

Conflict of Interest Policy



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Royal City Artistic Swimming Club

Conflict of Interest Policy

Definitions

1. The following terms have these meanings in this Policy:
 - a) *“Corporation”* – Royal City Artistic Swimming Club
 - b) *“Conflict of Interest”* – Any situation in which an Individual’s decision-making, which should always be in the best interests of the Corporation, is influenced or could be influenced by personal, family, financial, business, or other private interests.
 - c) *“Individuals”* – All categories of membership defined in the Corporation’s Bylaws, as well as all individuals engaged in activities with the Corporation including, but not limited to, athletes, volunteers, and board members of the Corporation.
 - d) *“In writing”* – A letter, or email sent directly to the Corporation.
 - e) *“Pecuniary Interest”* – An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated.
 - f) *“Non-Pecuniary Interest”* – An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss.
 - g) *“Board”* – means the Board of Directors of the Corporation.

Background

2. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of the Corporation. For example, in not-for-profit organizations, Directors are required, by law, to act as a trustee (in good faith, or in trust) of the Corporation. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the Corporation is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict of interest situation.

Purpose

3. This policy is intended to maintain fair and ethical decisions that promote the broader interests of the Corporation over potential personal interests of an Individual.
4. The Corporation strives to reduce and eliminate nearly all instances of conflict of interest at the Corporation – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Individuals will conduct themselves in matters relating to conflict of interest, and will clarify how Individuals shall make decisions in situations where conflict of interest may exist.
5. This Policy applies to all Individuals.

Obligations

6. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an Individual’s personal interest and the interests of the Corporation, shall always be resolved in favour of the Corporation.
7. Individuals will not:
 - a) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise.
 - b) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with the Corporation, if such information is confidential or not generally available to the public.
 - c) Engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of the Corporation, or in which they have an advantage or appear to have an advantage on the basis of their Corporation with the Corporation.

- d) Place themselves in positions where they could, by virtue of being an Corporation Individual, influence decisions or contracts from which they could derive any direct or indirect benefit.
- e) Without the permission of the Corporation, use the Corporation's property, equipment, supplies, or services for activities not associated with the performance of their official duties with the Corporation.
- f) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being an Corporation Individual.
- g) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with the Corporation, unless such business, transaction, or other interest is properly disclosed to the Corporation and approved by the Corporation.
- h) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment.

Disclosure of Conflict of Interest

- 8. On an annual basis Individuals may be asked to disclose any real or perceived conflicts that they might have by completing a **Conflict of Interest - Declaration Form**. At the first meeting of the Board, Board Members will complete a **Conflict of Interest - Declaration Form**. Declaration Forms shall be retained by the Corporation.
- 9. Individuals shall disclose real or perceived conflicts of interest to the Corporation's Board immediately upon becoming aware that a conflict of interest may exist.
- 10. Individuals shall also disclose any and all affiliations with any and all other organizations involved with the same sport, artistic swimming. These affiliations include any of the following roles: athlete, coach, manager, official, judge, employee, volunteer, officer or director.

Minimizing Conflicts of Interest in Decision-Making

- 11. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an Individual will be considered and decided with the following additional provisions:
 - a) The nature and extent of the Individual's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted.
 - b) The Individual does not participate in discussion on the matter.
 - c) The Individual abstains from voting on the decision.
 - d) For board-level decisions, the Individual does not count toward quorum.
 - e) The decision is confirmed to be in the best interests of the Corporation.
- 12. For potential conflicts of interest involving employees, the Corporation's Board will determine whether there is there a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. The Corporation will not restrict employees from accepting other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with the Corporation or give rise to a conflict of interest.

Conflict of Interest Complaints

- 13. Any person who believes that an Individual may be in a conflict of interest situation should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to the Corporation's Board who will as quickly as possible decide appropriate measures to eliminate the conflict.
- 14. The Corporation's Board decision as to whether or not a conflict of interest exists will be governed by the following procedures:
 - a) Copies of any written documents to be considered by the Board will be provided to the Individual who may be in a conflict of interest situation
 - b) The decision will be by a majority vote of the Corporation's Board

15. The Individual identified in the Complaint or in a Declared Conflict of Interest:
 - a) may not participate in discussion of this matter as an advocate on his or her behalf, either formally at the meeting or informally through private contact, communication, or discussion, unless such participation is approved by the majority vote of the other Board Members
 - b) Except where participation in discussion has been approved, as per above, the Individual shall not be present at that portion of a meeting

Decision

16. After hearing and/or reviewing the matter, the Corporation's Board will determine whether a conflict of interest exists and, if so, the sanctions to be imposed.

Sanctions

17. The Board may apply the following actions singly or in combination for real or perceived conflicts of interest:
 - a) Removal or temporary suspension of certain responsibilities or decision-making authority.
 - b) Removal or temporary suspension from a designated position.
 - c) Removal or temporary suspension from certain teams, competitions, events and/or activities.
 - d) Expulsion from the Corporation.
 - e) Suspension from certain teams, competitions, events, and/or activities.
 - f) Other actions as may be considered appropriate for the real or perceived conflict of interest.
18. Failure to comply with an action as determined by the Board will result in automatic suspension from the Corporation until compliance occurs.
19. The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of the Board.

Conflict of Interest - Declaration Form

I have read the Royal City Artistic Swimming Club *Conflict of Interest Policy*, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. I also commit to disclosing the existence of any real or perceived conflict of interest to the Board, as soon as it is known to me.

I declare the following interests which may represent a potential conflicting interest:

Name

Signature

Date