



<b>Policy Name</b> <b>CONFIDENTIALITY AND CONFLICT OF INTEREST</b>	<b>Date of Approval</b> <b>October 13, 2017</b>	<b>Activation Date</b> <b>October 13, 2017</b>
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## **1.0 Introduction**

This policy has been developed to provide guidance to volunteers involved at the Committee or Board level in Gymnastics BC to protect confidentiality that is required, and to avoid conflicts of interest within Gymnastics BC (GBC) volunteer work. The policy also endeavours to help maintain fair and ethical interactions among those who volunteer and do business with GBC.

## **2.0 Confidentiality**

In the course of their duties, Committees and the Board of Directors receive reports and/or have many discussions that includes sensitive information, or is part of a larger conversation with multiple viewpoints where context is critical. Premature or inappropriate release of committee or Board discussions or decisions can be harmful to the work of the association and to any persons mentioned or involved.

Information presented to Directors or committee members within the realm of their roles or comments made in discussions must be kept confidential and should not be divulged to other parties unless otherwise specifically noted in the records of the meeting or as made available through published minutes, reports, decisions or written policies and procedures.

If a Director or committee member is uncertain about the status of any documents, discussions or other information, they should ask their Chair or the CEO for clarification.

## **3.0 Conflict of Interest**

### **3.1 *Basis for a Conflict of Interest Policy***

At all times, GBC must be impartial and fair in its dealings with members, suppliers, associates and the community at large. Members of the Board of Directors, committee members, staff, representatives and decision-makers of GBC must ensure that their interests, or the interests of those close to them, do not conflict with the impartial performance of their duties. Not only must actions be free from conflicts, they must be seen to be free from conflict of interest. This is a challenge in a volunteer-driven Society where an individual may fill multiple roles with varying priorities, and for which there may or may not be financial or personal impact. However, any potential conflict, real or perceived, between an individual's interests and those of the Society must be resolved in favour of the Society.



### **3.2 Application of the Policy**

This policy applies to all members of the GBC Board of Directors GBC committee members and any other volunteers who are placed by GBC in positions to make decisions affecting GBC business. GBC.

The GBC Personnel Policy has a specific Conflict of Interest component directed to staff and contractors to which they must abide.

### **3.3 Definition of Conflict of Interest**

A conflict of Interest occurs when a Director, committee member or other individual in a position of authority or decision-making capacity has a personal or professional interest that is competing with the interests of the association.

A conflict of interest may be financial or non-financial. Connections or relationships that may provoke a conflict of interest include family members, partners, friends, employers or employees, and positions or memberships in organizations other than GBC.

#### **3.3.1 Financial Interest**

A financial interest means there is reasonable possibility or expectation of financial gain or loss for an individual, or for another person, group or organization with which the individual is associated.

#### **3.3.2 Non-Financial Interest**

A non-financial interest means some other advantage to an individual or an advantage or potential financial gain or loss to another person, group or organization with which the individual is associated.

### **3.4 Avoiding Conflict of Interest**

Members of the GBC Board of Directors, GBC committee members, representatives and decision-makers of GBC shall not:

- a. Engage in any transaction or have any financial or personal interest which is incompatible with the discharge of their duties and obligations with GBC;
- b. Knowingly place themselves in a position where they are under obligation to any person or organization that might benefit from or seek preferential treatment from GBC;
- c. Accord, through their position, preferential treatment to any person or organization in which they or people close to them have an interest;
- d. Benefit from the use of information acquired in their position with GBC which is not generally available to the public;



- e. Engage in outside work, activity or business undertaking that conflicts, or appears to conflict, with their duties within GBC, or in which they have or appear to have an advantage derived from their position with GBC, or that will or appear to influence or affect the carrying out of their duties within GBC;
- f. Use GBC property, equipment, supplies or services of consequence for activities not associated with the discharge of official duties within GBC;
- g. Obtain any list of GBC sponsors or suppliers for personal or other solicitation purposes at any time during their term of office;
- h. Incur expenses in furtherance of Gymnastics BC business, which are unreasonable, unnecessary, or unsubstantiated;
- i. Place themselves in a position where they could influence decisions or contracts from which they derive any direct or indirect benefit or interest;
- j. Accept any gift that could be construed as being given in anticipation or recognition of special consideration by the Board of Directors, committee members, staff, representatives or decision-makers of GBC.

