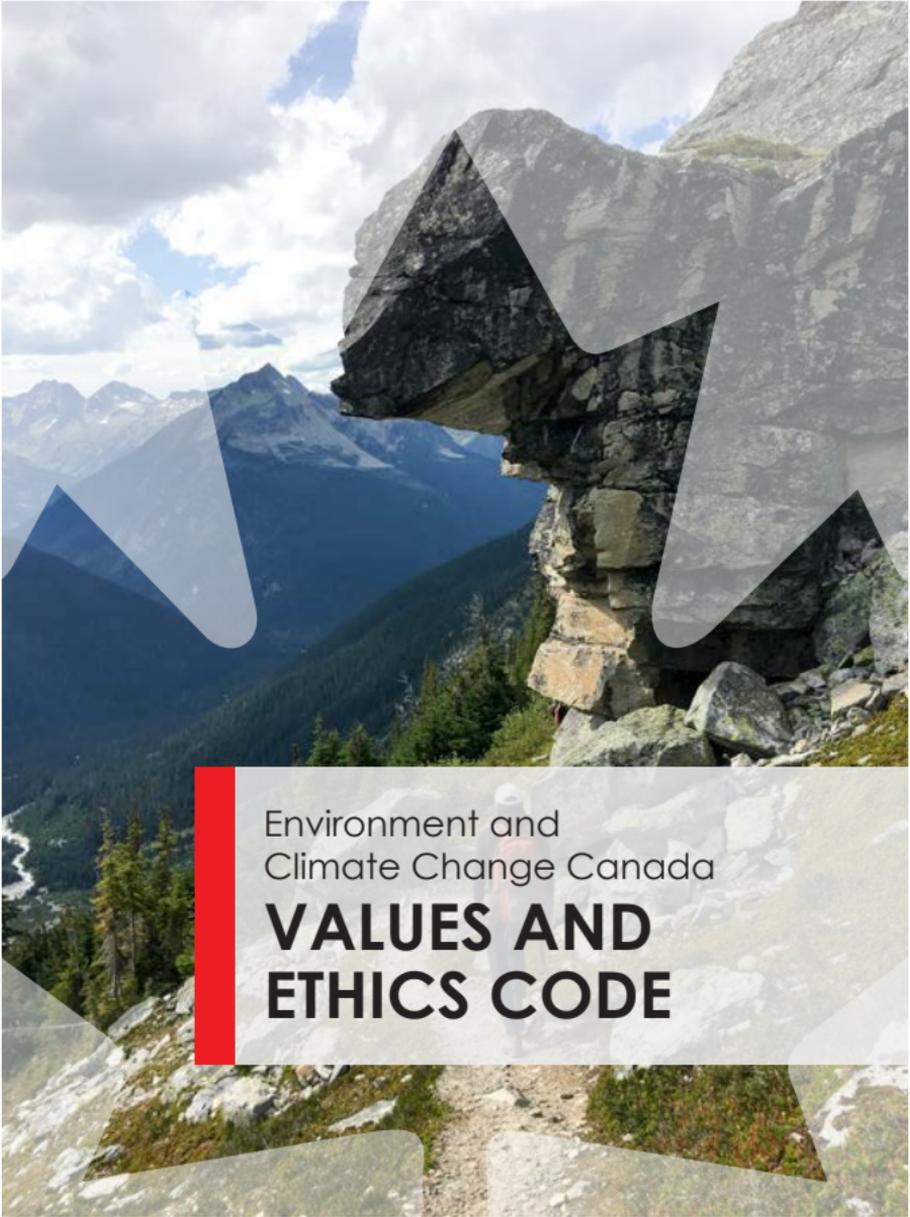




Environment and
Climate Change Canada

Environnement et
Changement climatique Canada



Environment and
Climate Change Canada

VALUES AND ETHICS CODE

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Environment and
Climate Change Canada

**VALUES AND
ETHICS CODE**

Introduction from the Deputy Minister and Associate Deputy Minister

The Public Service of Canada has the reputation of being one of the best public service organizations in the world. We strongly believe that this reputation is founded on our Public Service values and ethics. The *Environment and Climate Change Canada Values and Ethics Code* (Code) forms the basis of the standards we are committed to every day in our actions and decisions; its values are extremely important and everyone who works at Environment and Climate Change Canada (ECCC) is expected to live by them.

