



College of Audiologists and Speech-Language Pathologists Newfoundland and Labrador

Board & Committee Members Code of Ethics

Preamble

College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador (CASLP-NL) Board of Directors (Board) and Committee Members shall abide by the CASLP-NL Board and Committee Members Code of Ethics, By-Laws and policies of CASLP-NL and Newfoundland and Labrador Council of Health Professionals (NLCHP). The Code of Ethics sets forth the fundamental values and standards essential to the responsible management of the College. The underlying values of the Code form the rationale for ethical standards and provide the basis for ethical management and decision making.

This Code is construed as a general guide and not a denial of the existence of other duties equally imperative or other rights not specifically mentioned. Any act or omission by a Board Member that is in violation of the spirit and purpose of this Code may be found to be unethical.

Definitions:

Board: For the purposes of this document, “Board” is intended to be inclusive of CASLP-NL Board of Directors and any “Committee” or “Working Group”.

Board Member: For the purposes of this document, “Board Member” is intended to be inclusive of members of the CASLP-NL Board of Directors, Committees, and Working Groups.

Chairperson: For the purposes of this document, “Chairperson” refers to the Board Chairperson, in cases where deliberations are being made by the board, and to Committee or Working Group Chair, in cases where deliberations are being made by those bodies.

College: For the purposes of this document, “College” refers to the College of Audiologists and Speech-Language Pathologists of Newfoundland and Labrador and CASLP-NL is the appropriate acronym to represent the same.

Purpose:

This Code of Ethics of the College of Audiologists and Speech-Language Pathologists of Newfoundland and Labrador (“the College”) governs the Board, committee and working group members in all their activities on behalf of the College, and provides general guidelines on issues of conflict of interest, bias, privacy and confidentiality.

It is the duty of all board members to be aware of this Code of Ethics and to identify inappropriate conduct, real or perceived conflicts of interest or bias and to disclose them to the Committee Chairperson and/or Chairperson of the Board or other designated person(s).

Board members, and members of CASLP-NL standing and ad hoc Committees and Working Groups will, at the beginning of their respective terms, sign a declaration that they have read, and will adhere to the CASLP-NL Board and Committee Member Code of Ethics.

Principle One - General Conduct

College Board Members shall:

- act with integrity and in an ethical, respectful and professional manner in their interactions with each other, consultants, advisors, registrants, colleagues and the public;
- maintain high ethical and moral character, so that their behavior will reflect positively on the College;
- be in regular attendance, on time and prepared to participate in meetings and related activities;
- undertake their duties and responsibilities with thorough preparation and careful attention to detail;
- exercise independent and unbiased professional judgment in the performance of their duties;
- respect the role of spokesperson(s) and recognize their own limitations in speaking on behalf of the Board/College;
- consider the opinions of others during deliberations, strive for integration of view points and consensus-building, and respect the final decisions of the Board;
- maintain confidentiality about all matters that are considered in closed meetings;
- abide by the *Access to Information and Protection of Privacy Act* (ATIPPA); and
- exercise due diligence to avoid breaches of duty via negligence, intentional action or omission, or unauthorized communications with individuals for the purposes of receiving personal gains through board or committee decisions.

Principle Two – Conflict of Interest

Identifying Conflicts of Interest

Board members shall be informed about the definition of conflict of interest as adopted by the College. A conflict of interest is any situation where the Board member's:

- personal interests, or

- those of a close friend, family member, spouse, business associate, corporation, other Not For Profit organization or partnership in which they hold a significant interest, or a person to whom they owe an obligation could influence their decisions and impair their ability to:
 - a) act in the College's best interests, or
 - b) represent the College fairly and impartially

This conflict of interest exists whether the decision could be, or could appear to be influenced. The "appearance of a conflict of interest" occurs when a reasonably well informed person could have a reasonable perception that the Board member(s) are making decisions on behalf of the College that promote their personal interest or those of a person described above.

Declaring/Disclosing Conflicts of Interest

- Upon recognition of a conflict of interest, Board members shall immediately disclose it to the Chairperson.
- In instances where a conflict of interest is not known/recognized until after a matter is concluded/decision is made, Board members shall nevertheless disclose their conflict of interest to the Chairperson.
- In instances where Board members are not certain if they are in conflict of interest, they shall request the advice of the Chairperson or other designated person(s).

