

Driver Training Provider Professional Code of Conduct

This Code of Conduct (the “**Code**”) defines Manitoba Public Insurance’s (“**MPI**”) expectations for professional conduct by all driving instructors, driver training schools, and employees of driver training schools (collectively referred to as “**Driver Training Providers**”).

All Driver Training Providers must abide by this Code during the delivery and administration of any driver training.

Driver training schools must review this Code annually with all employees and individuals conducting business on behalf of the driver training school, and hold all personnel accountable for adherence to the Code.

Professional Conduct

Driver Training Providers must demonstrate honesty and integrity in all dealings with the public, while maintaining a safe training environment that supports effective learning, provides relevant information to students, and supports fair access to driver testing.

All Driver Training Providers must:

- Promote their business only through accurate, clear and fair advertising that does not mislead about services provided, does not exaggerate instructor qualifications, and does not mispresent fees associated with training or other services.
- Respect student confidentiality by ensuring that personal information is kept secure administratively, technically and physically and is not compromised. Except as required by law, student information must not be shared with third parties, including potential employers, without written consent from the student.
- Demonstrate a high standard of driving and instructional ability while upholding safety standards including showing consideration for all other road users.
- Refrain from engaging in any other activities, such as use of mobile devices, while supervising any student’s driving.
- Prior to delivering training, confirm that students are legally qualified to operate any class of vehicle for which they are seeking in-vehicle training.
- Ensure that every vehicle used for training is maintained in good mechanical condition and provides a safe and clean learning environment.
- Account for any funds paid in advance by each student, in respect of driving lessons, testing fees, or any other purpose.
- Promptly notify MPI of any changes that may impact an instructor’s ability to provide safe and effective driver training, including:
 - Any charges and/or convictions under The Drivers and Vehicles Act, The Highway Traffic Act, the Criminal Code (Canada), The Human Rights Code, the Canadian Human Rights Act or a similar Act of any other province or territory of Canada.
 - Any changes in driver’s licence status (i.e. suspension), medical status, or other conditions that may affect the ability to legally and safely operate a motor vehicle in Manitoba.

Provision of Information to Students

Prior to delivery of any training, all students must be provided with written documentation including information about this Code, and any terms, conditions, policies or business practices related to services that may impact the student. Documents must be provided electronically or on paper, and include:

- The current version of *Driver Training Student Expectations*
- Current contact information at which the instructor or a representative can be reached
- Estimated cost and duration of any lessons or other services, such as use of a driver training school vehicle for the practical driving test
- The terms and conditions that apply to lessons which are cancelled by either party and the terms under which fees may be refunded
- The procedure for reporting any concerns or complaints. Issues should first be raised with the driving instructor or driver training school. The Driver Training Provider must make every effort to provide a fair and prompt resolution. If the student is not satisfied, and an agreement cannot be reached, the student or Driver Training Provider may contact MPI.

Supporting Access to Driver Testing

To enable MPI staff and agents of MPI to provide safe, convenient access to fair testing services for all students, Driver Training Providers must adhere to the following guiding principles in relation to driver testing:

- No Driver Training Provider may use any device to record a road test, road test route or make any recording (visual or audio) of any MPI employee, any person attending an MPI testing site, or any individual taking an MPI-conducted driver examination. Maps and other information on testing routes must not be shared.
- When attending a road test appointment with a student, Driver Training Providers are expected to ensure applicants arrive on time, with an acceptable vehicle, and are prepared to be tested.
- Driver Training Providers must not interfere with driver examiners, examination applicants, or road test vehicles during driver examinations. Attempts to circumvent test by any means, including communication, gestures, or coaching, will not be tolerated.
- Driver Training Providers must respect a student's right to privacy. Unless permission is specifically given by the student, no Driver Training Provider may discuss test results with the driver examiner.
- Driver Training Providers must ensure that all vehicles presented for road testing are properly licenced and insured, properly equipped, and are in safe operating condition. Vehicles must be free of any markings or visual aids which may serve to assist the applicant during the road test.
- Driver Training Providers must not attempt to influence road test results or access to road test appointments through aggressive or threatening language or behaviour, or through the offer of gifts or other benefits to any driver examiner, MPI employee or agent of MPI.
- Driver Training Providers must adhere to MPI policies when conducting business with MPI, including scheduling road test appointments or accompanying students to testing appointments at MPI.