The Code inspires and guides us towards common goals. Let us be mindful of the impact of our actions and decisions on others, and on the public interest. Upholding this interest is at the heart of public trust, and that is why we are all responsible for safeguarding the integrity of our organization.

We invite you to familiarize yourself with this Code and to refer to it regularly. The Code is a condition of employment; let us be true both in letter and in spirit, in how we conduct ourselves and in the manner we do our work at ECCC.

Thank you for your effort to uphold the highest ethical standards and safeguard public trust.

Sincerely,



Stephen Lucas
Deputy Minister



Martine Dubuc
Associate Deputy Minister

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CHAPTER 1

Introduction

1. Objectives

The *Environment and Climate Change Canada Values and Ethics Code* sets out the conduct expected of you as a public servant and Environment and Climate Change Canada employee, in all activities related to your professional duties, as well as the values underlying those expectations. In agreeing to work for Environment and Climate Change Canada, you agree to abide by the expected conduct and values outlined in this Code. By adhering to this Code, you help to strengthen the ethical culture of our department and to build public confidence in the integrity of our system of government.

This Code was developed in consultation with employees, management and bargaining agents, and fulfills the requirement of sections 5 and 6 of the *Public Servants Disclosure Protection Act*.

When ethical concerns arise, you are encouraged to discuss and resolve these matters in a timely manner with your immediate supervisor or with the Values, Integrity and Disclosure Division. Ethical concerns must be handled in a fair and respectful manner, and, where appropriate, should be resolved informally.

2. Application

Adherence to this Code is a condition of employment for every person employed at Environment and Climate Change Canada, regardless of level or position, and regardless of whether the type of employment is indeterminate, term, assignment, leave with or without pay, student, casual, seasonal or part-time. Any volunteers in the Department are expected to respect its provisions.

By upholding these ethical standards, employees conserve and enhance public confidence in the honesty, fairness and integrity of the federal public service.

3. Consequences

An employee who does not comply with this Code may be subject to disciplinary measures, up to and including termination of employment.

4. Effective Date

The *Environment and Climate Change Canada Values and Ethics Code* was approved by the Deputy Minister on June 29, 2012, and came into force on August 1, 2012.

CHAPTER 2

Our Department

1. The Role of Environment and Climate Change Canada

Environment and Climate Change Canada is the federal lead department on a wide range of environmental issues facing Canadians. As a science-based department, Environment and Climate Change Canada addresses these issues through research, policy development, service delivery to Canadians, regulation and enforcement of environmental laws, and strategic partnerships. Programs are focused on conserving and restoring Canada's natural environment; equipping Canadians to make informed decisions on weather, water and climate conditions; and minimizing threats to Canadians and their environment from pollution. The Department's program focus reflects the increasingly evident interdependence between environmental sustainability and economic well-being.

A number of acts and regulations provide the Department with its mandate and allow it to carry out its programs, which include:

- preserving and enhancing the quality of the natural environment, including water, air, soil, flora and fauna;
- conserving Canada's renewable resources;
- conserving and protecting Canada's water resources;
- forecasting daily weather conditions and warnings, and providing detailed meteorological information to all of Canada;
- enforcing laws and regulations that protect wildlife and the environment;
- coordinating and implementing environmental policies and programs of the Government of Canada.

2. Delivering on Our Mandate

Environment and Climate Change Canada employees deliver programs around three strategic outcomes:

- clean: by minimizing threats to Canadians and their environment from pollution;
- safe: by equipping Canadians to make informed decisions on changing weather, air, water and climate conditions;
- sustainable: by conserving and restoring Canada's natural environment for present and future generations.