Managing Conflicts of Interest

- For each conflict of interest disclosed, the board, or the Chairperson or other designated person(s), will determine whether the affected group should:
 - (a) take no action or
 - (b) disclose the situation more broadly and invite discussion/ resolution by the full board of what action to take, or
 - (c) refrain from taking action and otherwise avoid the conflict.
- When the conflict involves a decision-maker, the person with the conflict:
 - (a) must fully disclose the conflict to all other decision-makers;
 - (b) may not be involved in the decision of what action to take (e.g., may not participate in a vote) but may serve as a resource to provide other decision-makers with information required.
- In some cases the person with the conflict may/will be asked to excuse him/herself from discussions about that issue so as not to unduly influence the discussion and decisions.
- In all cases, decisions involving a conflict will be made only by those who are not in the conflict.

- The fact a conflict was managed, and the outcome of that management will be documented in the minutes of board/committee meeting and reported to the Chairperson or other designated person(s).
- The Chairperson of the Board will monitor proposed or ongoing transactions of the organization (e.g., contracts with vendors and collaborations with third parties) for conflicts of interest and disclose them to the Board, as appropriate, whether discovered before or after the transaction has occurred.

Principle Three: Confidentiality and Privacy

Confidentiality in Health Professions

Principle One states that College board members shall maintain confidentiality about all matters that are considered in closed meetings. Committee meetings are closed meetings, thus subject to the privacy and confidentiality principles discussed herein.

Appropriate conduct by CASLP-NL volunteers regarding confidential information protects the College and its representatives, and the rights of individuals who could be harmed by release of information. The opinions of all members of a board and committee are sought during discussions, and provide a balanced perspective. Each committee strives to reach decisions by consensus, based on conservative decision rules. It is critical that all board and committee members feel free to share their points of view during closed meetings, with the assurance that the discussion is for the purposes of consensus-building, and that this will not be disclosed to individuals outside that decision-making body. This would include members of another committee that is not involved in making the same decision collaboratively.

“Confidential information refers to a definite body of material that is of limited public availability, which one holds or receives in circumstances that impose an obligation of confidence. An obligation of confidence means that the recipient has a duty to maintain the restricted availability of the material.” (Ng Ariss Fong, 2012)

As a general guideline, internal policy or regulatory documents are confidential until they have been debated and decided on by the committee/board and approved by the highest decision-making body within the College, Council or Government authorized to approve and publish the information. In general, approved minutes that become available to the public are limited to decision outcomes, and that is typically the type of information that can be disclosed.

Personal information, that is, any information about an individual or that might impact an individual, is confidential.

In short, any discussion outside the Committee/Board about a confidential issue or confidential information shall be considered a breach of confidentiality and of the informant's declaration to abide by the Board and Committee Code of Ethics.

Managing Confidential Information (Preventing Breaches of Confidentiality)

- Board members shall protect confidential information from improper disclosure; that is, disclosure to any person not lawfully entitled to it. In cases where it is not clear who is lawfully entitled to information, the volunteer will seek counsel from the relevant committee chair or the Board Chairperson.
- Board members shall dispose of confidential written and virtual information in a manner that assures unauthorized access is impossible.
- Board members shall use confidential information only for the purpose identified when it was provided, and never for their own benefit.

Managing Breaches of Confidentiality

- Board members shall report any abuse or suspected breach of protection of privacy and confidential information to the relevant Committee Chair or the Board Chairperson.
- The Chairperson may request that further information be sought about a potential breach.
- The Board Chairperson and/or Committee Chairperson may proceed with an informal process to attempt resolution with the person committing the breach.
- If a formal process is deemed necessary, the matter of a breach shall be referred to the Council.
- The College Board will then take action as advised by the Council.

References:

College of Speech and Hearing Health Professions of British Columbia (SHHPBC)
Board & Committee Members Code of Ethics

Province of Newfoundland and Labrador: Access to Information and Protection of
Privacy Act (ATIPPI), SNL 2013

Ng Ariss Fong, Lawyers. Regulating Board and Committee Members:
Confidentiality and Privacy. Presentation to CSHHPBC Board, June 1, 2012.

Adapted by: CASLP-NL Board of Directors April 25, 2014



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Form 5-80

DECLARATION

In making this declaration, I _____ declare I have
read and fully understand the College of Audiologists and Speech-Language
Pathologists of Newfoundland and Labrador’s (CASLP-NL) Board and Committee
Members’ Code of Ethics and I further declare I will abide by the principles set forth.

Signature

Witness

Date