

**ALBERTA COLLEGE OF PHARMACY  
COUNCIL GOVERNANCE POLICY**

Policy Name: **Code of Conduct**

Policy Number: **GP-8**

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Council Members and the Council as a whole have a responsibility to conduct themselves professionally, ethically, and lawfully at all times. Council Members act on behalf of society to govern in a manner that deserves respect and maintains the integrity of the College and the professions it regulates. This responsibility endures their term of office at all times; not just when attending to Council business.

Accordingly, the role of a Councillor encompasses the following:

1. Conflict of Interest and Conflict of Role

Conflict of interest occurs when an individual's personal interest is put before that of the organization. Role conflict occurs when an individual's responsibilities to another organization conflict with that of the organization.

1.1 A Councillor must avoid perceived or real conflict of interest or conflict in their role.

1.2 A Council Member must comply with the procedures in Appendix A when applying for employment with the College.

## 2. Gifts

- 2.1 A Councillor may not solicit or accept gifts, monetary or otherwise, while acting in an official capacity.
  - 2.1.1 Honorariums, meals, travel expenses may be accepted from a sponsoring organization that has requested a Council Member's participation at an event when representing or acting on behalf of ACP.
  - 2.1.2 Ethical and professional judgement must be exercised by a Council Member should any other offer by an individual or organization be made to them.

## 3. Confidentiality

- 3.1 A Council Member must keep all information confidential with respect to all information coming to their knowledge in the course of their duties, except:
  - 3.1.1 Information that is available to the public.
  - 3.1.2 Consent has been provided to release information.
- 3.2 A Council Member may not disclose or publicly discuss matters experienced at hearings even if the hearing is open to the public.
- 3.3 A Council Member may disclose information to their legal counsel.

## 4. Relations with Media

- 4.1 A Council Member may not speak with the media as a representative of Council unless they are requested and authorized by the President to do so.

## 5. Use of Social Media<sup>1</sup>

- 5.1 Council Members have opportunity to interact with regulated members and the public through social media. When doing so, Council Members shall:
  - 5.1.1 Uphold ACP's mandate to govern ACP regulated members and pharmacy owners and proprietors in a manner to protect Albertans.
  - 5.1.2 Be conscious of their role on Council and be aware that any engagement through social media may be seen as a reflection of ACP or interpreted as an official position of ACP.
  - 5.1.3 Clarify in all engagement using social media that they are offering their personal opinions and that their opinions are not reflective of ACP Council.
  - 5.1.4 Prior to engaging through social media, review all the content they are considering posting to ensure that it does not conflict with ACP's mandate, and to the extent possible, lends support to it.
  - 5.1.5 Consult with the Registrar for support:
    - 5.1.5.1. Prior to engaging through social media about any deliberation from a council meeting, to ensure that it provides a fulsome perspective and that the content and context are correct.
    - 5.1.5.2 If they are unsure about the implications of any engagement that they are considering.

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<sup>1</sup> Adapted from the Social Media Policy of the College of Physicians and Surgeons of Alberta (CPSA); ay 2021, motion number C20-21

## **APPENDIX A Procedures**

### **Adjudicating Conflict of Interest**

1. When commencing meetings of council, the President will request that Council Members disclose any potential conflicts of interest or conflicts of role.
2. Council Members will disclose any potential conflicts of interest or conflicts in role that they may be subject to.
3. Council Members disclosing a potential conflict, will “stand aside” and Council will deliberate:
  - 3.1 Whether a real or perceived conflict exists; and,
  - 3.2 If so, what steps to take to mitigate any risk associated with it.
4. If Council determines that a real or perceived conflict exists, the council may request the Council Member to:
  - 4.1 Not include themselves in any or all of the Council deliberations.
  - 4.2 Excuse themselves from the meeting during any or all of the Council deliberations.
5. Council is the final arbitrator in a decision of conflict of interest or conflict of role; and therefore, the decision of the Council is final.

### **Applying for Employment with the College**

1. A Member of Council who applies for employment with the College must: take a leave of absence from Council; and,
2. Should a Council Member be hired for employment with the College, they must resign from Council.

### **Violations**

1. A Councillor (“the Council Member”) who is alleged to have violated any of their roles and responsibilities will:
  - 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;
  - 1.2 In the second instance,
    - 1.2.1 be informed in writing about the allegations and identity of the complainant, 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,
    - 1.2.2 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.

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

### **Referral of Matters to Hearing Tribunal and Criminal Charges**

1. If a Member of Council:
  - 1.1 Has allegations of unprofessional or unethical conduct referred to a Hearing Tribunal of the College; or,
  - 1.2 Is charged under the Criminal Code of Canada; then,
2. 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 B Conduct of Meetings**

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 publicly 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:
  - 2.1 When legally privileged or confidential matters are discussed.
  - 2.2 When deliberations are about an individual, or a group of individuals through which the subjective considerations of a single individual can be identified;
  - 2.3 When the Council engages in board development and/or planning events; or,
  - 2.4 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.
  - 3.1 Where space is limited, priority for attendance will be given to registrants of the College.
4. Cell phones, pagers, iPads, 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.

4.1 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 s17(6) - Council may establish the procedures to be used at Council meetings.