Environment and Climate Change Canada employees support sound environmental decisions and are respectful and supportive of colleagues and clients, enabling them to achieve results for Canadians.

3. The Role of the Minister

Canadian democracy is founded on the constitutional principles of responsible government, in which the powers of the Crown are exercised by ministers who are in turn accountable to Parliament. In our department, the Minister of Environment and Climate Change plays a critical role in supporting our responsibility as employees to provide professional and frank advice.

4. Responsibilities of Management

Management has a particular responsibility to exemplify the values set out in this Code, and to support employees in this regard. Managers also have a responsibility to recognize and value the contribution of those who report to them and to foster workplace learning.

The Deputy Minister is responsible for fostering a strong culture of values and ethics in the Department, including the effective implementation and employee awareness of the *Environment and Climate Change Canada Values and Ethics Code* and the *Internal Disclosure Procedures* for allegations of wrongdoing in the Department.

The Deputy Minister is also responsible for ensuring non-partisanship in the provision of programs and services by the Department. The Deputy Minister and the Associate Deputy Minister are subject to this Code and to the *Conflict of Interest Act* (chapters 1-5).

5. Our Role as Environment and Climate Change Canada Employees

As dedicated professionals whose work is essential to our national well-being, Environment and Climate Change Canada employees are committed to serving the public interest and upholding the trust of Canadians. We serve Canadians and their communities, under the direction of the elected government and in accordance with the laws of Canada, recognizing that a professional and non-partisan public service is integral to our democracy.

CHAPTER 3

Values

The following values are the underlying basis of the conduct expected of you as a public servant and Environment and Climate Change Canada employee. Managers and employees alike are expected to integrate these values into their decisions, actions, policies, processes and systems, and to act accordingly. Likewise, all those employed by Environment and Climate Change Canada can expect to be treated in accordance with these values by the Department.

A. Public Service Values

1. Respect for Democracy

Canadian parliamentary democracy and its institutions are fundamental to serving the public interest. Environment and Climate Change Canada employees recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public service is essential to our democratic system.

Respecting our system of democracy means:

- 1.1 Respecting the rule of law and carrying out our duties in accordance with legislation, policies and directives in a non-partisan and objective manner.
- 1.2 Loyal carrying out the lawful decisions of our leaders and supporting ministers in their accountability to Parliament and Canadians.
- 1.3 Providing decision-makers with all the information, analysis and advice they need, always striving to be open, candid and impartial.

2. Respect for People

Treating all people with respect, dignity and fairness is fundamental to our relationship with the Canadian public and contributes to a safe and healthy work environment that promotes engagement, openness and transparency. The diversity of our people and the ideas we generate are the source of our innovation. Respecting people means:

- 2.1 Treating every person with respect and fairness.
- 2.2 Valuing diversity and the benefit of combining the unique qualities and strengths inherent in a diverse workforce.
- 2.3 Helping to create and maintain safe and healthy workplaces that are free from harassment and discrimination.
- 2.4 Working together in a spirit of openness, honesty and transparency that encourages engagement, collaboration and respectful communication.

3. Integrity

Integrity is the cornerstone of good governance and democracy. By upholding the highest ethical standards, employees conserve and enhance public confidence in the honesty, fairness and objectivity of the Department. Acting with integrity means:

- 3.1 Acting at all times in a manner that will bear the closest public scrutiny, an obligation that may not be fully satisfied by simply acting within the law.
- 3.2 Never using one's official role to inappropriately obtain an advantage for ourselves or to advantage or disadvantage others.
- 3.3 Taking all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between one's official responsibilities and one's private affairs in favour of the public interest.
- 3.4 Acting in such a way as to maintain our employer's trust.

4. Stewardship

Environment and Climate Change Canada employees are entrusted to use and care for public resources responsibly, for both the short-term and long-term. Responsible stewardship means:

- 4.1 Effectively and efficiently using the public money, property and resources we manage.
- 4.2 Considering the present and long-term effects that our actions have on people and the environment.
- 4.3 Acquiring, preserving and sharing knowledge and information as appropriate.

