

Pre-reading Package

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ETHICS ADVISOR PRE-READING

CORPORATE ETHICS MANAGEMENT

Corporate Ethics Management

Background

Government accepted the recommendations of two recent reports to strengthen ethics management in the BC Public Service.¹ The Auditor General's Audit of BC Public Service Ethics Management, March 2017, called on government to strengthen coordination of ethics across B.C.'s central agencies and ministries including assigning an overall ethics leadership and accountability role.

Corporate Ethics Management Framework

The Corporate Ethics Management Framework established in March 2017 sets out the roles of the central agencies and includes ethics related responsibilities of the Office of the Comptroller General, the Office of the Chief Information Officer, the Office of the Chief Information and Records Management Officer, Treasury Board, the Public Service Agency and ministries. The framework represents an integrated approach, highlighting central agency and ministry roles.



The Legal Services Branch, Ministry of Attorney General supports the corporate ethics management framework through providing legislative services and legal advisory and litigation services to government. These services are intended to support the administration of public affairs in accordance with the law.

¹ Office of the Auditor General. (March 2017). *Audit of BC Public Service Ethics Management*; Ombudsperson; (April 2017). *Misfire Report: A Review of 2012 Ministry of Health Terminations*.

Corporate Ethics Lead

The role of Corporate Ethics Lead for the BC Public Service is assigned to the Head of the BC Public Service Agency (PSA). The establishment of a Corporate Ethics Lead strengthens the ethics management framework by enhancing the current shared service delivery model and ensuring an integrated system based approach to foster corporate alignment, coherence and consistency. The Corporate Ethics Lead's mandate for ethics and compliance management is to meet the core objective of government that "all public service employees will conduct themselves to the highest standards of conduct."

The Corporate Ethics Lead will have three key roles:

1. To lead, collaborate and work with central agency partners and ministries to **promote and foster ethics** in the BC Public Service and build a corporate culture of integrity;
2. To provide **oversight and monitor, evaluate, measure and report** on the effectiveness of the BC Public Service ethics and compliance framework; and
3. To **manage and coordinate the overall integrity program** in the BC Public Service.

To **promote and foster ethics and build a culture of integrity** the Ethics Lead will:

- facilitate dialogue on ethics/compliance issues;
- raise awareness of ethics and compliance issues;
- work with program leaders to build a culture that supports ethical decision making;
- work with program leads to incorporate values and ethics criteria into other organizational processes (e.g., performance management, succession planning); and
- champion and promote ethics/compliance throughout the public service.

To provide **oversight and monitor, evaluate, measure and report** the Ethics Lead will:

- facilitate and undertake systematic assessment of risks that could lead to ethical misconduct and communicate significant ethics/compliance/reputational risks and issues;
- provide input to the development and revision of ethics and compliance programs, processes and controls to prevent, detect and remediate misconduct;
- monitor compliance with programs, processes and controls to mitigate ethics risks;
- evaluate ethics and compliance program activities to measure effectiveness of the program and make recommendations for adjustment to the ethics and compliance program as necessary; and
- report the results of monitoring, compliance and evaluation.

To **manage and coordinate the overall integrity program in the BC Public Service**, the Ethics Lead will:

- provide leadership to the ethics and compliance program at the corporate level;
- establish information and reporting relationships with ethics and compliance program areas to enable coordination and integration;
- provide ongoing support to the network of Ministry Ethics Advisors;
- provide corporate level ethics and compliance advice;
- evaluate the performance of the coordinated ethics and compliance program; and
- document the activities of the ethics and compliance program.

In terms of supporting the network of Ministry Ethics Advisors this will include: initial orientation and training and ongoing training; hosting quarterly meetings; training for support staff to facilitate tracking of issues and matters handled by the Ministry Ethics Advisors; development of communication materials and tools to support outreach by Ministry Ethics Advisors within their ministry; and providing access to new resources to support Ministry Ethics Advisor in their roles.

Key Contacts

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MINISTRY ETHICS ADVISOR ROLE AND RESPONSIBILITIES

Role and Responsibilities

Ministry Ethics Advisor Term and Organization:

- The Standards of Conduct for BC Public Service Employees, effective April 1, 2018, define the responsibilities of Ministry Ethics Advisors.
- The role is to be assigned to a Deputy Minister, Associate Deputy Minister, Assistant Deputy Minister, or Executive Lead.
- Functions of the Ministry Ethics Advisors will not be permanently attached to specific roles or functions within a ministry, but assigned on a case-by-case basis.
- Assignment as a Ministry Ethics Advisor is term-limited (up to two years), with an expectation that incumbents build a potential successor while in the role.
- The Agency will provide additional information and resources to support Ethics Advisors functions (e.g., training for support staff, tools to support advice tracking, communication and engagement resources).

