



CNSC Values and Ethics Code





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I am pleased to present the CNSC Values and Ethics Code, which represents our commitment to the highest ethical standards in delivering our mandate. This Code identifies our core values and expected behaviours, and the principles we will apply in our decisions and actions. It provides the supporting framework to strengthen the development of an ethical climate in our workplace, and ethical relationships between the CNSC and employees, contractors, government, the nuclear industry and the Canadian public.

Message from the President

The integration of ethics in the CNSC system of governance has steadily progressed. We issued our first official statement of values in 2000, the same year that the *Nuclear Safety and Control Act* was legislated in its new form. In 2005, we established the Values and Ethics Program and created mechanisms for internal disclosure of wrongdoing. More recently, the *Public Servants Disclosure Protection Act* (PSDPA) of 2007 required us to establish a code of conduct consistent with the *Values and Ethics Code for the Public Sector* developed by Treasury Board. Our consultations with staff have allowed us to develop the *CNSC Values and Ethics Code* in a manner that meets the requirements of the PSDPA, while reflecting our best practices and unique operating environment.

In this Code, we acknowledge the level of trust that Canadians and our Parliament vest in the public service. With this in mind, we ask all employees to certify they have read, discussed and understand their ethical obligations. This will encourage dialogue between supervisors and employees, while ensuring we are aware of our risks, rights and responsibilities as well as the resources available to address ethical concerns.

We established this Code not only because it is a government requirement, but also to reconfirm our values and reflect who we are. It embodies our aim to be an employer of choice with common principles and standards, and it affirms our pride in being public servants, dedicated to excellence and service and who contribute to the well-being of all Canadians.

Yours sincerely,



Michael Binder
July 2012

Code Statement

The CNSC is mandated to regulate the development, production and use of nuclear energy and the production, possession and use of nuclear substances, prescribed equipment and information. Our agency is a scientific organization responsible for disseminating objective, technical and regulatory information related to our activities. We are entrusted with safeguarding the environment and the health, safety and security of Canadians, and implementing Canada's international commitments on the peaceful use of nuclear energy.

The CNSC primary stakeholders are its employees, the Canadian public, the Government of Canada, its licensees and contractors. We commit to achieving our mandate by nurturing a culture of trust and safety with our stakeholders, which is characterized by ethical leadership, ethical decision-making and ethical relationships. We pledge to them and to the international community that we will foster a work environment that promotes transparency, achievement and innovation through ethical means and relationships.



Effective Date

This Code is effective on July 1, 2012.



Application

This Code applies to all Canadian Nuclear Safety Commission (CNSC) employees. Together with the requirements set out in the *Nuclear Safety and Control Act*, the *Values and Ethics Code for the Public Sector*, the *CNSC Conflict of Interest and Post-employment Policy* and the *CNSC Directive on Reporting and Managing Financial Conflicts of Interest*, this Code forms part of the conditions of employment with the CNSC.



Objectives

The *CNSC Values and Ethics Code* aims to:

- ▶ identify the values and expected behaviours that guide us as employees and public servants in performing our duties and responsibilities to the highest ethical standards
- ▶ provide internal and external mechanisms for disclosure of wrongdoing and for protection from reprisal, in a safe and secure environment
- ▶ maintain a culture of trust at the CNSC
- ▶ strengthen stakeholder confidence in the CNSC
- ▶ comply with the PSDPA to establish a code of conduct specific to our organization and consistent with the *Values and Ethics Code for the Public Sector*



The CNSC Risk Environment

The CNSC has significant responsibilities to prevent risks related to public health and safety. Some of these risks are unique to our mandate, whereas others are common to federal departments and agencies. As CNSC employees, we may face challenges in the following areas:

