



Date: June 21, 2019

To: All Deputy Heads and Heads of Agencies

cc: GCWCC Campaign Leaders

From: Kelly Gillis
Deputy Minister
Infrastructure Canada
National Chair for the 2019 GCWCC

And

Sony Perron
Associate Deputy Minister
Indigenous Services Canada
National Co-Chair for the 2019 GCWCC

Re: Government of Canada Workplace Charitable Campaign (GCWCC) – Gift Solicitation

As departmental teams start planning for the upcoming GCWCC, the subject of soliciting gifts as incentives for special events is likely to be raised. The following provides guidance for your campaign leaders and employees involved in the campaign:

1. 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. The Code is available at <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25049>
2. The Policy on Conflict of Interest and Post-employment provides the following guidance on solicitation of gifts and other benefits. The policy is available at <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25178>
 - The Policy states that: “With the exception of fundraising for such officially supported activities as the Government of Canada Workplace Charitable Campaign (GCWCC), public servants may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector who has dealings with the government.
 - To ensure that soliciting private agencies with which the department or agency has a business relationship, or is in negotiations to establish a business relationship, does not

give rise to concerns about a real, potential or apparent conflict of interest and that Deputy Heads and their organizations have considered potential impacts, the Policy requires that “public servants should ensure that they have prior written authorization from their deputy head in order to solicit donations, prizes or contributions in kind from external organizations or individuals.”

- Similarly, if an outside individual or entity, with whom the organization has past, present or potential official dealings, offers a benefit to the organization such as funding for an event or a donation of equipment, public servants are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing of the deputy head prior to accepting any such benefit.
 - The deputy head may require that the activities be modified or terminated where it is determined that there is a real, potential or apparent conflict of interest or an obligation to the donor.
3. The Conflict of Interest Act applies to “public office holders”, a term that is defined to mean all Government in Council appointees including Deputy Ministers. The Act contains provisions that limit a Deputy Head’s ability to personally solicit funds, including an outright prohibition if so doing would place the public office holder in a conflict of interest. “Conflict of interest” is defined in the Act.

As always, care must be taken to preserve the integrity of the public service by ensuring that the solicitation is aligned with a charitable cause and that there can be no perception that specific donations result in personal gain for the public servant making the solicitation, or that a donation could lead to favouritism towards the donor. Of particular concern are situations where an ongoing contractual or other relationship exists or is under negotiation between the department and a private sector or non-government organization. This is where extra prudence is required so that donors neither feel under pressure to contribute because of their existing or potential relationship with the government, nor that a donation could secure future favours.

We recognize that there may be some departmental functions that require Deputy Heads to exercise greater prudence in soliciting donations. In fact, there may be some departments that must prohibit donor solicitations and corporate sponsorship due to their roles and responsibilities in order to avoid any potential, apparent or real conflict of interest. We ask that you take a planned approach to identifying appropriate donation activities and search for alternative activities wherever advisable.

We appreciate your attention to this matter and ask that you pass along this information to your GCWCC Campaign Leaders.