Responsibilities:

Ministry Ethics Advisors are expected to demonstrate active leadership in upholding the BC Public Service commitment to integrity and ensuring ethics are understood to be a corporate priority. Responsibilities include:

- Providing advice on Standards of Conduct issues to employees and managers, including assessing and addressing possible conflicts of interest and ethics-related issues.
- Promoting knowledge and resources within their ministries to foster a BC Public Service culture that supports employees and supervisors raise and address ethics issues.
- Seeking guidance and advice from the BC Public Service Agency and other central agencies on ethics issues that are complex or cannot be easily resolved.
- Actively and visibly championing the importance of ethics within your ministry and as part of the corporate network of ethics advisors.
- Attending mandatory quarterly Ministry Ethics Advisor training sessions.
- Working with government's Corporate Ethics Lead to ensure a consistent and coordinated approach to ethics management across the public service.
- Triaging queries from employees and directing them to the appropriate services, but not performing investigations.



ETHICS ADVISOR PRE-READING

HUMAN RESOURCE MANAGEMENT

BC Public Service Agency

Governance

The [Public Service Act](#) establishes the framework and key rules for the management of human resources in the public service. The Act establishes that the Agency Head has overall responsibility for personnel management in the public service. The BC Public Service Agency (the Agency) is responsible for leading government's corporate human resource (HR) agenda and supporting the operational business needs of government through the provision of HR services, policies and programs.

Accountability Framework for Human Resource Management

The [Accountability Framework for Human Resource Management](#) establishes that deputy ministers, executives, senior officials, supervisors, and human resource professionals are all accountable for carrying out certain HR functions. The framework is supported by core policy objectives and a series of HR policy statements. The framework includes a number of appendices that establish issue-specific roles and responsibilities, including in relation to carrying out HR investigations, supporting diversity and inclusion and maintaining a safe and healthy workplace.

Public Service Oath Regulation

All employees in the BC Public Service must swear or affirm an [Oath of Employment](#). The Oath obligates employees to act with integrity, putting the interests of the public service above their own personal interests and avoiding all conflicts of interest. The Oath also requires employees to safeguard confidential information, serve the government impartially, honestly and ethically, and to honour and faithfully abide by the Standards of Conduct for Public Service Employees.

Standards of Conduct for Public Service Employees

The [Standards of Conduct](#) establish conduct standards for all employees in the public service. Under the Standards of Conduct, the Agency Head is responsible for coordinating the development of awareness, training and communication programs in support of the Standards of Conduct and ethics related issues, and for providing advice to senior executives and others, including ethics advisors, regarding the application of the Standards. The Standards also establish the key responsibilities of the Agency Head, deputy ministers, ethics advisors, managers and employees in relation to ensuring the Standards are observed and upheld.

Conflict of Interest Guidelines

All employees in the BC Public Service are required under the Public Service Oath Regulation and Standards of Conduct to avoid conflicts of interest, and to disclose possible conflicts they find themselves in to the employer. The conflict of interest guidelines strengthen the framework for ethics management by ensuring that employee disclosures related to a conflict are addressed according to fair, transparent procedures that assess the employee's interests against the need to serve the public interest. The guidelines establish key responsibilities for employees, managers, ethics advisors and deputy ministers in relation to managing conflicts of interest.

Collective Agreements

The BC Public Service operates within the context of a unionized workforce environment. The majority of public service employees (between 75% and 80%) are bargaining unit members. There are three bargaining agents representing these employees, each with a master and component agreement(s). These [collective agreements](#) define the terms and conditions of unionized employees in the public service and establish the duties and responsibilities of the employer.

Terms and Conditions of Employment for Excluded Employees/Appointees

Authorized under the *Public Service Act*, the [Terms and Conditions of Employment](#) prescribe the terms and conditions of “excluded” employees/appointees in the public service and establish the duties and responsibilities of the employer. Excluded employees are defined as those not working under a collective agreement.