5. Excellence

Excellence in the design and delivery of public service policy, programs and services is beneficial to every aspect of Canadian life. Engagement, collaboration, effective teamwork and professional development are all essential to a high-performing organization. Professional excellence means:

- 5.1 Providing fair, timely, efficient and effective services that respect Canada's official languages.
- 5.2 Continually improving the quality of policies, programs and services we provide.
- 5.3 Fostering a work environment that promotes teamwork, learning and innovation.

B. Environment and Climate Change Canada Values

At Environment and Climate Change Canada, we recognize that the environment is vital to the identity and well-being of Canadians. We value the contribution of the natural and social sciences in making responsible decisions about the environment. We are committed to demonstrating integrity, trust and mutual respect in our working relationships. We value the dedication and teamwork of our people, and strive to provide high-quality service to the public. We act on these values by:

- leading by example, showing environmental responsibility in our own operations;
- encouraging innovation and initiative in our people, and a culture of learning in our department;
- operating in a way that is consistent with public service values;
- working collaboratively and respectfully with others, enhancing the efforts of all partners and stakeholders.

CHAPTER 4

Wrongdoing

1. Disclosure of Wrongdoing

As provided under sections 12 and 13 of the *Public Servants Disclosure Protection Act* (PSDPA), if you have information that could indicate a serious breach of this Code, you can bring the matter, in confidence and without fear of reprisal, to the attention of your immediate supervisor, to the Senior Officer for Disclosure, or to the Public Sector Integrity Commissioner. Employees who make a disclosure under the PSDPA are legally protected from any reprisal against them for having come forward with information related to any wrongdoing in the public service.

2. The Senior Officer for Disclosure

Environment and Climate Change Canada's Senior Officer for Disclosure is responsible for receiving and dealing with disclosures of wrongdoing in our department, and reports to the Deputy Minister as required by the PSDPA.

3. Disclosures from the Public

Any member of the public who has information indicating that an Environment and Climate Change Canada employee has committed a serious breach of this Code may raise the matter with the Senior Officer for Disclosure or with the Public Sector Integrity Commissioner.

CHAPTER 5

Conflict of Interest, Political Activities and Post-Employment

1. The Definition of a Conflict of Interest

In the context of this Code, a conflict of interest arises when you have a private interest that could improperly influence the performance of your official duties and responsibilities as an Environment and Climate Change Canada employee, or if you use your position for personal gain. A real conflict of interest exists at the present time, an apparent conflict of interest could be perceived by a reasonable observer to exist, whether or not it is the case, and a potential conflict of interest could reasonably be foreseen to exist in the future.

2. Preventing and Dealing with Conflict of Interest Situations

Environment and Climate Change Canada employees maintain public confidence in the objectivity of the Department by preventing and avoiding situations that could result in a real, apparent or potential conflict of interest. You are encouraged to seek guidance from your manager or from the Values, Integrity and Disclosure Division.

As employees, we can prevent conflicts from arising between our public duties and private interests by:

1. taking all reasonable steps to recognize, prevent, report and resolve any real, apparent or potential conflicts of interest between our official responsibilities and our private affairs;
2. refraining from having private interests that could be affected by government decisions and actions in which we participate;
3. not knowingly taking advantage of or benefiting from information that is obtained in the course of our official duties and that is not available to the public;
4. refraining from the direct or indirect use of, or allowing the direct or indirect use of, federal government property, including property leased to the government, for anything other than officially approved activities;

5. not assisting private entities or persons in their dealings with the government, where this would result in preferential treatment of the entities or persons;
6. not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome; and
7. maintaining the impartiality of the public service and not engaging in any outside activity that impairs or could be seen to impair our ability to perform our duties in an objective manner.

3. Social Media and Conflicts of Interest

With the permanent and pervasive nature of information technology, public servants should be particularly sensitive to real, apparent or potential conflicts of interest that may arise from messages and information transmitted via the Internet and other media.