- ▶ **operations** – includes inappropriate pressure or demands to ease or bypass regulatory requirements, to reduce or increase fees, to give unfair advantage, or to disclose confidential or proprietary information to unauthorized persons or entities
- ▶ **mismanagement** – includes misconduct and gross negligence of CNSC human, physical or network resources
- ▶ **conflict of interest** – comprises apparent, potential or real conflicts between our CNSC duties and private interests; these could include inappropriate acceptance of gifts, benefits or hospitality, or the provision of inappropriate insider access, preferential treatment, or unfair advantage to persons or entities
- ▶ **harassment** – represents acts of abuse of power, reprisal, violence or discrimination in our relationships, within or outside our workplaces
- ▶ **finance** – encompasses misappropriation of funds, fraud, bribery or corruption; this includes misuse or abuse of regulations regarding procurement and contracting, grants, contributions, revenues, travel or hospitality funds
- ▶ **workload** – includes excessive demands placed on us as employees or uneven distribution of tasks



Statement of Values and Expected Behaviours

The CNSC is committed to the values of respect, integrity, service, excellence, responsibility and safety. As CNSC employees and public servants, we are expected to demonstrate the following behaviours that reflect and showcase these values:

Value	Expected Behaviour
Respect – commits us to valuing the rights, responsibilities and contribution of all stakeholders	We demonstrate respect by: <ul style="list-style-type: none">• treating our colleagues and external stakeholders with dignity and fairness• listening to others and respecting different points of view• maintaining a safe and healthy workplace that is free of harassment, violence, discrimination, abuse of power, and threats• respecting Canada’s official language laws and the diversity of our workforce and public
Integrity – commits us to acting with honesty in all our decisions and actions	We seek integrity by: <ul style="list-style-type: none">• acting in a manner that will bear the closest scrutiny• making decisions that respect and give priority to rightful CNSC and public interests• avoiding real, apparent or potential conflicts of interest between our official duties and personal interests• responsibly speaking out when aware of wrongdoing
Service – commits us to serving Canadians and our government to the best of our abilities	We accomplish service by: <ul style="list-style-type: none">• respecting the rule of law and carrying out our duties in accordance with legislation, policies and directives, in a non-partisan and objective manner• providing decision makers with all information, analysis and advice needed to make fully informed decisions in an honest, respectful and impartial manner• maintaining an arms-length regulatory relationship with licensees and members of the public• collaborating with federal and provincial regulators to meet our obligations regarding safe and secure management of nuclear-related material, facilities and activities
Excellence – commits us to being dedicated, competent and professional	We demonstrate excellence by: <ul style="list-style-type: none">• striving to fulfill our roles and responsibilities effectively and efficiently, and continually seeking to improve the quality of our policies, programs and services• striving for ongoing development of our technical and interpersonal skills• sharing knowledge and contributing to the professional growth of others• nurturing pride in our work and in the public sector, and protecting the reputation and values of Canada and the CNSC
Responsibility – commits us to using public resources responsibly in a manner that maintains public trust and confidence in the CNSC	We exercise responsibility by: <ul style="list-style-type: none">• judiciously managing public money, travel funds, property and resources entrusted to the CNSC• respecting and protecting private and confidential information and stakeholders’ intellectual property, in accordance with CNSC policies and government requirements• being accountable for our decisions, actions and advice• embracing social, environmental and economic sustainability
Safety – commits us to recognizing the importance of safety as an overriding consideration in our daily work	We support a strong safety culture by: <ul style="list-style-type: none">• making accountability for safety clear• taking appropriate measures to ensure our health and safety in the workplace• encouraging an open and collaborative work environment• seeking and acting on feedback, lessons learned and best practices



Duties and Obligations

Employees

All CNSC employees are responsible for ethical leadership. We uphold public trust through the example we set. Managers have a particular obligation to demonstrate our values and to promote ethical awareness with employees. We are encouraged to discuss and resolve ethical concerns with our supervisors, the Senior Officer for Disclosure or the Ethics Officer without fear of reprisal.

Employees are to abide by this Code and the *Values and Ethics Code for the Public Sector*. They must demonstrate the values and adhere to the behavioural expectations set out in both codes.