MyHR Website – Corporate Ethics Management Framework

The corporate [MyHR](#) website is the central repository for HR information and services in the BC Public Service. This includes policies, guidelines, collective agreements, program information and other resources and tools that ensure the public service is well-supported in serving the citizens of British Columbia.

Contacts

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John Davison, Assistant Deputy Minister, Labour Relations, BC Public Service Agency: 778.698.7877,
John.Davison@gov.bc.ca

For questions about HR investigations, contact Kenneth Mclean, Director, Employee Relations, Phone: 778 698-5856 Kenn.Mclean@gov.bc.ca

For questions about policy contact Angela Weltz, Director Policy and Research, Phone: 778 698 7929, Angela. Weltz@gov.bc.ca ; (Note: Angela is responsible for the Corporate Ethics Advice Line (ethics@gov.bc.ca or 250 217 9732)



ETHICS ADVISOR PRE-READING

INFORMATION MANAGEMENT

Corporate Information and Records Management Office (CIRMO)

Governance

Under the leadership of the Chief Records Officer, the Corporate Information and Records Management Office (CIRMO) is the central agency responsible for developing corporate information management strategies, legislation, policies, standards and training.

Information management includes:

- Privacy;
- Access to Information (FOI and proactive disclosure); and
- Records Management and information classification.

CIRMO is also responsible for supporting the BC Public Service in the transformation to digital information management. This transformation includes moving to the digital storage of information and archiving government's information of permanent value in the digital archives (as required in the *Information Management Act*).

CIRMO provides services to ministries, such as processing FOI requests and privacy impact assessments, and information scheduling/appraisal and storage.

Another key function for CIRMO is the investigation of Information Incidents (including privacy breaches), as well as evaluating and promoting effective information management practices across government.

Information Management Policies

- [Chapter 12 Information Management and Information Technology](#) (CPPM) sets out the principles, roles and responsibilities and corporate policy for Information Management and Information Technology (IM/IT).
- The [Appropriate Use of Government Information and Information Resources Policy](#) establishes requirements for all government employees when accessing and managing government information and using information technology resources.
- [The Recorded Information Management Manual](#) provides policies and specifications to support the management of government information to ensure its integrity, reliability, accessibility and security for as long as it's needed.

- [The Privacy Management Accountability Policy](#) is government's corporate approach to privacy management. It acts as the framework under which all ministries must operate in order to ensure compliance with the privacy requirements of the *Freedom of Information and Protection of Privacy Act*, and manages its personal information holdings in the most efficient manner.

Information Incident Management Process

- [The Information Incident Management Process](#) provides direction and guidance to ministries when responding to information incidents (including privacy breaches).
- The [Appropriate Use of Government Information and Information Resources Policy](#) establishes requirements for all government employees when accessing and managing government information and using information technology resources.

Contact Information

Jill Kot, Deputy Minister, Ministry of Citizens' Services, Phone: 250 387-8852,
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David Curtis, Assistant Deputy Minister, Corporate Information and Records Management, Phone: 778 698-5845 David.Curtis@gov.bc.ca

For more information on IM policy requirements please contact the [IM policy](#) inbox.

For privacy advice contact the corporate privacy helpline at Privacy.Helpline@gov.bc.ca or your [Ministry Privacy Officer](#).

For records management advice contact your [Records Officer](#).

To report an information incident dial 7-7000 - option 3 or toll free at 1-866-660-0811 (available 24 hours a day).



ETHICS ADVISOR PRE-READING

INFORMATION TECHNOLOGY AND SECURITY

Office of the Chief Information Officer

Governance

The [Office of the Chief Information Officer](#) (OCIO) leads strategy, policy and standards for telecommunications, information technology, Information Technology (IT) security and the management of the Information Management (IM)/IT investment portfolio for the Province. The OCIO is accountable for the operation of a broad government technology infrastructure as a key enabler in support of business transformation for government, broader public sector organizations and through participation inter-jurisdictionally on initiatives to evolve technology and business.

The Government Chief Information Officer (GCIO) is a senior executive who leads the OCIO and is responsible for setting the corporate direction, policies, standards and legislation for IT.

Deputy Ministers are accountable for ensuring their ministries adhere to IT governance directions provided by the OCIO. This responsibility is usually delegated to a [Ministry Chief Information Officer](#) (MCIO).

The [Ministry Information Security Officer](#) (MISO) is the single point of contact for information security issues and related concerns in their ministry.

