

Registered Nurses' Association of Ontario Board of Directors Policy

Policy Type:	Policy Governance	Title:	Code of Conduct
Number:	PG – 9	First approved by Board:	September 23, 2005
<i>This policy cross-references</i>		Review:	Every 2 Years (Nov)
<i>BR-2 Conflict of Interest and</i>		Last Reviewed:	November 2021
<i>#3 Code of Conduct of this Policy</i>		Monitor:	Annually (Nov)
<i>cross-references PG-1 Governance of the BOD</i>		Last Monitored:	November 2020

PURPOSE

In all matters relating to the affairs of RNAO, each person who is a Director, Committee or Assembly member, as well as RNAO members at large, shall be subject to this code of conduct as set out below. The RNAO Assembly expects of itself and its members ethical, professional and lawful conduct. This includes proper use of authority and appropriate decorum when acting as volunteer leaders. It expects its members to treat one another and RNAO staff with respect, co-operation and a willingness to deal openly on all matters. It is expected that all RNAO volunteer leaders will adhere to this policy. RNAO will not take responsibility for any individual's conduct that contravenes laws or that is deemed by the Board to be unethical or unprofessional.

CODE OF CONDUCT

Each Director, Committee or Assembly member shall:

1. Represent the interests of the membership:
 - 1.1. Uphold the values, policies and Ends of the RNAO.
 - 1.2. Support the decisions of the RNAO Board, Committees and Assembly whether or not there is personal agreement with the decision.
 - 1.3. Represent or interpret, when it is appropriate to do so, the decisions of the Board, Committees and Assembly and the reasons for its decisions accurately and fully.
 - 1.4. This accountability supersedes any conflicting loyalty such as that to Chapters, Regions without Chapters or Interest Groups, or committees, and membership on other boards or as staff.
 - 1.5 This accountability also supersedes the personal interest of any Director, Committee or Assembly member acting as an individual or organizational consumer of RNAO's services.
2. Strictly adhere to a high standard of integrity:
 - 2.1. Demonstrate honesty and integrity.
 - 2.2. Respect diversity.
 - 2.3. Not accept gifts, favours or services other than customary courtesies.
 - 2.4. Declare any actual, potential or perceived conflict of interest as outlined in Policy BR-2, and otherwise adhere to the requirements of Policy BR-2.
 - 2.5. Refrain from acting in such a manner as to take improper advantage of the position while in office.
 - 2.6. Not use their Director, Committee or Assembly position to obtain employment in the organization for themselves, family members, or close associates. Should a Director, Committee or Assembly member apply for employment in RNAO, he or she must first take a leave of absence from the Board, Committee or Assembly and, if hired, resign from the Board, Committee or Assembly. .
3. Be diligent in performing RNAO's business:
 - 3.1. Always act in the best interest of RNAO.

- 3.2. Be cognizant of RNAO's values when advocating on behalf of, or representing RNAO.
 - 3.3. Prepare for and participate in meetings and public presentations.
 - 3.4. Attend all applicable RNAO Board, Committee and Assembly meetings except in extenuating circumstances.
 - 3.5. Be knowledgeable and compliant with relevant legislation, bylaws, regulations, and policies of RNAO as well as the rules of procedure and proper conduct of a meeting, so that any decision of the RNAO Board, Committee and/or Assembly may be made in an efficient, knowledgeable and expeditious fashion.
 - 3.6. Regularly take part in educational activities which will assist them in carrying out their responsibilities.
4. Manage all written and electronic materials as appropriate:
 - 4.1. Hold secure all working documents obtained as a Board, Committee and/or Assembly member until discussed and approved by the RNAO Board, Committee and/or Assembly, and exercise discretion in their use thereafter.
 - 4.2. If unsure about the status of any information obtained, treat it as confidential.
 - 4.3. Not use confidential information for personal gain or the gain of others.
 - 4.4. Dispose of confidential material in an appropriate manner.
 5. Use discretion with RNAO matters:
 - 5.1. In carrying out his/her duties as a Director, Committee or Assembly member of RNAO, the member shall exercise the care, diligence and skill that may reasonably be expected of a person with his/her knowledge and experience.
 6. Not attempt to exercise individual authority over the RNAO except as explicitly set forth in Board policies:
 - 6.1. Recognize that any individual, chapter, region without chapters, interest group or committee does not have authority over the Chief Executive Officer or other staff except when sitting as a Board of Directors or as explicitly stated in Board policy.
 - 6.2. Refrain from making judgments of the Chief Executive Officer or staff performance except as that performance is assessed against explicit Board policies by the official process.
 - 6.3. Direct staff who attempt to bypass administration by bringing their concerns to the Board, to utilize reporting lines within the organization.
 - 6.4. When speaking on behalf of RNAO to the public, media, or others, to represent the views of RNAO and not one's personal opinion.
 7. Agree to withdraw from the RNAO Board, Committee and/or Assembly if:
 - during the term of office the Board, Committee and/or Assembly is convicted of a criminal offence
 - his\her Registration is suspended or revoked by the regulatory body

