



# Code of Conduct Guidelines

These guidelines cannot, and are not intended to, address all situations, but rather to assist in understanding the Code of Conduct for Council Members. These guidelines are subject to change as new issues and circumstances arise.

## 1. PROMOTE THE PUBLIC INTEREST

The purpose of the Real Estate Council of Alberta is to set and enforce standards of conduct for the industry and business of industry members in order to promote the integrity of the industry and to protect consumers affected by the industry. In carrying out this mandate, Council members should always seek to promote the public interest.

## 2. INTEGRITY, IMPARTIALITY AND INDEPENDENCE

Council members should not be influenced by public opinion, partisan interest, fear or criticism. Council members should uphold the principle of independence in decision making and should not be influenced by extraneous considerations.

While council members should maintain positive relationships and open communication with the organizations which appoint them, as council members they are *not* representatives of these organizations. Council members should approach each decision independently: they are under no obligation to represent their appointing organizations' points of view.

## 3. FREEDOM FROM CONFLICTS OF INTEREST

A conflict of interest is any interest, relationship, association or activity that is incompatible with the member's obligations to the council. For the purpose of this code, a conflict of interest includes both financial and non-financial conflicts. Even the slightest impression of a conflict of interest can have a negative effect. Council members should avoid any real or perceived conflicts of interest with regard to their work with RECA.

Section 9 of the *Real Estate Act* states that no council member shall:

- act in an official capacity for, be on the governing body of, be an employee of, or otherwise act on behalf of an association in any manner other than as an ordinary member of the association
- engage directly or indirectly in any business transaction or private arrangement for financial benefit of which knowledge was gained from being a council member or from confidential or non-public information gained by being a council member
- act in any manner that results in or creates the appearance of:
  - using the member's position for private gain
  - giving preferential treatment to any person
  - impeding the council from carrying out its purpose
  - foregoing independence or impartiality, or
  - adversely affecting the integrity of council
- represent the council explicitly or impliedly on any matter in which the member has a real or potential personal interest, direct or indirect, in a manner that is compatible with the member's duties



- contract with or accept the services from an industry member or potential industry member on terms that are more favourable than those generally available to the general public
- accept a fee or a benefit for appearing at an event or providing a speech, lecture, or publication (unless approved by the council) if the occasion is part of the official duties of the member for which compensation is being paid by the council
- contravene the Act, the regulations, the rules, or the bylaws

Council members are encouraged to familiarize themselves with which situations could result in a real or perceived conflict of interest. If they have questions or concerns, they are encouraged to speak with the chair.

#### **4. MAINTAINING CONFIDENTIALITY**

The work carried out by RECA often requires confidentiality and council members are expected to abide by strict confidentiality rules. Any and all information they receive while acting as RECA council members, from any source whatsoever, relating to:

- the business and affairs of RECA
- the business and affairs of all persons with whom RECA may have dealings, and
- all RECA staff, legal counsel or contractors

should be kept strictly confidential and should not be released without first having obtained the prior written consent of the executive director of RECA. RECA council members should not use confidential information for their own personal gain or to benefit persons or entities outside of RECA.

These provisions indefinitely survive the end of a person's term as a RECA council member.

#### **5. COLLEGIAL RESPONSIBILITIES**

##### **preparedness**

Council members have responsibility to council as a whole. Members should foster their professional competence and knowledge and perform their official duties and responsibilities fully and diligently by:

- reading information distributed to council members and preparing for meetings and hearings in advance
- making the most of professional development courses and workshops offered to them
- being aware of emerging issues and developments in the industry

Council members should make every effort to comply with the policies and procedures that have been established by council and by relevant legislation.

##### **availability**

Council members owe each other, the chair and the council as a whole a high degree of professionalism. Council members are to make themselves available to the chair on a timely basis when requested to do so. They should make themselves available to other council members for discussion and consultation, and in those discussions they should conduct themselves in a manner which demonstrates respect for others' views and opinions.

##### **solidarity**

Council members should not comment negatively on a council decision or on another council member's conduct during a meeting. When council has made a



decision on an issue, all council members should support that decision, act in solidarity, and not undermine any council policies or decisions. Council members should not criticize council policies or procedures publicly, and if they wish to question a decision, they should raise the issue with the chair or vice-chair.

## **6. RELATIONSHIPS WITH RECA STAFF**

RECA council members' relationships with the RECA executive director, RECA management and RECA staff should be professional and honest at all times, and council members should act with integrity and openness.

Any work to be done by RECA staff should be directed through the executive director. Council administrative matters may be directed to the council secretary.

## **7. INDUSTRY & PUBLIC RELATIONS**

### **participation in industry events**

Council members are called upon to attend a number of public relations and industry functions, both as representatives of RECA and as industry members.

When attending such events, council members should:

- act in a professional and courteous manner
- respect the professional opinion of others
- avoid speaking ill of competitors
- hold confidential RECA matters in confidence
- avoid use of foul or abusive language
- consume alcohol only to the extent that it is situationally appropriate and provided its use does not lead to impaired performance or inappropriate behaviour, endanger the safety of anyone or violate the law

### **participation in committees**

When asked to participate on a committee or task group as a result of being a RECA council member, council members should first seek the approval of council or the chair. Unless it is a council-mandated activity, council members should avoid any activities that could be viewed as government lobbying, whether on their own personal business or on behalf of RECA.

### **statements to the media and public officials**

The chair and executive director are the official media spokespeople for council. Council members should *not* speak to the media on behalf of RECA unless authorized by the chair or executive director to do so. Furthermore, when appearing before a government body or contacting a public official, council members should not suggest that they are representing RECA unless they are specifically authorized to do so.

## **8. FREEDOM FROM HARASSMENT**

The Real Estate Council of Alberta is committed to providing a collegial working environment in which all individuals are treated fairly and with respect and dignity in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices.

Harassment – whether based on a person's gender, sexual orientation, race, ethnicity, religion, national origin, citizenship, age, disability, socioeconomic status or marital status – is contrary to RECA's commitment to providing a respectful, professional and dignified workplace.



Under no circumstances are council members to engage in behaviour which is known, or ought to be known, to be offensive or harassing. Examples of harassment include, but are not limited to:

- verbal abuse or threats
- unwelcome remarks or jokes
- displaying pornographic, racist or otherwise offensive or derogatory pictures or material
- unwelcome invitations or requests

#### **9. REPORTING OF UNLAWFUL OR UNETHICAL BEHAVIOUR**

Council members should conduct the business and affairs of the Real Estate Council in a lawful and ethical manner and should not adversely affect the integrity of the council. Members should talk to the chair when in doubt about the best course of action in a particular situation.

#### **10. ACCOUNTABILITY**

Council members are responsible to the chair for adherence to this code. Council members should inform the chair if they become aware of an allegation of bias or conflict may be raised.

The chair has the authority to interpret and enforce this code on behalf of Council. Council members are cautioned that failure to comply may result in the chair's recommendation to Council of the council member in question's reprimand, sanction, or resignation, pursuant to section 9 of the *Real Estate Act*.