Disciplinary Actions for Unprofessional Conduct

Disciplinary actions imposed by MPI will be based on the gravity of the incident, the history of the Driver Training Provider and the actions taken to address the issue. While breaches will generally be viewed as moderate contraventions, MPI may consider alternative disciplinary measures where either mitigating or aggravating factors exist.

Unacceptable Conduct

MPI and Driver Training Providers in Manitoba have a shared responsibility to provide learning environments where all students and participants feel safe and respected.

This Code is intended to strengthen and support a consistent and effective approach for preventing, intervening in, and responding to violence, harassment, bullying, and other unacceptable behaviours.

All permitted Driver Training Providers must behave in a respectful manner when conducting business. This includes, but is not limited to, interactions with students, co-workers, MPI staff, and agents conducting business on behalf of MPI.

The following behaviours will not be tolerated by any Driver Training Provider:

- Attempted or actual use of physical force against another person
- Threatening statements or behaviour that causes another person to reasonably believe that physical force may be used against them
- Behaviours that affect another person's psychological or physical well-being, including verbal remarks, physical gestures, or written communications perceived as an attempt to bully, threaten, demean, or intimidate that person
- Any behaviours that may be perceived as sexual solicitations or advances
- Discriminating on the basis of any characteristic set out in subsection 9(2) of The Human Rights Code
- Using, possessing, or being under the influence of alcohol, cannabis (marijuana) or illicit drugs while conducting driver training
- Possessing a "weapon" as defined in section 2 of the Criminal Code (Canada)

Disciplinary Actions for Unacceptable Conduct

Disciplinary actions imposed by MPI will be based on the gravity of the incident, the impact to any individual harmed by the behaviour, and the history of the permit holder.

Sanctions may include immediate revocation of the permit. At its discretion, and as deemed necessary to protect the interests of the public, MPI may impose a temporary suspension of the permit during the course of the related investigation.

Duty to Report

Any driver training school employee who becomes aware that any person employed by or providing service on behalf of the school may have violated this Code must report the matter to the driver training school as soon as reasonably possible.

The driver training school must take steps to respond, investigate, and intervene in a timely and appropriate manner to any reported or suspected breaches of this Code. The driver training school must immediately notify MPI of the reported incident.

Any driving instructor who becomes aware of potential breaches of this Code by any permitted driving instructor or permitted driver training school must report the matter to MPI as soon as reasonably possible.

Driver Training Providers must cooperate with any investigation conducted by MPI in relation to the incident.

Failure to meet any of these obligations will be considered a major contravention and will result in sanctions against the driver training school permit, the driving instructor permit, or both.

MPI will investigate any and all reported breaches of this Code, and may impose sanctions on the associated driver training school permit, driving instructor permit, and/or training vehicle permit based on the circumstances and findings of the investigation.

MPI may consider mitigating or aggravating factors when determining the appropriate course of action.

- Mitigating factors include:
 - Promptly notifying MPI of the breach; and
 - Resolving the issue in an appropriate and timely manner; and
 - Implementing processes to prevent future recurrence.
- More severe sanctions may be imposed if:
 - The actions of the Driver Training Provider create, or fail to correct, heightened risk to students, including potential future students, seeking driver training; or
 - The Driver Training Provider fails to notify MPI of the potential breach; or
 - The Driver Training Provider fails to take appropriate action to address the issue and/or prevent future recurrence.

Acknowledgement

I acknowledge that I have reviewed and understand the policies and guidelines within this Code. I understand that it is my responsibility to comply with all provisions of the Code.

Printed Name

Signature

Date