Each member of RNAO, in the context of RNAO meetings, events and other matters that relate to the RNAO, shall:

8. Uphold the values of RNAO:
 - 8.1. Demonstrate respect for other members, guests and staff of RNAO
 - 8.2. Avoid unwelcoming words, actions or behaviours that are incongruent with nursing practice
 - 8.3. Refrain from engaging in discourtesy, bullying, harassment, sexual harassment, discrimination, prejudice, and/or racism

VIOLATION OF THE CODE OF CONDUCT

Any violation or alleged violation of the Code of Conduct shall be dealt with in accordance with RNAO's Code of Conduct Violations Process for Escalation.

I have read and understand the above policy and agree to comply with these principles in practice and in spirit. I agree that if I become aware of a violation or apparent violation I will disclose the matter in accordance with the above-outlined directions.

Signature

Date

Print Nam



Code of Conduct Violations Process for Escalation

The Registered Nurses' Association of Ontario (RNAO) is committed to providing an environment that is welcoming to all Registered Nurses, Nurse Practitioners, and Nursing Students. We will not accept any unwelcoming words, actions, or behaviours that are incongruent with nursing practice, and as such, we will only accept actions and behaviours that foster professionalism and which are consistent with the RNAO's Code of Conduct and the College of Nurses of Ontario (CNO) Code of Conduct. We will not tolerate discourtesy, bullying, harassment, sexual harassment, discrimination, prejudice, and/or racism.

Any violation, or alleged violation, of the Code of Conduct needs to be dealt with in a timely, respectful and responsible manner. If you believe that an RNAO member, nursing student, RNAO staff member, or guest of RNAO is in breach of this direction, please report the incident in accordance with section 4 of this Policy.

1. Responsibilities

Each member of the RNAO is responsible to:

- ensure that their behaviour and conduct complies with the RNAO's Code of Conduct and this Policy, and that they refrain from engaging in discourtesy, bullying, harassment, sexual harassment, discrimination, prejudice, and/or racism in matters that relate in any way to the RNAO; and
- immediately report any inappropriate conduct that they witness or become aware of, in the manner set out in this policy.

The standard of conduct required by this Policy and the Code of Conduct applies to conduct committed by RNAO members towards other RNAO members, guests and/or staff in the context of RNAO meetings, events or other matters related to RNAO.

2. Confidentiality

All persons involved with the reporting, investigation, or adjudication of any alleged violation of this policy are expected to maintain confidentiality. Information that is collected about an incident or complaint will not be disclosed publicly as per RNAO's confidentiality policy. Note that

the complainant may be identified in the course of any investigation, mediation and/or disciplinary proceedings arising from the complaint.

3. Private/Informal Resolution

Where appropriate, a potential complainant and respondent may be able to reach a resolution to a potential complaint through private discussion. The RNAO encourages such private discussion and resolution, provided that all parties are willing to participate. The RNAO recognizes that there are circumstances in which it will be appropriate for a complainant to submit a complaint without any discussion with the respondent and, for greater certainty, such private discussion is not required as a pre-requisite to the submission of a formal complaint.

It is further confirmed that nothing in this Policy limits the ability of the RNAO President, CEO, or the chair of any RNAO meeting or event to control proceedings and ensure that participants at such meetings or events conduct themselves in accordance with RNAO's Code of Conduct and this Policy. This may include calling a recess to speak privately with a participant who is not conducting themselves in accordance with the Code of Conduct, muting or otherwise limiting such a participant's ability to speak at the meeting, and/or requiring such a participant leave or be removed from the meeting or event. This may be followed by a formal complaint or other disciplinary action as set out in this Policy.

At the beginning of each meeting of the RNAO membership, a Committee, or Assembly, the President or chair is encouraged to remind all participants that they are each bound to conduct themselves in accordance with the RNAO Code of Conduct and that inappropriate behaviour will not be tolerated and may be dealt with in the manner above.

