

**ALBERTA COLLEGE OF PHARMACY
COUNCIL GOVERNANCE POLICY**

Policy Name: **Code of Conduct**

Policy Number: **GP-8**

Policy Type: **Governance Process**

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The Council expects ethical, professional and lawful conduct of itself and its Councillors. Accordingly, the role of a Councillor encompasses the following:

1.0 Duties of a Councillor

1.1 A Councillor has a duty to:

- 1.1.1 Act honestly and in good faith.
- 1.1.2 Be knowledgeable about their legislative, fiduciary, strategic, and long term, visionary (generative) responsibilities.
- 1.1.3 Be familiar with the rules and policies for the governance of the College.
- 1.1.4 Seek to understand the public, stakeholders and registrants.
- 1.1.5 Align with the values expressed by the College when voting on decisions.
- 1.1.6 Respect fellow Councillors and staff.
- 1.1.7 Attend all Council meetings; and if not possible, notify the President and Registrar in advance with reasons.
- 1.1.8 Prepare for and actively participate in each Council meeting.
- 1.1.9 Respect the process for debate and discussion on issues.
- 1.1.10 Follow the procedures for the conduct of a Council meeting (see Appendix).
- 1.1.11 Honor decisions of Council.
- 1.1.12 Participate in educational activities designed to enhance their governance abilities.
- 1.1.13 Hold themselves to the highest standard of professional and personal conduct.

2.0 Conflict of Interest

- 2.1 A Councillor must avoid perceived or real conflict of interest in their role by:
 - 2.1.1 Declaring a conflict of interest prior to the start of the business of a meeting if required.
 - 2.1.2 Removing themselves from a decision of Council if in a conflict of interest.
 - 2.1.3 Not using their position to obtain employment for themselves or others at the College.
 - 2.1.3.1 Should a Councillor apply for employment at the College, they must take a leave of absence from Council.
 - 2.1.3.2 Should a Councillor be hired for employment at the College, the Councillor must resign from Council.
 - 2.1.4 Not participating as a board or committee member for the Alberta Pharmacists' Association, the Pharmacy Technician's Society of Alberta, or any other advocacy organization that represents pharmacists, pharmacy technicians, or pharmacy owners.
 - 2.1.5 Deferring to the decision of Council as the final arbitrator of a conflict of interest.

3.0 Gifts

- 3.1 A Councillor may not solicit or accept gifts, monetary or otherwise, while acting in an official capacity except:
 - 3.1.1 Mementos of nominal value for giving a speech or participating in a conference as a representative of the Council.
 - 3.1.2 Reasonable customary hospitality (e.g. meals) from individuals seeking access to the Council.

4.0 Confidentiality

- 4.1 A Councillor must keep all information confidential with respect to all information coming to their knowledge in the course of their duties, except:
 - 4.1.1 Information that is available to the public.
 - 4.1.2 Consent has been provided to release information.
- 4.2 A Councillor may not disclose or publicly discuss matters experienced at hearings even if the hearing is open to the public.
- 4.3 A Councillor may disclose information to his or her legal counsel.

5.0 Relations with Media

- 5.1 A Councillor may not speak with the media as a representative of Council unless designated and trained as a media contact.

6.0 Relations with staff

- 6.1 A Councillor may not interfere in the Registrar's responsibility for staff.

7.0 Violations

- 7.1 A Councillor ("the council member") who is alleged to have violated any of their roles and responsibilities will:
 - 7.1.1 In the first instance, be addressed in person by the President or President Elect, who will outline the allegation and the complainant, and seek resolution as appropriate. If there is concern about the conduct of the President, this concern should be addressed in person by the President Elect;
 - 7.1.2 In the second instance,

- 7.1.2.1 be informed in writing about the allegations and identity of the complainant,
- 7.1.2.2 be invited to respond to the allegation in writing to the President or President Elect within 21 days of the allegation being mailed by the President or President Elect, outlining the council member's views on the allegation, providing a proposed resolution as appropriate,
- 7.1.2.3 if the President or President Elect is not satisfied with the response of the council member, the President or President Elect will invite the council member to present their views on the alleged breach at an "*In Camera*" discussion at the next meeting of Council.

7.2 Should Council determine that a council member has violated this code of conduct, the member may be subjected to censure from Council.

7.3 Should censure be considered by Council, "the council member" and the complainant (if that be another council member) shall remove themselves from the meeting if a vote is determined necessary.

8.0 Referral of Matters to Hearing Tribunal and Criminal Charges

8.1 If a Member of Council:

- a) Has allegations of unprofessional or unethical conduct referred to a Hearing Tribunal of the College; or,
- b) Is charged under the Criminal Code of Canada; then, the Member of Council must "step aside" (take a leave of absence) from council until such time that all proceedings related to the charges or allegations have concluded.

Appendix GP-8 Code of Conduct

Council may conduct meetings in various forums; open, closed, or “In Camera”. These definitions provide clarity about the forums of council and the nature of the deliberations that may be held in each type of forum, including rules that apply to any forum.

DEFINITIONS

- Open Council Meeting – means any meeting or portion of a meeting that includes voting Members of Council, non-voting Members of Council, staff, and other resources invited by Council; and, that registrants and members of the public may attend to observe Council deliberations.
- Closed Council Meeting – means any meeting or portion of a meeting that includes voting Members of Council, non-voting Members of Council, staff, and other resources invited by Council; but that registrants and members of the public may not attend as observers. Minutes that reflect decisions of council and the reasons for their decision will be recorded and be publically available.
- In Camera Meeting – means any meeting or portion of a meeting that is restricted to voting Members of Council, other Executive Committee Members who do not have voting privileges, and the Registrar; except situations where the employment or conduct of the Registrar is being deliberated, in which case the Registrar will not be present. Minutes will not be recorded for “In Camera” meetings. Decisions requiring a motion will be made and recorded, once Council moves out of its “In Camera” discussion.

RULES

1. All Open Council Meetings will be open to registrants and members of the public.
2. Council may hold Closed or In Camera Meetings in the following circumstances:
 - a. When legally privileged or confidential matters are discussed.
 - b. When deliberations are about an individual, or a group of individuals through which the subjective considerations of a single individual can be identified;
 - c. When the Council engages in board development and/or planning events; or,
 - d. As otherwise agreed to by two-thirds majority of Council.
3. Notice of meetings will be provided electronically through the college’s website or “The Link”. Individuals wishing to attend the meeting as an observer, must pre-register at least 5 working days in advance with the Registrar’s office.
 - a. Where space is limited, priority for attendance will be given to registrants of the college.

4. Cell phones, pagers, i-pads, tablets, computers and other electronic devices must be shut off in the meeting room; with the exception of those being used by Council Members, staff, or other resources invited by Council for the purpose of facilitating the meeting. Video and audio recording, other than that approved by the President, will not be permitted in the meeting.
 - a. Individuals failing to comply with this requirement will be requested to leave the meeting room.

5. Members of the public may attend council meetings as observers and may only participate in Council discussions upon request and approval of the Council.

RELATED LEGISLATION

ACP Bylaws s14 (6) - Council may establish the procedures to be used at Council meetings.