4. Confidential Reports

You are required to report all outside activities, assets and interests that might give rise to a real, apparent or potential conflict of interest in relation to your official duties as an employee. This Confidential Report must be made within 60 days of your initial appointment (or any subsequent appointment, transfer or deployment) to the Values, Integrity and Disclosure Division, who will advise you (and, if necessary, the Department) on whatever action that may be required under the circumstances.

On a regular basis thereafter, and every time a major change occurs in your personal affairs or official duties, you are required to review your obligations under this Code. If a real, apparent or potential conflict of interest exists, you must file a report in a timely manner.

4.1 Assets

Employees are required to evaluate their assets, taking into consideration the nature of their official duties and the characteristics of their assets. If there is any real, apparent or potential conflict of interest between your official duties and your assets, you must report the matter to the Values, Integrity and Disclosure Division in a timely manner. Where the Values, Integrity and Disclosure Division determines that any of these assets results in a real, apparent or potential conflict of interest in relation to your duties and responsibilities, you may be required to divest those assets, or to take other measures to resolve the conflict. Employees may not sell or transfer assets to family members or anyone else for the purpose of circumventing the compliance requirements.

4.2 Outside Employment or Activities

Employees may engage in employment outside the public service and take part in outside activities unless the employment or activities are likely to give rise to a real, apparent or potential conflict of interest or would undermine the impartiality of the Department or the objectivity of the employee.

You are required to provide a report to the Values, Integrity and Disclosure Division when your outside employment or activities might subject you to demands incompatible with your official duties, or cast doubt on your ability to perform your duties in a completely objective manner. The Values, Integrity and Disclosure Division may require that the outside activities be modified or terminated if it is determined that there is any conflict of interest.

Employees who receive a benefit or income either directly or indirectly from a contract with the Government of Canada are required to report such arrangements to the Values, Integrity and Disclosure Division, who will determine whether the arrangement presents a conflict of interest and if it should be modified or terminated.

4.3 Political Activities

Employees considering involvement in political activity should seek the advice of the Department's Designated Political Activities Representative before initiating such involvement. Employees are required to seek and obtain permission from the Public Service Commission to seek nomination for, or be a candidate in, a federal, provincial, territorial or municipal election, in accordance with Part 7 of the *Public Service Employment Act* (PSEA).

“Political activities” are defined in Part 7 of the PSEA as “any activity in support of, within or in opposition to a political party; carrying on any activity in support of or in opposition to a candidate before or during an election

period; or, seeking nomination as or being a candidate in an election before or during the election period.”

Any employee who wishes to engage in a political activity not covered by Part 7 of the PSEA that could constitute a conflict of interest is required to report the proposed activity to the Designated Political Activities Representative. Similarly, any employee who is subject to this Code but who is not subject to Part 7 of the PSEA, who wishes to engage in any political activity that could constitute a conflict of interest, is to report the proposed activity to the Designated Political Activities Representative. This includes students appointed within student employment programs, and seasonal, casual and part-time workers.

4.4 Gifts, Hospitality and Other Benefits

You are expected to use your best judgment to avoid situations of real, apparent or potential conflict of interest by considering the following criteria on gifts, hospitality and other benefits while keeping in mind the full context of this Code.

As an employee, you must not accept any gifts, hospitality or other benefits that may have a real, apparent or potential influence on your objectivity in carrying out your official duties or that may place you under obligation to the donor. This includes activities such as free or discounted admission to sporting and cultural events, travel or conferences.

The acceptance of gifts, hospitality and other benefits is permissible if they:

- are infrequent and of minimal value;
- are within the normal standards of courtesy or protocol;
- arise out of activities or events related to the official duties of the employee concerned; and
- do not compromise or appear to compromise the integrity of the employee concerned and/or of Environment and Climate Change Canada.

Employees are to seek written direction from the Values, Integrity and Disclosure Division where it is impossible to decline gifts, hospitality or other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to the Department to warrant acceptance of certain types of hospitality.