### **3.5 Procedure for Disclosure of Potential Conflict**

Individuals who are elected or appointed to positions within GBC must disclose their potential conflicts of interest through the following procedures.

#### **3.5.1 Board of Directors**

Following the Annual General Meeting each year, each Director must provide a written disclosure of their potential areas of conflict of interest on the Gymnastics BC "*Conflict of Interest Disclosure Statement*".

The Director "*Conflict of Interest Disclosure Statement*" must be submitted to the Gymnastics BC CEO within two (2) weeks of the Annual General Meeting. These Disclosure Statements will be presented for information to all Directors at the first Board meeting after the AGM.

When a conflict of interest arises between the business of the organization and the interests of a Director, the Director must declare his or her conflict of interest and abstain from discussion at meetings or between meetings, attempting to influence an outcome or decisions through circulation of information, or voting on the matter in conflict. The Director in conflict of interest may be asked to leave a Board meeting when the applicable matter is being discussed.

#### **3.5.2 Committee Members**

The first meeting for each Advisory or Technical Committee in the new program year (September to August) or the first meeting of an Ad Hoc Committee must include an agenda item to review this *Confidentiality and Conflict of Interest Policy*, and to have



each committee member make verbal disclosure of their conflicts of interest, which are to be recorded and submitted to the Technical Director and CEO with the minutes of the meeting.

The information will be compiled by committee and provided to the appropriate Committee Chair for reference as the work of the committee's progress.

### **3.5.3 Additional Disclosures**

Whenever an individual considers that he or she is or could potentially be in conflict as defined in this policy, he or she shall disclose this conflict to the Board of Directors or Committee immediately.

A Director should make an addendum to their written Disclosure Statement if necessary during the year for new or known future ongoing conflicts (eg: change in job or new affiliation).

A committee member should make an additional verbal or written disclosure if necessary during the year for new or known future ongoing conflicts (eg: new job or new affiliation)

### **3.5.4 Procedure Following Disclosure**

Once disclosure has been provided, the following principles shall apply:

- a. The individual in conflict may not participate in discussion of the matter as an advocate on his or her own behalf, either formally at a meeting or informally through private contact, unless such participation is approved in advance by a majority vote of the other directors or committee members.
- b. Except where participation has been approved, the individual in conflict shall not be present at that portion of a meeting when matters in which they have an interest are considered.
- c. The individual in conflict shall not participate in any vote on the matter.

### **3.5.5 Raising the Question of a Conflict**

Any person who feels that a Director, committee member, representative or decision-maker of GBC is in a conflict of interest may report the matter to the Board Chair or Committee Chair at any time.

## **4.0 Enforcement of this Policy**

Compliance with this policy depends primarily upon understanding and voluntary compliance, secondarily upon reinforcement by peers, and, when necessary, upon enforcement through disciplinary action.



## **5.0 Initiating a Complaint**

Anyone who believes that an individual who is required to do so failed to keep information confidential or disclose a conflict of interest or, once disclosed, failed to adhere to the procedures following disclosure, is encouraged, under all but the most obvious circumstances, to first address that concern directly to that Director, committee member, or other individual in a position of authority or decision-making capacity.

If that discussion does not result in a satisfactory resolution, the complainant may file a signed, written complaint stating specifically the nature of the alleged misconduct with the CEO or the Board Chair as appropriate.

As applicable, either the Board Disciplinary Policies or the GBC Conduct and Disciplinary Policies will be applied