Conflict of Interest Policy

Definitions

1. Terms in this Policy are defined as follows:
    a) ***Conflict of Interest*** – Any situation in which a Representative's decision-making, which should always be in the best interests of Durham Attack, is influenced or could be influenced by personal, family, financial, business, or other private interests.
    b) ***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.
    c) ***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.
    d) ***Representative*** – Individuals employed by, or engaged in activities on behalf of, Durham Attack including coaches, staff members, convenors, contract personnel, volunteers, managers, administrators, committee members, and Directors and Officers of Durham Attack.

Background

2. Individuals who act on behalf of a not-for-profit organization have a duty first to that organization and second to any personal stake they have in the operations of the organization. Representatives must not put themselves in positions where deciding on behalf of Durham Attack is connected to their own personal interests. That would be a conflict-of-interest situation.

Purpose

3. Durham Attack strives to reduce and eliminate nearly all instances of conflict of interest at Durham Attack – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Representatives will conduct themselves in matters relating to conflict of interest and clarifies how Representatives shall make decisions in situations where conflict of interest may exist.

4. This Policy applies to all Representatives.

Obligations

5. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Representative's personal interest and the interests of Durham Attack, shall always be resolved in favour of Durham Attack.

6. Representatives will not:
    a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with Durham Attack, unless such business, transaction, or other interest is properly disclosed to Durham Attack and approved by Durham Attack
    b) 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
    c) 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

d) Derive personal benefit from information that they have acquired during fulfilling their official duties with Durham Attack, if such information is confidential or not generally available to the public
e) 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 Durham Attack, or in which they have an advantage or appear to have an advantage based on their association with Durham Attack
f) Without the permission of Durham Attack, use Durham Attack's property, equipment, supplies, or services for activities not associated with the performance of their official duties with Durham Attack
g) Place themselves in positions where they could, by virtue of being a Representative of Durham Attack, influence decisions or contracts from which they could derive any direct or indirect benefit
h) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition of, any special consideration granted by virtue of being a Representative of Durham Attack

Disclosure of Conflict of Interest

7. On an annual basis, all Durham Attack's Directors and candidates for election to the Board, Officers, Employees, and Committee Members will complete a **Declaration Form** disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by Durham Attack.

8. At all meetings of the Board, Directors will be provided with an opportunity to declare any conflicts of interest.

9. Immediately upon becoming aware that a conflict of interest may exist, all Representatives must disclose any real or perceived conflict of interest as follows:
    a) Directors, Officers, Committee Members, candidates for election to the Board, and the senior staff person (when employed) must disclose real and perceived conflicts of interest to the Board
    b) Employees must disclose real and perceived conflicts of interest to the senior staff person or, in the absence of a senior staff person position, to the Board
    c) Coaches, volunteers, managers, and other Representatives must disclose real and perceived conflicts of interest to their immediate supervisor (e.g., team manager, staff person, other volunteer, etc., as applicable)

10. Representatives shall also disclose any affiliations with any other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, 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 a Representative of Durham Attack will be considered and decided with the following additional provisions, which may be applied singularly or in combination:
    a) The nature and extent of the Representative's interest have been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted
    b) The Representative does not participate in discussion on the matter
    c) The Representative abstains from voting on the decision

d) For Board-level decisions, the Representative does not count toward quorum
e) The decision is confirmed to be in the best interests of Durham Attack

12. For potential conflicts of interest involving employees, Durham Attack's Board will determine whether there is a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. Durham Attack 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 Durham Attack or give rise to a conflict of interest.

Conflict of Interest Complaints

13. Any person who believes that a Representative 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 Durham Attack's Board, which will decide appropriate measures to eliminate the potential or existing conflict. 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, events, and/or activities
    d) Expulsion from Durham Attack
    e) Other actions as may be considered appropriate for the real or perceived conflict of interest

14. Any person who believes that a Representative has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to Durham Attack to be addressed under the *Discipline and Complaints Policy*.

15. Failure to comply with an action as determined by the Board will result in automatic suspension from Durham Attack until compliance occurs.

16. 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.

Enforcement

17. Failure to adhere to this Policy may permit discipline in accordance with the *Discipline and Complaints Policy*.

Appendix A – Conflict of Interest Declaration Form

I have read the *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 conflict of interest:

Potential professional conflicts:

Potential sport conflicts:

Potential personal conflicts:

Potential other conflicts:

_____ _____ _____