standards for quality decision-making.

Members should recognize the public interest through consistency and predictability in the exercise of their independent decision-making authority by considering relevant facts and evidence as well as law and jurisprudence.

Transparency

Members should ensure that proceedings are conducted in a manner that is transparent and seen to be fair.

Members should act in a transparent and accountable manner regarding their personal and professional actions, in such a fashion that actions would bear close public scrutiny.

Expertise and Competence

Members should commit the time and effort required for the work of the Board.

Members should maintain a high level of professional competence and knowledge required to discharge their obligations and duties.

Members should remain current in the field by participating in Board discussions and ongoing professional development.

Members should contribute their unique skills, experience and knowledge to the Board.

Optimum Cost

Members should ensure that proceedings are streamlined to the best extent possible without sacrificing fairness.

Members should respect the use and treatment of public funds.

Integrity

Members should act with honesty, integrity and high ethical standards.

Members shall not engage in conduct that exploits their position as a member.

Members should conduct themselves personally and professionally in a manner consistent with the nature of their responsibilities and the maintenance of public confidence in the administration of justice.

Collegiality

Members should foster a collegial working environment and conduct themselves in a manner that reinforces the integrity and professionalism of the Board among appointees and with staff.

Members should conduct themselves in a manner that demonstrates respect for the views and opinions of colleagues.

Members should share their knowledge and expertise with other appointees as requested and appropriate.

Members should not comment publicly on another member's decision or conduct.

Objectivity and Impartiality

Members should approach every proceeding and every issue arising in a proceeding with an open mind, and avoid doing or saying anything to cause any person to think otherwise.

Members should be independent in decision-making.

In the conduct of Board proceedings, members' decisions should be based on an application of the relevant law to the evidence presented in each case.

Confidentiality

Members shall consider the privacy interests of individuals in the conduct of hearings and decisions, and act in accordance with applicable laws.

Members must not disclose information that the Board considers to be confidential.

Members must not take advantage of confidential information obtained through official duties to obtain a personal benefit.

Members should follow Board protocols for communicating with/in the media and should not communicate with the media regarding a decision.

3. ACKNOWLEDGEMENT

Each member must adhere to this Code of Conduct and commit to supporting standards set out in applicable legislation, policies or guidelines.

Members should review and reaffirm their commitment to and compliance with the Board's Code of Conduct upon initial appointment and on a regular basis thereafter.

I ACKNOWLEDGE that I have read and understand the Code of Conduct of the Consent and Capacity Board and agree to conduct myself in accordance with the Code of Conduct.

Signature of Appointee

Date

Signature of Consent and Capacity Board Witness

Date