



Automobile Insurance Rate Board Code of Conduct

I. Preamble

The Code of Conduct (Code) for the Automobile Insurance Rate Board (AIRB) applies to all members and employees. The Code reflects a commitment to the agency's values and provides a framework to guide ethical conduct. Members and employees are expected to behave in a way that supports this Code. To demonstrate commitment to transparency and accountability, this Code is available to the public on the agency's website.

As an independent agency established by the Minister of Finance and Enterprise to regulate automobile insurance premiums in Alberta, there is an obligation to Albertans that there not be, nor seem to be, any conflict between the private interest of members and employees and their duty to the public. At the same time, it is recognized that members and employees should enjoy the same rights in their private dealings as any other citizens unless it can be demonstrated that a restriction is essential to the public interest.

II. Core Values

- a. Members and employees act with impartiality and integrity.
- b. Members and employees demonstrate respect and accountability.
- c. Members and employees use innovation and continuous improvement to achieve excellence.

III. Guiding Principles

These principles guide the behavior and decisions of members and employees.

- a. The actions and decisions of members and employees are made to promote the public interest and to advance the mandate and long-term interests of the agency.
- b. Members and employees are good stewards of public resources.
- c. Members and employees have a duty of loyalty to the agency, to act in good faith and to place the interests of the agency above their own private interests.
- d. Members and employees understand that this Code does not cover every specific scenario therefore they use the spirit and intent behind the Code to guide their conduct.
- e. Members and employees enjoy the same rights in their private dealings as any other Albertan, unless it is demonstrated that a restriction is necessary in the public interest.

- f. If a member or employee, as an individual, is subject to more than one code of conduct, both apply.
- g. Members and employees understand that the Code is not intended to conflict with other professional Codes of Conduct or conflict of interest requirements, and will discuss any potential conflict with their supervisor or Code Administrator.
- h. The Code applies to all members and employees unless a specific exemption is granted by the Code Administrator.
- i. Members and employees understand that disclosure itself does not remove a conflict of interest.
- j. Members and employees encourage their colleagues to act fairly and ethically and know that they are able to raise concerns about a suspected breach by another to their supervisor or the Code Administration without fear of reprisal.
- k. Members and employees know that breaches of this Code may result in disciplinary action, including termination.
- l. Members and employees know that if they have any questions about the Code or are not sure how to apply these principles they should consult with their supervisor or the Code Administrator.
- m. Each member and employee confirms every year their understanding of and commitment to, the Code's expectations.

IV. Behavioral Standards

Behavioral standards help members and employees make appropriate decisions when the issues they face involve ethical considerations. Behavioral standards do not cover all scenarios but provide guidance in support of day-to-day decisions. All members and employees must adhere to the following standards:

- a. Members and employees act legally and comply with local laws, regulations, policies and procedures.
- b. Members and employees do not use their status or position within the agency to gain an unfair advantage for themselves or others.
- c. Members and employees conduct contributes to a safe and healthy workspace that is free from discrimination, harassment or violence.
- d. Members and employees do not misuse drugs or alcohol in a way that affects their performance and safety or the performance and safety of their colleagues.
- e. Members and employees act in a way that is consistent with the agency's protocols on public comment.
- f. Members and employees avoid situations, or do not put themselves in a position, where there is an actual or perceived conflict between their private interests and the interests of the agency. In other words, the actions or decisions that members and employees take on behalf of the agency do not provide them with an opportunity to

further the private interests of themselves, their families, their business associates or others with whom they have a significant personal relationship.

1. Confidential Information

Members and employees respect and protect confidential information, use it only for the work of the agency and do not use it for personal gain. Members and employees comply with protocols that guide the storage, use and transmission of information.

2. Gifts and Gratuities

Members and employees do not accept or receive gratuities other than the normal exchange of gifts between friends or business colleagues, tokens exchanged as part of protocol or the normal presentation of gifts to people participating in public functions.

3. Outside Activities

Members and employees avoid participating in outside activities that conflict with the interests and work of the agency. For example:

- i. **Business interests:** Members and employees do not hold interests in a business directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the agency.
- ii. **Employment:** Members do not take employment, and employees do not take supplementary employment that affects their performance or impartiality with the agency.
- iii. **Political Activity:** Members and employees may participate in political activities including membership in a political party, supporting a candidate for elected office or seeking elected office. However, they must not participate directly in soliciting contributions and any political activity must be clearly separated from activities related to the work for the agency, must not be done during working hours and not make use of agency facilities, equipment or resources in support of these activities.
- iv. **Volunteer Activity:** If members and employees are involved in volunteer work, the activity must not influence or conflict with decisions relating to the agency.