4. Process for Submitting a Complaint

A complaint must be made in writing to either the RNAO President or CEO, unless the complaint relates to the President or CEO, in which case the complaint shall be made as follows:

- (a) if the complaint relates to the RNAO President, the complaint shall be made to the CEO;
- (b) if the complaint relates to the CEO, the complaint shall be made to the RNAO President; and
- (c) if the complaint relates to both the RNAO President and CEO, the complaint shall be made to the immediate sitting Past President or President-Elect, which shall carry out the duties of the President and CEO in respect of the complaint.

The complaint should be made as soon as possible after the claimed behaviour has transpired, and within one year of the most recent incident. The complaint should provide a description of the behaviour in question, as well as all relevant dates, times, places, and persons involved. The complainant must ensure that the written complaint is signed and dated. The complainant must provide a list of any and all witnesses who are believed to have some knowledge of facts relevant to the complaint.

Following receipt of a complaint, the RNAO President and CEO shall review the complaint and shall refer the matter to the appropriate office within RNAO, as per Step 1 of section 7 of this policy.

5. Investigation, Resolution and Discipline

The office to which the complaint has been referred in the first instance shall be responsible for conducting such investigation into the complaint as that office deems appropriate, including such interviews or other fact-finding steps as may be necessary.

Following investigation into the complaint, that office to which the complaint has been referred shall then endeavour to resolve the issue as per section 7. Depending on the nature of the complaint, resolution may involve discussions with the respondent and the receipt of satisfactory explanation and/or undertakings with respect to corrective steps to be taken, and/or mediation of a conflict. If the complaint cannot be resolved in this manner, the complaint may be escalated, included for possible disciplinary action. To the extent that any disciplinary action is to be taken or considered, it shall be taken or considered in accordance with the process set out in the RNAO Code of Conduct and Step 3 of section 7 of this policy.

To the extent that a complaint relates to issues governed by the Ontario *Human Rights Code*, the *Criminal Code*, or is determined to fall within the jurisdiction of another regulatory body or authority (e.g., the College of Nurses of Ontario), the RNAO President and CEO may determine that the complaint should properly be made in such other forum and may advise the complainant accordingly. In the event that a complainant is referred to another forum, the President and CEO will notify the Executive Committee, which may in turn determine whether the full RNAO Board of Directors (BOD) should be advised.

6. Appeal

If the complainant is unsatisfied with the outcome of the initial investigation and resolution of their complaint by the complainant's Chapter/Region without Chapter President, Interest Group Chair, or Committee/Task Force Chair, or Student Representative, they may submit a written appeal to the RNAO President. The President shall inform the CEO of the appeal.

The person making the appeal must provide evidence that the investigation was improperly conducted, or that there have since arisen significant new facts that could change the outcome

of the original investigation. The RNAO President, in consultation with the CEO, shall review the matter and shall have the authority to take or cause to be taken further steps to investigate the matter, seek a different or further resolution, or initiate disciplinary action. The RNAO President may also determine that the matter was satisfactorily addressed at the first instance.

In the event that the violation or perceived violation of this policy involves the President, the sitting Immediate Past-President/President-Elect shall act as the President for the purposes of this policy.

The determination of the RNAO President or the BOD if the matter is referred to the RNAO BOD, shall be final, with no further right of appeal.

7. Summary of Escalation Process

Once a complaint of a violation or apparent violation of the Code of Conduct or this Policy is submitted, the following will occur:

Step 1: Unless the complaint involves the President or CEO, the RNAO President will inform the complainant's Chapter/Region without Chapter President, Interest Group Chair, or Committee/Task Force Chair, or Student Representative. Where the complaint involves the President or CEO, the officer to whom the complaint has been made (as per section 4) will inform the RNAO BOD and the process will move immediately to Step 2.

- The officer to which the complaint has been referred will investigate the complaint and seek to resolve the issue.
- If there is a satisfactory resolution, as determined by the officer to which the complaint was referred, the process ends, subject to the complainant's right to appeal in accordance with section 6.
- If there is not a satisfactory resolution, if the behaviour is not corrected to the satisfaction of the officer to which the complaint was referred, or if disciplinary action is to be considered, the officer may refer the complaint to the RNAO President.

Step 2: If a complaint is referred or appealed to the RNAO President or BOD, the President or BOD will, in consultation with the CEO, conduct such supplementary investigation as is deemed appropriate, and shall seek to resolve the matter.

- If the behaviour is resolved, the process ends.
- If there is not a satisfactory resolution, as determined by the RNAO President or BOD, or if the behaviour is not corrected, or if the President or BOD, as the case may be, determines that disciplinary action may be appropriate, the process will move to step 3.