President

The CNSC President is subject to this Code, the *Values and Ethics Code for the Public Sector* and the *Conflict of Interest Act*. Under the PSDPA, the President is required to:

- ▶ establish a code of conduct for the CNSC
- ▶ foster a positive culture of values and ethics at the CNSC
- ▶ ensure that employees are aware of their obligations under the *Values and Ethics Code for the Public Sector* and this Code
- ▶ ensure that employees can obtain appropriate advice within the CNSC on ethical issues, including possible conflicts of interest
- ▶ ensure that both codes and the internal disclosure procedures are implemented effectively and that they are regularly monitored and evaluated
- ▶ ensure the non-partisan provision of programs and services by the CNSC

Senior Officer for Disclosure – Director, Office of Audit and Ethics

The Senior Officer for Disclosure is responsible for supporting the President in meeting the requirements of the PSDPA. The Senior Officer helps promote a positive environment for disclosing wrongdoing, and deals with disclosures of wrongdoing made by CNSC employees.

The Senior Officer for Disclosure manages the Values and Ethics, the Internal Disclosure, as well as the Conflict of Interest and Post-employment programs. Under the PSDPA, the Senior Officer for Disclosure is required to:

- ▶ provide information, advice and guidance to employees regarding internal disclosure procedures, including the making of disclosures, the conduct of investigations into disclosures and the handling of disclosures made to supervisors
- ▶ receive and record disclosures, and review them to establish whether there are sufficient grounds for further action under the PSDPA
- ▶ manage investigations into disclosures, including determining whether to deal with a disclosure under the PSDPA, initiate an investigation or cease an investigation
- ▶ coordinate the handling of a disclosure with the senior officer of another federal public sector organization, if a disclosure or an investigation into a disclosure involves that other organization
- ▶ provide written notification, to person(s) who have made a disclosure, of the outcome of any review and/or investigation into the disclosure and of the status of actions taken with respect to the disclosure, as appropriate

- ▶ directly inform the CNSC President about the findings of investigations or any systemic problems that may give rise to wrongdoing, and recommend related corrective action(s), if any

Ethics Officer

The Ethics Officer supports the Senior Officer for Disclosure in developing, administering and implementing the CNSC Values and Ethics, Internal Disclosure, and Conflict of Interest and Post-employment programs (see Appendix 1 for more information about these programs).

Office of the Public Sector Integrity Commissioner of Canada

The Office of the Public Sector Integrity Commissioner of Canada (PSIC) enables employees and the public to disclose serious wrongdoings in the public sector and to report reprisals taken against employees who have acted in good faith. The PSIC may refer reprisal complaints to the Public Servants Disclosure Protection Tribunal for adjudication.



Avenues for Resolution

The expected behaviours indicated in both codes are not intended to respond to every possible ethical issue that might arise in the course of an employee's daily work. When ethical issues arise, employees are encouraged to discuss and resolve these matters with their immediate supervisor or the Office of Audit and Ethics. They can also seek advice and support from other appropriate sources within the CNSC.

Employees at all levels are expected to resolve issues in a fair and respectful manner and consider informal processes such as dialogue and mediation.

As provided by sections 12 and 13 of the PSDPA, if employees have information that could indicate a serious breach of both codes, they can bring the matter – in confidence and without fear of reprisal – to the attention of their immediate supervisor, the Senior Officer for Disclosure or the PSIC.

Members of the public who have reason to believe that a CNSC employee has not acted in accordance with both codes can bring the matter to the Office of Audit and Ethics or to the PSIC to disclose serious wrongdoing.



Consequences

A breach of the *CNSC Values and Ethics Code* or of the *Values and Ethics Code for the Public Sector* may result in disciplinary measures that extend to or include termination of employment.

Appendix 1:

Programs and Resources



A. Office of Audit and Ethics

a. Values and Ethics Program

The CNSC Values and Ethics Program aims to implement ethical practices in our workplace and with stakeholders. It gives employees training, tools, accountability measures and support for upholding values and ethics in the performance of their duties.

