

May 2024

To: GCWCC Champions and Leaders

From: Paul Thompson, (he, him)
2024 GCWCC National Chair
Deputy Minister, Employment and Social Development Canada

SUBJECT: Gift Solicitation for the Government of Canada Workplace Charitable Campaign (GCWCC)

The Government of Canada Workplace Charitable Campaign (GCWCC) launches in September 2024. This year's national campaign will be community-focused, one that continues to uphold reconciliation, diversity, equity, inclusion, accessibility, and Official Languages.

As we bring public servants together through the GCWCC, we need to uphold the Public Service's Values and Ethics, integrity, and avoid all apparent, real, or potential conflicts of interest. This letter is intended to provide guidance on the solicitation of gifts through the GCWCC. Please share this information with your campaign teams.

1. Values and Ethics Code for the Public Sector

The [Values and Ethics Code for the Public Sector](#) outlines the values and expected behaviours that guide public servants in all activities related to their professional duties. This includes charitable activities under the GCWCC.

2. Directive on Conflict of Interest

The [Directive on Conflict of Interest](#), subsection 4.2.17 states that persons employed by the government must not solicit gifts, hospitality or transfers of economic value from persons or organizations in the private sector with which the federal government has or may have official dealings, unless they have prior written approval from their Deputy Head. This applies also to charitable activities under the GCWCC.

The reasons for this requirement includes:

- It helps avoid situations where prospective donors, because of their business relationship with the department or agency concerned, feel pressure to donate.
- Donations obtained through these business relationships could inadvertently put all parties in an apparent, potential, or even real conflict of interest situation.
- Deputy heads are accountable to ensure that the *Values and Ethics Code for the Public Sector* and the *Directive on Conflict of Interest* are fully upheld in their organizations. This requirement helps ensure they have the chance to exercise that accountability by determining what types of



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fundraising activities are appropriate, and with whom, based on the organization's particular operating environment.

- This requirement ensures that the *Directive on Conflict of Interest* is consistent with section 121(1)(c) of the *Criminal Code*.

3. Conflict of Interest Act

The [Conflict of Interest Act](#) applies to “public office holders”, a term that is defined to include Governor in Council appointees including Deputy Heads, with some exceptions outlined at ss. 2(1)(d)(i)-(vii) of the Act. The Act contains provisions that limit public office holders to personally solicit funds, including an outright prohibition if doing so would place the public office holder in a conflict of interest. “Conflict of interest” is defined in the *Act*, namely section which states, *For the purposes of this Act, a public office holder is in a conflict of interest when he or she exercises an official power, duty or function that provides an opportunity to further his or her private interests or those of his or her relatives or friends or to improperly further another person's private interests.*

4. A note on charitable gaming

The [Directive on Conflict of Interest's FAQs page](#) outlines the principles for games of chance for charitable fundraising, such as 50-50 draws and auctions.

Charitable gaming is not considered solicitation in the *Directive on Conflict of Interest* but has values and ethics considerations. Charitable gaming is provincially regulated and licenced.

The *Values and Ethics Code for the Public Sector*, Respect for Democracy, expected behaviour 1.1, requires public servants to respect the rule of law. Games of chance must be organized according to local and provincial regulations and be permitted by the Deputy Head. Departments should consult their [local manager](#) for charitable gaming licencing requirements.

5. Submitting leave

Employees may need to submit leave depending on the nature of the event. For example, all day events such as charitable golf tournaments would require the use of annual or compensatory leave. If management receive such requests and have any questions or need advice, they should consult their departmental Labour Relations team.

6. Maintaining public service integrity

The integrity of the public service is the responsibility of all public servants. Everyone is required to use extra prudence with ongoing contractual or negotiation considerations between departments and external organizations.

This responsibility includes ensuring that:



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- Solicitations are aligned with a charitable cause.
- Solicitors are not perceived as receiving personal gain from donations.
- Donors do not feel pressured to contribute because of existing or potential relations with the government.
- Donors are not perceived as receiving favouritism for donating.

Departmental roles and responsibilities need to be reviewed to identify appropriate, inappropriate, and alternative donation activities. Deputy heads may need to limit or prohibit donor solicitations to avoid an apparent, real, or potential conflict of interest.

I appreciate your attention to this matter and ask that you share this information with your campaign teams.

If you have any questions about the requirements related to solicitation under the *Values and Ethics Code for the Public Sector* or the *Directive on Conflict of Interest*, I invite you to contact your organization's values and ethics team.