



## **Salto Gymnastics Club Conflict of Interest Policy**

### **1) Definitions:**

a) The following terms have these meanings in this Policy:

- i) *Conflict of Interest* – Any situation in which a Member’s decision-making, which should always be in the best interests of the Society, is influenced or could be influenced by personal, family, financial, business, or other private interests.
- ii) *In writing* - A letter or email sent directly to the Society.
- iii) *Member* – All categories of membership defined in the Society’s Bylaws and Policies, as well as all Members engaged in activities with the Society including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Society.
- iv) *Non-Pecuniary Interest* - An interest that a Member 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.
- v) *Pecuniary Interest* - An interest that a Member may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that Member, or another person with whom that Member is associated.
- vi) *Society* – Salto Gymnastics Club.

### **2) Background**

- a) Persons who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of the Society. For example, in not-for-profit organizations, Directors are required, by law, to act as a trustee (in good faith, or in trust) of the Society. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the Society is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict of interest situation.

### **3) Purpose**

Salto Gymnastics Club - Conflict of Interest Policy

Approved by Salto Gymnastics Club Board of Directors on January 16, 2024

To be reviewed annually

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- a) The Salto Gymnastics Club strives to reduce and eliminate nearly all instances of conflict of interest of the Society – by being aware, prudent, and forthcoming about potential conflicts. This Policy describes how Members will conduct themselves in matters relating to conflict of interest and will clarify how Members shall make decisions in situations where conflict of interest may exist.
- b) This Policy applies to all Persons.

#### **4) Obligations**

- a) Any perceived conflict of interest, whether pecuniary or non-pecuniary, between a Member's personal interest and the interests of the Society, shall always be resolved in favour of the Society.
- b) Persons will not:
  - i) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with the Society, unless such business, transaction, or other interest is properly disclosed to the Society and approved by the Society
  - ii) 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
  - iii) 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
  - iv) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with the Society, if such information is confidential or not generally available to the public
  - v) 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 the Society, or in which they have an advantage or appear to have an advantage on the basis of their affiliation with the Society
  - vi) Without the permission of the Society, use the Salto Gymnastics Club's property, equipment, supplies, or services for activities not associated with the performance of their official duties with the Society
  - vii) Place themselves in positions where they could, by virtue of being a Salto Gymnastics Club Member, influence decisions or contracts from which they could derive any direct or indirect benefit



- viii) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Salto Gymnastics Club member

#### **5) Disclosure of Conflict of Interest**

- a) On an annual basis, all the Society's Directors, 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 the Society.
- b) Members shall disclose real or perceived conflicts of interest to the Society's Board immediately upon becoming aware that a conflict of interest may exist.
- c) Members shall also disclose any and all affiliations with any and all other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, officer or director.

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

- a) Decisions or transactions that involve a conflict of interest that has been proactively disclosed by a Member will be considered and decided with the following additional provisions:
  - i) The nature and extent of the Member's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted
  - ii) The Member does not participate in discussion on the matter, and may be excluded from the meeting room
  - iii) The Member abstains from voting on the decision
  - iv) For board-level decisions, the Member does not count toward quorum
  - v) The decision is confirmed to be in the best interests of the Salto Gymnastics Club
- b) For potential conflicts of interest involving employees, the Society's Board will determine whether there is there a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. The Society 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 the Society or give rise to a conflict of interest.



## **7) Conflict of Interest Complaints**

- a) Any person who believes that a Member may be in a situation resulting in a conflict of interest should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to the Society's Board who will as quickly as possible decide appropriate measures to eliminate the conflict.
- b) The Society's Board decision as to whether or not a conflict of interest exists will be governed by the following procedures:
  - i) Copies of any written documents to be considered by the Board will be provided to the Member who may be in a conflict of interest situation
  - ii) The Member who may be in a conflict of interest situation will be provided an opportunity to address the Society's Board orally or if granted such right by the Society's Board, in writing
  - iii) The decision will be by a majority vote of the Society's Board
- c) If the Member acknowledges the conflict of interest, the Member may waive the right to be heard, in which case the Society's Board will determine the appropriate sanction.

## **8) Decision**

- a) After hearing and/or reviewing the matter, the Society's Board will determine whether a conflict of interest exists and, if so, the sanctions to be imposed.

## **9) Sanctions**

- a) The Board may apply the following actions singly or in combination for real or perceived conflicts of interest:
  - i) Removal or temporary suspension of certain responsibilities or decision-making authority
  - ii) Removal or temporary suspension from a designated position
  - iii) Removal or temporary suspension from certain teams, events and/or activities

The board may consider other or additional action that may be considered appropriate for the real or perceived conflict of interest.

- b) Any Member who believes that a person has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in



writing, to the Society to be addressed under the Society's *Discipline and Complaints Policy*.

- c) Failure to comply with an action as determined by the Board will result in automatic suspension from the Salto Gymnastics Club until compliance occurs or until a decision is made under the Society's *Discipline and Complaints Policy*.
- d) 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 and a decision of the Board and/or a Hearing Panel constituted under the Dispute Resolution process.

#### **10) Enforcement**

- a) Failure to adhere to this Policy may permit discipline in accordance with the Society's *Discipline and Complaints Policy*.

#### **11) Policy Review**

- a) This Policy will be reviewed annually and may be amended as necessary to maintain a safe and healthy environment for the Salto Gymnastics Club community. All members of the Society are expected to remain informed and adhere to the most current version of the policy.