Successful implementation of the *CNSC Values and Ethics Code* rests heavily on ethical decision making. When we face ethical dilemmas, we are encouraged to apply the following:

- ▶ **ethical awareness** – be able to recognize right from wrong and seek to do what is right, in situations where we may be unsure of appropriate action or where two or more values or interests may be in conflict or involve harm
- ▶ **ethical reasoning** – consider and choose the option that most effectively balances rules and laws, consequences, care for others, and CNSC values
- ▶ **ethical action** – speak with trusted colleagues, friends, supervisors or CNSC Ethics Officer so that we make the right decision and take the best course of action while assuming full responsibility for our actions

b. Internal Disclosure Program

The Internal Disclosure Program provides a neutral and confidential mechanism that encourages employees to speak up responsibly if they experience or witness wrongdoing or reprisal.

The PSDPA is intended to address serious forms of **wrongdoing**, which is defined as:

- ▶ a contravention of any Act of Parliament or of any regulations made under any such Act
- ▶ a misuse of public funds or a public asset
- ▶ a gross mismanagement in the public sector
- ▶ an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment
- ▶ a serious breach of codes of conduct

The PSDPA forbids knowingly directing or counselling a person to commit wrongdoing or reprisal in any form.

Several factors are considered in the handling of serious forms of wrongdoing. These include, but are not limited to, the following:

- ▶ the possible adverse impact on trust or confidence in the CNSC's ability to carry out its mandate and fulfill its duties in the public interest

- ▶ the degree of departure from codes, standards, policies or accepted practices
- ▶ the position, responsibilities and duties of the alleged wrongdoer, with a higher degree of probity expected from employees in positions of trust within the CNSC
- ▶ the degree of willfulness, deliberateness or recklessness involved, including any malicious intent to cause harm or purposely engage in wrongdoing
- ▶ the frequency of the actions, such as whether they are isolated, or repetitive or ongoing
- ▶ the consequences of the actions on the well-being, health or safety of others or the environment

A **disclosure** is qualified as protected if is made in good faith by a CNSC employee to his or her immediate supervisor, the Senior Officer for Disclosure or to Public Sector Integrity Canada, in the course of parliamentary proceedings or any procedure established under any Act of Parliament or when the employee is lawfully required to testify.

Reprisal is defined as any action taken against an employee who has made a protected disclosure or has, in good faith, cooperated in an investigation into a disclosure. Reprisal may include any of the following measures taken against such an employee, or a threat or direction to a person to take any of the following measures against the employee: intimidation, harassment, disciplinary action, demotion, termination of employment, or measures that adversely affect employment or working conditions.

c. Conflict of Interest and Post-employment Program

Employees are responsible for avoiding real, potential or apparent conflicts of interest between their private interests and work-related duties, and are to resolve such issues in favour of the public interest.

Employees must be aware of their obligations to disclose in the *Declaration of Conflicts of Interest* any personal liabilities or assets related to the nuclear industry or their duties at the CNSC. Employees must disclose firm employment offers, outside employment activities or political activities in which they could get involved. Employees are to avoid inappropriate self-dealing or giving any person or organization preferential treatment, insider access, or unfair advantage. When acting as a public official, they must understand established limits for accepting gifts, hospitality or other benefits from internal or external sources. Only small gifts of a promotional nature or occasional meals of nominal value may be allowed, if these are infrequent, in a business context, and would not result in perceived conflicts of interest. If in doubt about gifts or other benefits, CNSC employees should politely decline them or seek advice from their managers or the Ethics Officer before accepting them.

