

# **Speed Skate PEI Inc.**

## **Conflict of Interest Policy**

### **OBJECTIVE**

The aim of this policy is to provide a standard of behaviour that prevents exploitation of conflict of interest situations within the affairs of Speed Skate PEI.

### **SCOPE OF APPLICATION**

This policy shall apply to athletes, coaches, officials, volunteers, directors, officers and administrators and members of Speed Skate PEI ("SSPEI") while engaged in the activities of the organization.

### **DEFINITIONS**

Conflict of interest – A conflict of interest can be real or perceived and includes any situation in which an individual or organization representing SSPEI in any capacity is influenced or could be influenced in a decision by personal, family, financial, business or other interests which over ride or could over ride SSPEI's best interests.

### **POLICY STATEMENTS**

SSPEI representatives have the obligation to avoid ethical, legal, financial, or other conflicts of interest and to ensure that their activities and interests do not conflict with their obligations to SSPEI or its welfare.

### **PROVISIONS**

Athletes, coaches, officials, volunteers, directors, officers and administrators and members of SSPEI acting on its behalf shall not:

- a) Engage in any business or transaction or have a financial or other personal interest which is incompatible with the discharge of their duties and obligations on behalf of SSPEI;
- b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or favour on their part or who might seek, in any way, preferential treatment;
- c) Knowingly place themselves in a position where they could be influenced in a decision by personal, family, financial, business or other interests;
- d) Accord, in the performance of their duties and obligations, preferential treatment to relatives or friends or to organizations in which they or their relatives or friends have an interest, financial or otherwise;

e) Benefit from the use of information acquired during the course of their official duties, which is generally not available to the public;

f) Engage in any outside work, activity, or business undertaking

i.) that conflicts or appears to conflict with their duties as a Board, Committee Member, Staff Person, or representative of SSPEI;

ii.) in which they have an advantage or appear to have an advantage derived from their association with SSPEI; or

iii.) in a professional capacity that will or might appear to influence or affect the carrying out of their duties as a SSPEI Board member, Committee Member, Staff Person, or representative of SSPEI;

g) Use SSPEI property, equipment, supplies, or services of consequence for activities not associated with the discharge of official duties;

h) Place themselves in a position where they could derive any direct or indirect benefit or interest from any contracts, the decisions with respect to which, they could influence; or

i) Accept any gift that could reasonably be construed as being given in anticipation or recognition or of special consideration by the SSPEI.

Disclosure of conflict of interest shall be made in the following ways:

a) At the first Board or committee meeting following each SSPEI annual meeting, each member shall make verbal disclosure of their interests, to be recorded and submitted to the Board of Directors;

c) In addition to the foregoing, whenever a Board or Committee member, other SSPEI member or Staff Person considers that he or she could be, or could potentially be, in a conflict of interest as defined within this policy or otherwise, he or she shall disclose this conflict to either the Committee (if during a committee meeting) or the Board of Directors;

d) Any SSPEI member or Staff Person who feels that another SSPEI member or Staff Person is in a conflict of interest can raise the matter with either the Committee (if during a committee meeting) or the Board of Directors;

e) If a Board or Committee member or Staff Person is in doubt as to whether or not a conflict of interest situation exists, he or she should provide disclosure to the Committee or Board of Directors.

Following disclosure of conflict of interest which could affect the carrying out of the duties of the Board or Committee member, or SSPEI member or Staff Person, or where the personal interest is sufficient to

appear to influence the objective exercise of his or her official duties, such individual will withdraw from all situations where the conflict exists. When in doubt the Board of Directors will make the final determination as to the course of action.

Following disclosure of a conflict of interest with respect to a particular decision, the following principles shall apply:

- a) The individual in conflict of interest may not participate in discussion of this decision as an advocate on his or her own behalf, either formally at the meeting or informally through private contact, communication, and discussion, unless such participation is approved by a unanimous vote of the Directors or Committee Members;
- b) Except where participation in discussion has been properly approved as per the above procedure, the Board or Committee Member or Staff Person shall not be present at that portion of a meeting when matters in which they have an interest are considered; and
- c) The individual in a conflict of interest shall not participate in any vote on the matter.

Where an SSPEI representative has failed to disclose a conflict of interest, the President will take the following actions:

- a) request that the SSPEI representative's actions be justified in writing;
- b) discuss the circumstances at the next Board meeting (or, if circumstances necessitate, convene a Board meeting by conference call).

Based on the decision of the Board, the SSPEI representative may be requested to cease those actions that brought about the conflict of interest or withdraw from those SSPEI activities that cause a conflict of interest. Should the SSPEI representative continue those actions or activities that have been deemed to be in conflict with the interests of SSPEI, the SSPEI representative will be removed from his or her position.

SSPEI representatives who fail to meet the standards of behaviour contained within this policy will be subject to disciplinary sanctions as identified within SSPEI's Discipline Policy.

Documentation relating to conflict of interest situations shall be recorded in the Minutes of the Board of Directors and any Committees of SSPEI.

In situations where an inflexible application of a policy would produce an excessive result, it is expected the policy will be tempered by appropriate discretion by the Board.

When the Board of Directors determines that exploitation of a conflict of interest has occurred, the Board of Directors will make it public.

If the SSPEI representative is removed from his/her position and the SSPEI representative wishes to appeal the decision, a written request for Appeal stating grounds, must be submitted in accordance with the SSPEI Appeals Policy.