Step 3: The President (or, if the matter involves the President or CEO, the Immediate Past-President/President-Elect) will inform the respondent of possible disciplinary action.

- The BOD will meet to consider disciplinary action in accordance with section 8.
- The respondent will be given notice of the complaint and potential disciplinary action, and will be given the opportunity to make submissions, either in writing or in person at a meeting of the BOD called for the purpose of considering the matter, in accordance with section 8.
- The complainant must be identified.
- If the complainant and respondent are members of the Board, they shall absent themselves from both the discussion and any vote upon resolution of censure or other action that may be brought forward.
- The RNAO BOD shall make a final determination as to any disciplinary action to be taken, which decision shall be final and not subject to appeal.

8. Disciplinary Action

A member who is found to have violated the Code of Conduct or this Policy will be subject to disciplinary action as determined by the RNAO BOD. Any actions taken because of a violation of this policy are to create an environment that is free from discourtesy, discrimination, and harassment. The RNAO BOD may take appropriate action, upon any respondent, including, but not limited to, one or more of the following remedies and sanctions:

- requiring the respondent to deliver an apology (verbal or written)
- requiring the respondent to undergo education or training
- written reprimand or warning
- termination of appointment, volunteer position or any other privileges
- provision of support/counsel to persons affected by violation of policy
- monitoring and follow-up to ensure compliance with the RNAO Code of Conduct;
- submitting a complaint to an appropriate regulatory body, as may be required; and
- any other remedy authorized by the RNAO Bylaws.

In determining appropriate disciplinary action, the BOD may consider the respondent's record of past complaints, any disciplinary action taken previously, and the respondent's response or lack of response to any such disciplinary action, including a warning letter. In particular, the BOD may escalate disciplinary measures against a respondent who has been found to have committed repeated violations of the Code of Conduct that are within two years of previous disciplinary action and/or that involve the same or similar violations as was subject to previous disciplinary action.

For greater certainty, nothing in this Policy limits the discretion of the BOD to determine appropriate disciplinary action in respect of any particular violation of the Code of Conduct.

Before imposing any disciplinary measures, the BOD shall give reasonable notice to the respondent and the opportunity to make submissions to the BOD regarding the complaint and any potential disciplinary action. Such submissions may be in writing or in person at a meeting

of the BOD called for the purpose of considering the matter, as the BOD determines to be appropriate in the circumstances.

9. Records

RNAO shall maintain permanently records of all complaints, investigations and resolutions, including any disciplinary action taken. Such records shall be maintained securely in a location (physical or virtual) separate from the RNAO's general member records, and shall be available to officers and Executive Committee members with a need to know in the context of a complaint, investigation of disciplinary proceeding. Such records shall be maintained in accordance with RNAO's privacy policies, as the same may be amended from time to time.

10. Definitions

In this Policy, the following terms have the following meaning:

Bullying: Refers to a range of behaviours in which targeted individuals treated in a mean, insulting or abusive way, particularly when the behaviour is done repeatedly and over time. Bullying can be initiated deliberately or unconsciously. The affected person may feel upset, afraid, isolated, or humiliated. The bully sometimes acts alone and sometimes as part of a group of people.

Examples include:

- insulting a person's skills, looks, or habits
- spreading false or malicious rumours, gossip, or innuendo
- berating/belittling an individual
- giving insulting nicknames
- refusing to work or converse with a person or group of persons
- mocking a person's accent, abilities, or mannerisms
- yelling or shouting which intimidates, coerces, or belittles

Complainant: A person making a verbal or written complaint of a violation this policy. The complainant does not need to be the target of the alleged behaviour.

Discrimination: Differential treatment based on a personal characteristic which has an adverse impact on an individual or group. Examples of personal characteristics include: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability, gender identity, and gender expression.

Discourtesy: an impolite act or remark, rude and inconsiderate behavior.

Gender expression: An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

Gender identity: A person's internal, deeply felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.

Harassment: Any objectionable course of behaviour, comment, display, or communication that is known or ought reasonably to be known to be unwelcome, intimidating or offensive.

Homophobia: The aversion to, fear, or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as "homosexual."

Discourtesy: Behaviour that is rude, disrespectful, inconsiderate, or insensitive.

Mediation: A voluntary resolution process in which a neutral, third party facilitates a discussion between the people in dispute. The mediator ensures that communication is clear, that all parties are given full and equal voice, and that a final resolution is determined by the disputants themselves. Whatever takes place within the mediation session may not be revealed if the disputants seek another forum for resolution.