For more information, consult:

- ▶ the *CNSC Conflict of Interest and Post-employment Policy*
- ▶ the *CNSC Directive on Reporting and Managing Financial Conflicts of Interest*
- ▶ *Declaration of Conflicts of Interest*
- ▶ the Senior Officer for Disclosure – Director of Audit and Ethics at 613-947-8220
- ▶ the CNSC Ethics Officer at 613-947-0915

- ▶ the CNSC Values and Ethics Info-Line at 1-877-251-2554 or id-di@canada.ca



B. CNSC Human Resources Directorate

a. Respectful workplace

Any form of abuse of power, harassment or violence will not be condoned or tolerated at the CNSC or in our relationships with external stakeholders. As employees and managers, we should speak up responsibly if we witness or are subjected to such behaviour. In addition, a healthy work-life balance is important to productivity. CNSC management encourages this along with a healthy and safe working environment. Employees are encouraged to raise concerns safely and constructively with supervisors if they feel that work is adversely affecting their well-being or their family or personal lives.

b. Political activities

CNSC employees may engage in political activities, as long as these do not compromise or are not perceived as compromising their ability to perform their duties in a politically impartial manner. An employee should seek CNSC approval for such activities, and mitigation measures may be required depending upon certain factors such as the nature of the political activity as well the employee's duties or organizational position.

For more information, consult:

- ▶ the *Policy on the Prevention and Resolution of Harassment in the Workplace*
- ▶ the Employee Assistance Program at 800-268-7708
- ▶ the *Employment Equity Act*
- ▶ the *Guidelines on Political Activities*
- ▶ the CNSC Senior Labour Relations Officer
- ▶ the CNSC Employment Equity Officer:
HRprograms-ProgrammesRH@canada.ca
- ▶ the CNSC Political Activities Officer:
Politicalactivities-Activitiéspolitiques@canada.ca



C. Professional Institute of the Public Service of Canada – Nuclear Regulatory Group

The Nuclear Regulatory Group (NUREG) is the bargaining unit under the Professional Institute of the Public Service of Canada (PIPSC) that represents the majority of CNSC employees from REG 1 to REG 8. The union acts on behalf of members by providing effective bargaining, labour relations and other services that contribute to a productive work environment.

Contact: PIPSC-NUREG



D. Informal Conflict Management System

In addition to other resources, the CNSC's Informal Conflict Management System (ICMS) offers CNSC employees alternative methods for resolving work-related conflicts.

For more information consult: icms-sgic@canada.ca



E. Information Management Technology Directorate

a. Access to information and privacy

The CNSC requires employees to respect proprietary and confidential information, which includes personal data and information pertaining to the CNSC, its employees and licensees, as well as to departments and agencies, other governments and entities.

For more information, consult:

- ▶ the *Directive on Privacy Impact Assessment*
- ▶ the *CNSC Information Security Directive*
- ▶ ATIP-AIPRP@canada.ca

b. Use of electronic networks

The CNSC prohibits the inappropriate use of electronic or telephone networks, unauthorized leaks, exchange or storage of sensitive or confidential information and material, installation of unauthorized software, visits to inappropriate Web sites, and unauthorized personal long distance telephone calls.

For more information, consult:

- ▶ the *Internet Acceptable Use Policy*
- ▶ the *Policy on the Use of Electronic Networks*



F. Security and Facilities Management Division

The CNSC has zero tolerance for any acts of violence in the workplace and will take all reasonable and practical measures to prevent and protect employees, contactors, students and visitors from such acts.

For more information, consult:

- ▶ the *Policy on the Prevention of Violence in the Workplace*
- ▶ Security-securite@canada.ca

Appendix 2:

Values and Ethics Code Agreement

By signing this agreement form, I acknowledge that I have read the *Values and Ethics Code for the Public Sector* and the *CNSC Values and Ethics Code* and discussed my ethical obligations with my supervisor.

As a CNSC employee, I commit to the highest ethical standards in performing my duties and fulfilling my organizational responsibilities. I will not condone unethical conduct and will responsibly speak up against it if I observe it. I commit to ethical relationships with the people I deal with in the course of my work-related activities.

As a CNSC supervisor, I will ensure the employees for whom I am responsible understand the ethical risks they may face, and that they have appropriate tools to address these risks. I commit to openly discussing ethical issues and concerns with my own supervisor, as well as with my employees and colleagues.

Signed on this date of: _____

Signature of employee

Printed name:

Signed on this date of: _____

Signature of supervisor

Printed name:
