

## **VOLLEYBALL BC**

### **Conflict of Interest Policy**

#### **Definitions**

1. The following terms have these meanings in this Policy:
  - a) “*Conflict of Interest*” – An incompatibility between one’s private interests and one’s responsibilities and obligations of the organization
  - b) “*Perceived Conflict of Interest*” – A reasonable perception by an informed person that a conflict of interest situation exists or may exist
  - c) “*Person*” – Any family member, friend, customer, client, sponsor, colleague, legal person or organization
  - d) “*Representatives*” – Individuals employed by, or engaged in activities on behalf of, Volleyball BC including: coaches, staff members, coordinators, contract personnel, volunteers, managers, administrators, committee members, and directors and officers of Volleyball BC

#### **Background**

2. Individuals who act on behalf of an organization have a duty to that organization. For example, board members are required, by law, to act as a trustee (in good faith) of the organization. Board members, and other Representatives, must not put themselves in positions where making a decision on behalf of the organization is connected to their own personal interests. That would be a conflict of interest situation.
3. There are two types of interest – financial interest and non-financial interest. Financial interest relates to the reasonable likelihood or expectation of financial gain or loss for the stakeholder or for another person with whom the stakeholder is associated. Non-financial interest involves family relationships, friendships, or other interests that are not related to the potential for financial gain or loss.

#### **Purpose**

4. Volleyball BC strives to reduce and eliminate nearly all instances of conflict of interest at Volleyball BC – 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 will clarify how Representatives shall make decisions in situations where conflict of interest may exist.
5. This Policy applies to all Representatives.

#### **Obligations**

6. A Representative will ensure that there is no conflict of interest, whether real, perceived, pecuniary or non-pecuniary, between the Representative’s personal interest and the interests of Volleyball BC.
7. 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 Volleyball BC, unless such business, transaction, or other interest is properly disclosed to Volleyball BC and approved by Volleyball BC
  - 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 any Person
  - d) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with Volleyball BC, if such information is confidential or not generally available to the public
  - e) Use Volleyball BC property, equipment, supplies, or services for activities not associated with the performance of their official duties with Volleyball BC (without the permission of Volleyball BC)

- f) Place themselves in positions where they could, by virtue of being a Volleyball BC Representative, influence decisions or contracts from which they could derive any direct or indirect benefit

### **Disclosure of Conflict of Interest**

8. Representatives will complete the Conflict of Interest Disclosure Form annually or upon the discovery of a real or potential conflict of interest.
9. Representatives will disclose conflicts of interest to Volleyball BC immediately upon:
  - a) Becoming aware that a conflict of interest exists (real or perceived)
  - b) For those who are nominated for election, prior to the elections
  - c) Appointment to a committee

### **Minimizing Conflicts of Interest in Decision-Making**

10. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by a Volleyball BC Representative will be considered and decided with the following additional provisions:
  - a) The nature and extent of the Representative'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 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 Volleyball BC

### **Conflicts Involving Employees**

11. Volleyball BC will monitor employees who volunteer with, or are employed by, any Volleyball BC Member (such as in a coaching position at a local club) during the term of their employment. Such association with a Volleyball BC Member must not diminish the employee's ability to perform the work outlined in the employee's employment agreement or contract with Volleyball BC. Judgments on employees' associations with Volleyball BC Members, as well as any conflicts of interest arising from those associations, will be at the discretion of the Volleyball BC. If a conflict of interest is determined to exist, the employee will resolve the conflict by ceasing the activity or association with the Volleyball BC Member.

### **Conflict of Interest Complaints**

12. Any person who believes that a Representative may be in a conflict of interest situation should report the matter, in writing, to Volleyball BC.

### **Resolving Complaints**

13. Upon receipt of a complaint, Volleyball BC will determine whether or not a conflict of interest exists provided the alleged Representative has been given notice of and the opportunity to answer the complaint and if necessary, to be heard at a subsequent meeting.
14. After hearing the matter, Volleyball BC will determine whether a conflict of interest exists and if so what appropriate actions will be imposed.
15. Where the Representative accused of being in a conflict of interest acknowledges the facts, he or she may waive the meeting, in which case Volleyball BC will determine the appropriate actions.
16. Volleyball BC may apply the following sanctions 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 Volleyball BC;
- e) Implement further discipline in accordance with Volleyball BC's Discipline and Complaints Policy;
- f) Other actions as may be considered appropriate for the conflict of interest.

17. Failure to comply with a sanction as determined by Volleyball BC will result in automatic suspension from Volleyball BC until such time as compliance occurs.

18. Volleyball BC may determine that a conflict of interest is of such seriousness as to warrant suspension of designated activities pending a consideration by Volleyball BC.

**Decision Final and Binding**

19. Any decision of Volleyball BC in accordance with this Policy may be appealed in accordance with the Volleyball BC's Appeal Policy.