Prejudice: preconceived opinion that is not based on reason or actual experience.

Racism: prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group, typically one that is a minority or marginalized. The belief that different races possess distinct characteristics, abilities, or qualities, especially so as to distinguish them as inferior or superior to one another.

Respondent: A person alleged by a complainant to have committed an act in breach of this policy.

Sexual Harassment: engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome.

Transphobia: The fear of, discrimination against, or hatred of trans people, the trans community, or gender ambiguity. Transphobia can be seen within the queer community, as well as in general society.

Violence: The use, threat, or attempt of physical force against another person that causes, or could cause, physical injury.

References

- [RNAO Code of Conduct](#)
- [CNO Code of Conduct](#)
- [CNO Conflict Prevention and Management](#)
- [CNO Professional Standards](#)
- [OPSUE](#)

Registered Nurses' Association of Ontario Board of Directors Policy

Policy Type:	Board/Assembly/Committee/Staff Relationships	Title:	Conflict of Interest
Number:	BR – 2 *	First approved by Board:	June 1, 1999
* This policy cross-references PG-9 Code of Conduct		Review:	Every 2 Years (Nov)
		Last Reviewed:	November 2021
		Monitor:	Annually (Nov)
		Last Monitored:	November 2020

PURPOSE

The Board of Directors, Assembly, Committee members, and staff shall not fail to conform to the following principles:

- Every person shall perform their official duties and arrange their private affairs in such a manner that the membership and public confidence and trust in the integrity, objectivity and impartiality of the Association are conserved and enhanced.
- Every person shall arrange their private affairs in such a manner that will prevent real, potential, or perceived conflicts of interest from arising. If such a conflict does arise between the private interests of the directors, committee members or staff and their official duties and responsibilities, consultation with the Officers and/or Chief Executive Officer (CEO) is required.
- Persons shall not knowingly take advantage of or benefit from information obtained in the course of their official duties and responsibilities, and that is not generally available to the public.
- Persons shall not give written or oral references related to the employment or conduct of any RNAO staff member - past or current - without the explicit prior approval from the CEO, and the full disclosure of the content of the reference.
- Persons shall not give written or oral references related to any board members, assembly or committee members – past or present – in the context of RNAO, without the explicit prior approval of the President and CEO, and the full disclosure of the content of the reference.
- Persons are considered to be in conflict if they are directly involved in an issue under discussion or associated with it in a substantive way and stand to gain benefit from a decision.
- Persons shall also be considered to be in a conflict to the extent that they occupy a leadership position at another organization that may not be compatible with the mission, vision, or ENDS of the RNAO. Leadership positions include membership on the board or positions within the senior management of such organizations. Persons in such positions shall generally not be nominated for election to the RNAO Board and Assembly and/or for appointment to RNAO Committees or task forces. Where a member of the RNAO Board or Assembly, or a member of a Committee or task force of RNAO, is elected to or otherwise assumes a leadership position that gives rise to a conflict as described above, the person shall disclose the conflict immediately as required under this Policy. Such persons may be asked to resign from the Board or be removed from positions in the RNAO Assembly, Committees or task forces.
- Unless co-branded with RNAO, requests for promoting a particular conference or promoting a particular publication will be deemed in conflict.
- Persons shall not accept transfers of economic benefit other than incidental gifts or

customary hospitality, nor promote their own private interests for financial gain.

- Current members of the Board of Directors cannot support a nomination of a Member as a candidate to the Board of Directors, nor can they nominate any Member for an RNAO award.
- Any violations or alleged violations of this Policy shall be dealt with as set out in RNAO's Code of Conduct Violation Process for Escalation.
- Any conflict of interest arising during the term shall be disclosed in the following manner:

Board Member to the President
Committee Member to the Chair
CEO to the President
- Assembly to the President

Chairs of Committees to the President
President to the Immediate Past-President or
President-Elect
- Staff to the CEO

- Persons shall comply with the policy in the following ways:
 - Avoidance: by avoiding or withdrawing from activities or situations that would place the person in a real, potential or perceived conflict of interest relative to their official duties.
 - Confidential Report: by providing a statement to the designated official for circumstances that could give rise to a real or perceived conflict of interest relative to their official duties.
- Persons shall not act, after they leave their position, in such a manner as to take improper advantage of their previous office.

I have read and understand the above policy and agree to comply with these principles in practice and in spirit. I agree that if I become aware of a violation or apparent violation I will disclose the matter in accordance with the above-outlined directions.

Signature

Date

Print Name