4.5 Fundraising

With the exception of fundraising for such officially supported activities as the Government of Canada Workplace Charitable Campaign, employees may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector which has dealings with the Government of Canada. When fundraising for charitable organizations in the workplace, employees should obtain prior written authorization from the Values, Integrity and Disclosure Division in order to solicit donations, prizes or contributions in kind from external organizations or individuals.

Similarly, if an outside individual or entity, with whom Environment and Climate Change Canada has past, present or potential official dealings, offers a benefit to the Department such as funding for an event or a donation of equipment, employees are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing of the Values, Integrity and Disclosure Division prior to accepting any such benefit. The Values, Integrity and Disclosure Division may require that the activities be modified or terminated where it is determined that there is a real, apparent or potential conflict of interest or an obligation to the donor. These solicitation provisions are designed to ensure that this Code is consistent with paragraph 121.(1)(c) of the *Criminal Code*; they are not intended to prevent employees from taking part in charitable works.

5. Avoidance of Preferential Treatment

As an employee, you are responsible for demonstrating objectivity and impartiality in the exercise of your duties and in decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations, or any other exercise of responsibility.

This means that you are prohibited from granting preferential treatment or advantages to family, friends, or any other person or entity. You are not to offer extraordinary assistance to any entity or persons already dealing with the federal government without the knowledge

and support of your supervisor. You also are not to disadvantage any entity or persons dealing with the federal government because of personal antagonism or bias. Providing information that is publicly accessible is not considered preferential treatment.

6. Post-Employment

As an employee, you have a responsibility to minimize the possibility of real, apparent or potential conflict of interest between your most recent responsibilities within the federal public service and your subsequent employment outside the public service.

6.1 Before Leaving the Public Service

Before leaving the public service, you must declare, to your supervisor or to the Values, Integrity and Disclosure Division, any intention you may have of accepting an offer of employment or of engaging in activities that could pose a real, apparent or potential conflict of interest with your current public service responsibilities.

6.2 Limitation Period for Designated Positions

Employees in designated positions are subject to a one-year limitation period after leaving office. Designated positions include all EX, EX minus 1 and EX minus 2 positions and their equivalents, and any individual positions designated by the Deputy Minister. Before leaving office and during this one-year limitation period, these employees are to report to the Values, Integrity and Disclosure Division all firm offers of employment or

proposed activity outside the public service that could place them in a real, apparent or potential conflict with their public service employment. They must also disclose immediately the acceptance of any such offer. In addition, these employees may not do the following during the one-year period, without the Deputy Minister's authorization:

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 in question may either be directly on the part of the employee or through subordinates);
2. make representations to any federal government organization on behalf of persons or entities outside of 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 either be directly on the part of the employee or through 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.

6.3 Waiver or Reduction of Limitation Period

An employee or former employee may apply to the Deputy Minister for a written waiver or reduction of the limitation period. The employee is to provide sufficient information to the Values, Integrity and Disclosure Division, who will assist the Deputy Minister in making a determination as to whether to grant the waiver, taking into consideration the following criteria:

1. the circumstances under which the termination of their service occurred;
2. the general employment prospects of the employee or former employee;
3. the significance to the government of information possessed by the employee or former employee by virtue of that individual's position in the public service;
4. the desirability of a rapid transfer of the employee's or former employee's knowledge and skills from the government to private, other governmental or non-governmental sectors;
5. the degree to which the new employer might gain unfair commercial or private advantage by hiring the employee or former employee;
6. the authority and influence possessed by that individual while in the Department; and/or
7. any other consideration at the discretion of the Deputy Minister.

7. Resolution

With respect to the arrangements necessary to prevent real, apparent or potential conflict of interest, or to comply with the requirements set out above, it is expected that issues will be resolved through discussion and agreement between the employee and the Values, Integrity and Disclosure Division. An employee who disagrees with the final advice of the Values, Integrity and Disclosure Division may seek to address the matter through the resolution procedures established by the Deputy Minister.

