



# CONFLICT OF INTEREST POLICY

## Definitions

1. These terms will have these meanings in this policy:
  - a) **Conflict of Interest** – Any situation in which an individual, or the organization they represent, or organization representing Volleyball Canada in any capacity, is influenced or could be influenced in a decision by personal, family, financial, business or other interests which override the best interests of Volleyball Canada.
  - b) **Perceived Conflict of Interest** – A perception by an informed person that a conflict of interest exists or may exist.
  - c) **VC Representatives** - All individuals employed by Volleyball Canada and Volleyball Canada Directors, Officers, Committee Members, Officials, and other individuals who are decision-makers within Volleyball Canada.
  - d) **Immediate Family** - Includes an employee's spouse or partner and any children, parents, brothers and sisters, as well as other relatives who share the employee's home or are otherwise a dependent.
  - e) **Active Members** - All categories of membership defined in the Volleyball Canada Bylaws.
  - f) **Individuals** – Registered participants including but not limited to, athletes, coaches, referees, directors, managers and administrators.

## Policy Statement

2. Volleyball Canada is committed to the highest ethical standards where its individuals conduct themselves with personal integrity, honesty, and diligence in performing their duties.

## Purpose

3. The purpose of this policy is to provide a standard of conduct that supports the mission of Volleyball Canada. It will guide representatives to recognize possible and/or perceived conflict of interest situations so they can, in good faith, take the initiative to disclose, manage and resolve such situations.

## Scope and Application

4. This policy will apply to all Volleyball Canada Representatives, Active Members, and Individuals while engaged in the activities of Volleyball Canada.
5. The Chair of the Board is responsible for the ongoing application of the policy for the Volleyball Canada Board of Directors. In the case that the Chair may be in a conflict, the Board of Directors will vote for a Director to temporarily assume the Chair's responsibilities.
6. The Chief Executive Officer is responsible for the ongoing application of the policy for other VC Representatives, such as employees.
7. VC Representatives are responsible for recognizing and evaluating situations that appear to create a conflict of interest and for bringing such situations to the attention of their manager, the Chief Executive Officer, or the Chair of the Board of Directors.
8. VC Representatives who fail to meet the standards of behaviour contained within this policy may be subject to disciplinary sanctions as identified within Volleyball Canada's Discipline and Complaints policy.



9. Volleyball Canada is incorporated under the *Canada Not for Profit Corporations Act* (the “Act”) and is governed by the Act in matters involving real or perceived conflict between the personal interests of a VC Representative and the broader interests of Volleyball Canada.
10. Under the Act, any real or perceived conflict, whether pecuniary or non-pecuniary, between a VC Representative’s interests and the interests of Volleyball Canada must at all times be resolved in favour of Volleyball Canada.

## **Provisions**

11. No VC Representative shall engage in any activity which creates for that individual a conflict of interest, as defined by this policy, unless approval has been provided by the Chief Executive Officer or the Chair of the Board of Directors.
12. All VC Representatives must:
  - a) Perform their duties and functions impartially, objectively, responsibly, diligently, and with integrity and in a manner that will bear public scrutiny.
  - b) Act in the best interests of Volleyball Canada, in alignment with its vision, mandate and core values.
  - c) Report any actual or perceived conflict of interest.
13. VC Representatives will 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.
  - 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, within 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) Derive 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 VC Representative.
    - ii) In which they have an advantage, or appear to have an advantage, derived from their association with Volleyball Canada.
    - iii) In a professional capacity that will or might appear to influence or affect the carrying out of their duties as a VC Representative.
  - g) Use Volleyball Canada property, equipment, supplies, or services of consequence for activities not associated with the discharge of official duties, unless previously approved by Volleyball Canada.
  - 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.
  - i) Accept any gift or favour that could reasonably be construed as being given in anticipation of, or in recognition for, any special consideration by Volleyball Canada.
14. All VC Representatives are responsible for the disclosure of any connection with any actual or possible conflict of interest in the following manner:



- a) For those who are nominated for election, any potential conflict of interest must be disclosed prior to the election.;
  - b) At the first annual meeting of any Volleyball Canada Board or Committee, each member shall make verbal disclosure of their interests, to be recorded and submitted to the Chair of the Board of Directors.
  - c) Whenever a VC Representative considers that he or she has become, or could potentially be, in a conflict of interest as defined within this policy, he or she shall immediately disclose this conflict to either the Committee (if during a committee meeting) or the Board of Directors.
  - d) Any VC Representative who feels that another VC Representative is in a conflict of interest should raise the matter with either the Committee (if during a committee meeting) or the Board of Directors.
  - e) If a VC Representative is in doubt as to whether or not a conflict of interest situation exists, he or she should provide disclosure to the Chief Executive Officer or the Chair of the Board of Directors.
15. Upon receipt of a complaint, the Board of Directors will meet to determine whether or not a conflict of interest exists, provided that the VC Representative alleged to be in conflict has been given notice of the allegation and the opportunity to submit evidence and to be heard at such meeting.
16. After hearing the matter, the Board of Directors will determine whether a real or perceived conflict of interest exists and if so what appropriate actions will be taken.
17. Where the VC Representative accused of being in a real or perceived conflict of interest acknowledges such conflict, he or she may waive their right to be heard, in which case the Board of Directors will still meet to determine the appropriate actions to be taken.
18. The Board of Directors 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 Volleyball Canada teams, events and/or activities.
  - d) Expulsion from Volleyball Canada.
  - e) Other actions as may be considered appropriate for the real or perceived conflict of interest.
19. 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 the decision, either formally at the meeting or informally through private discussion.
  - b) A VC Representative that is in conflict may not be present at that portion of the meeting.
  - c) A VC Representative that is in conflict may not vote on the matter.
20. Where a VC Representative has failed to disclose a conflict of interest, the Chief Executive Officer or Board of Directors will take the following actions:
- a) Request that the VC Representative in conflict justify their actions in writing.



- b) Discuss the circumstances at the next meeting of the Board of Directors. Based on the decision of the Board, the VC Representative may be requested to cease those actions that brought about the conflict of interest, or withdraw from those activities. Should the VC Representative continue those actions or activities that have been deemed in conflict, he or she will be removed from his or her position.
21. Documentation relating to conflict of interest situations shall be recorded in the minutes of the Board of Directors and all Committees of Volleyball Canada.
22. Any decision of the Board of Directors in accordance with this policy may be appealed in accordance with the Volleyball Canada Appeal Policy.

### **Communications**

23. This policy must be effectively communicated to all those who are responsible for upholding and implementing the policy.

### **Review**

24. This policy will be reviewed at least once every two years, or as decided by the Chief Executive Officer and/or the Volleyball Canada Board of Directors.
25. This policy should next be reviewed in December of 2018.

### **Approval**

26. This policy was approved by the Volleyball Canada Board of Directors X.