4. Post Appointment and Post Employment

Once members and employees have left the agency, they do not disclose confidential information that they became aware of during their time with the agency and must consider their prior dealings with the agency that might bring into question their current impartiality.

5. Property

Members and employees must not make unauthorized use of agency property for personal benefit.

6. Related Persons or Parties

Members and employees avoid dealing with those in which the relationship between them might bring into question the impartiality of the member or employee.

V. **Administrative Processes**

Administrative processes help members and employees manage ethical dilemmas including any real or apparent conflict of interest concerns.

a. Administration

The Code Administrator is the Chair. The Code Administrator ensures the confidentiality of all disclosures and ensures that any real or apparent conflict of interest is avoided or effectively managed. As well the Code Administrator is responsible for providing advice and managing all concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the agency.

b. Disclosure

Although the Code Administrator is ultimately responsible for administering the Code, all members and employees have a role. It is the responsibility of each member and employee to declare those private interests and relationships that they think could be seen to impact the decisions or actions they take on behalf of the agency. When there is a change in their responsibilities within the agency or in their personal circumstances, members and employees disclose any relevant new or additional information about those interests.

The purpose of disclosing these real or apparent conflicts of interest is so that the Code Administrator is aware of situations that could be seen as influencing the decisions or actions members and employees are making on behalf of the agency. This provides members and employees, following a review by the Code Administrator, an opportunity to take action to remove or minimize the potential for a conflict to occur. To actively manage a conflict of interest, options include:

- Remove themselves from matters in which the conflict exists or is perceived to exist;
 - Members and employees must withdraw from participation in any way in decisions which they may have financial or material interest
 - Members and employees who are in a conflict of interest shall absent themselves prior to any discussion or voting in respect of the issue in question.
- Giving up the particular private interest causing the conflict; and/or
- In rare circumstances, resigning their position with the agency.

(Note: a "Private Interest" of a Member or Employee does not include an interest;

- In a matter that is of general application, or
- That affects a person as one of a broad class of the public, or
- An interest that is trivial in nature

As a result of the above, a Member participating and voting on rate applications where they are one of many policyholders would not be seen as a conflict of interest.)

d. Reporting a Potential breach by Another

Members and employees can report a potential breach of this Code by another to their supervisor or the Code Administrator. When members and employees are reporting a concern in good faith and with reasonable grounds, they are protected from retaliation for such reporting.

d. Breaches and Consequences

A breach of this Code may have occurred when a member or employee does not meet the standards of behavior identified in this Code, including taking part in a decision or

action that furthers their private interests. A range of consequences may result, up to and including termination with the agency.

e. Review of a Decision

Members and employees can request an external reviewer review a decision that has been made by the Code Administrator about an apparent or real breach of the Code, including a conflict of interest involving them.

VI. Other Resources

a. Where to Get Advice

Members and employees know there may be times when they require advice and guidance in determining whether misconduct or a conflict exists. When members and employees are unsure or need clarification, they understand that they should discuss their concern with:

- The Board (if a Chair)
- The Board Chair (if a member)
- Supervisor (if an employee)
- Code Administrator
- External Reviewer
- *[Other - e.g. ethics officer, ethics committee, compliance officer]t*

b. Questions to Consider

When members and employees are faced with a difficult situation, they should use the following questions to help decide the right course of action:

- Have I reflected on or consulted with my supervisor or the Code Administrator about whether I am compromising the Code's values, principles or behavioral standards?
- Have I considered the issue from a legal perspective?
- Have I investigated whether my behavior parallels policy or procedure of the agency?
- Could my private interests or relationships be viewed as impairing my objectivity?
- Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
- Could my decisions or actions be perceived as granting or receiving preferential treatment?

VII. Affirmation

The Code of Conduct for the Automobile Insurance Rate Board was introduced on January 22, 2010 and is reaffirmed annually by the Board to ensure it remains current and relevant.

Approved: January 22, 2010