IT Policy Responsibilities

The OCIO is responsible for managing the IT and IT security portions of the following policies:

- [Chapter 12 of the Core Policy and Procedures Manual](#) - government's corporate policy on information management and information technology;
- [Appropriate Use of Government Information and Information Technology Resources](#) – establishes requirements for all government employees when accessing and managing government information and using information technology resources; and
- [Working Outside the Workplace Policy](#) - provides direction on physical and the technology requirements to safeguard and secure electronic and paper-based confidential and/or personal information when working remotely.

The OCIO also has responsibility for managing:

- [Information Security Policy](#) - ensures that all data stored, sent or received by government, is protected from events which may impact confidentiality, integrity or access; and
- [Electronic Transactions Act](#) - describes the electronic means to deal with information records and electronic agents, access and technology for the transmission of information and records.

Contacts:

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For information about policy contact Niki Sedmak, Executive Director, Strategic Planning and Policy at

Phone: 250 744-9193 Niki.Sedmak@gov.bc.ca

For general information on OCIO policies contact LCTZ.ChiefInformationOfficer@gov.bc.ca

For information about Information Security Investigations contact Gary Perkins, Executive Director and

Chief Information Security Officer, Phone: 250 387-7590 Gary.Perkins@gov.bc.ca



ETHICS ADVISOR PRE-READING

FINANCIAL MANAGEMENT

Office of the Comptroller General and Treasury Board

Financial Management Framework

The [Financial Management Framework \(FMF\)](#) establishes the financial administration structure for carrying out government operations and financial activities.

- Authorized by Treasury Board, administered by the Comptroller General (CG).
- Operationalized through the [Core Policy and Procedures Manual \(CPPM\)](#).

Rules alone do not guarantee good decisions. The ethical context supports the application of the rules as they are intended – not just working within the rules.

The FMF directs “how we operate” whereas ethics helps us understand “the right thing to do”.

Financial Management Framework – Procurement Governance

Procurement

CPPM contains guidance for government procurement, with ethical components based on fair and open public sector procurement, competition, demand aggregation, value for money, transparency and accountability.

The Standards of Conduct for Public Service Employees Engaged in Governance Procurement Processes

Procurement is a key area of moral hazard, particularly for conflict of interest (both perceived and actual).

Financial Management Framework – Tools and Supports

CPPM

Ethical behaviour is also supported by:

- General financial management framework direction in CPPM for financial planning and budgetary control, delegation of authority, accountability and adherence to standards.
- Treasury Board approved policies and procedures that ensure accountability to the public in the public service financial and administrative management. It is designed to rely on competent, accountable, and objective decision making by decision makers.

Annual Financial Management Framework Health Check

The Corporate Compliance and Controls Monitoring Branch (OCG) conducts an annual government-wide Financial Management Framework Health Check that supports, in part, CFOs to identify ethics risks associated with the understanding and application of ethical behavior, and whether issues are reported and addressed.

Corporate Compliance and Controls Monitoring

This corporate monitoring mechanism ensures compliance with government core policy and supports the financial and procurement control framework. This function works co-operatively with ministries and central agencies.

Investigations

The Investigations and Forensics Unit investigates incidents of actual or potential financial misappropriation and monitors action taken including:

- Measures taken to recover loss, recovery amount, the probability of further recovery;
- Action or discipline taken in respect of the loss; and
- Safeguards and controls implemented or planned to prevent, reduce, and detect further losses.

Financial Management Framework – Reporting

Report to the Comptroller General an improper expenditure or payment contravening *Financial Administration Act* sections 32.1, 33.1.

Report to the Comptroller General issues related to the allegation of financial impropriety reported under the *Financial Administration Act*

Contacts

Lori Wanamaker, Deputy Minister, Ministry of Finance, Phone: 250 387-3184,
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Carl Fisher, Comptroller General, Office of the Comptroller General, Phone: 250 387-6692
Comptroller.General@gov.bc.ca

For questions about the Financial Management Framework, contact Tamara McLeod, Executive Director, Financial Management Branch, Office of the Comptroller General, Phone: 250 216-6057,
Tamara.McLeod@gov.bc.ca

For questions about investigations, contact Alex Kortum, Executive Director, Corporate Controls and Compliance Monitoring Branch, Office of the Comptroller General, Phone: 778 698- 8133
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If you have a question on CPPM policy or procedures, please contact the appropriate ministry [Financial Management Branch Policy Contact](#).