



CONFLICT OF INTEREST POLICY

POLICY STATEMENT:

1. The aim of this policy is to provide a standard of behaviour for dealing with Conflict of Interest situations.
2. This policy shall apply to athletes, coaches, High Performance Directors, officials, volunteers, directors, officers, administrators and members of Nordic Combined Ski Canada – Canada Saut à Ski (NCSC) while engaged in the activities of the organization, hereinafter referred to as an “NCSC Representative”.

Policy Category: Governance

Approval Authority: Board

Approval Date: [•], 2022

Next Review Date: Annual

Revision Date(s) Approval:

Related Policies:

DEFINITIONS

3. The following terms are defined for this policy
 - a) Conflict of Interest: A Conflict of Interest is any situation in which an individual or organization representing NCSC in any capacity is influenced or could be influenced in a decision or conduct by personal, family, financial, business or other interests which over-ride NCSC best interests or result in a director or indirect personal gain.
 - b) Family Member: A Family Member shall be defined to include spouse, partner sibling, parent, child and grandchild.

DEEMED CONFLICT OF INTEREST

4. The following circumstances shall be deemed to create a Conflict of Interest and must be disclosed and/or avoided:

Engaged in any outside business or transaction or have a financial or other personal interest which is incompatible with the discharge of NCSC duties or

obligations such as any undertaking:

- a) that conflicts or appears to conflict with duties as a Board, Committee Member, Contractor or representative of NCSC;
- b) in which there is or appears to be an advantage derived from association with NCSC;
- c) in a professional capacity that will or might appear to influence or affect the carrying out of their duties as a NCSC Board, Committee Member, Contractor or representative of NCSC;
- d) that has a direct or indirect impact on a Family Member;
- e) engaged in some capacity or having a material financial interest in a business or enterprise that competes with NCSC;
- f) when an individual, or an individual's relative, has significant ownership interest in an entity or organization with which NCSC does business;
- g) engaged in decisions regarding training, travel and competitions or discipline regarding NCSC athletes, and who has a Family Member who is an active athlete of NCSC;
- h) knowingly place oneself in a position where one is under obligation to any person who might benefit from special consideration or favour or who might seek, in any way, preferential treatment;
- i) benefit from the use of information acquired during the course of official duties, which is generally not available to the public;
- j) use NCSC property, equipment, supplies, or services of consequence for activities not associated with the discharge of official duties;
- k) placing oneself in a position where one could derive any direct or indirect benefit or interest from any contracts, the decisions with respect to which, one could influence; or
- l) accept any gift, gratuity or entertainment that could reasonably be construed as being given in anticipation or recognition or of special consideration by NCSC. This does not preclude the acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value which are not related to any particular transaction or activity of NCSC.

Appearance of Conflict:

5. Other situations may create the *appearance of a conflict*, or present a *duality of interests* in connection with a person who has influence over the activities or finances of NCSC. All such circumstances should be disclosed to the Board or staff, as appropriate, and a decision made as to what course of action the organization or individuals should take so that the best interests of the NCSC are not compromised by the personal interests of stakeholders in the nonprofit.

Procedures for the Disclosure of a Conflict of Interest.

6. For those who are nominated for election, they will disclose to the electorate prior to the election their potential conflict of interest.
7. Prior to board or committee action on an item that could involve a Conflict of Interest, an NCSC Representative having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest.

Such disclosure shall be reflected in the Minutes of the meeting. If Board members are aware that staff or other volunteers have a Conflict of Interest, relevant facts should be disclosed by the Board member or by the interested person him/herself if invited to the Board meeting as a guest for purposes of disclosure.

- A NCSC Representative:
 - a) who plans not to attend a meeting at which he or she has reason to believe that the Board or Committee will act on a matter in which the person has a Conflict of Interest shall disclose to the Chair of the meeting all facts material to the Conflict of Interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the Minutes of the meeting.
 - b) who has a Conflict of Interest shall not participate in or be permitted to hear the Board's or Committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.
 - c) who has a Conflict of Interest with respect to a Contract or Transaction that will be voted on at a meeting shall not be counted in determining the presence of a quorum for purposes of the vote.
 - d) having a Conflict of Interest may not vote on the Contract, Action or Transaction and shall not be present in the meeting room when the vote is taken, unless the vote is by secret ballot. Such person's ineligibility to vote shall be reflected in the Minutes of the meeting. For purposes of this paragraph, a member of the Board of Directors of NCSC has a Conflict of Interest when he or she stands for election as an officer or for re-election as a member of the Board of Directors.
 - e) who is not a member of the Board of Directors of NCSC but who has a Conflict of Interest with respect to a Contract, Action or Transaction shall disclose to their supervisor, or the Chair, or the Chair's designee, any Conflict of Interest. Such disclosure shall be made as soon as the Conflict of Interest is known to the NCSC Representative. The NCSC Representative shall refrain from any action that may affect NCSC's participation in such Contract, Action or Transaction.
 - f) who is not entirely clear that a Conflict of Interest exists, that a potential conflict shall disclose the circumstances to his or her supervisor or the Chair or the Chair's designee, who shall determine whether full Board discussion is warranted or whether there exists a Conflict of Interest that is subject to this policy.

Confidentiality.

8. Each NCSC Representative shall exercise care not to disclose confidential information acquired in connection with disclosures of Conflicts of Interest or potential conflicts, which might be adverse to the interests of NCSC. Furthermore, NCSC Representatives shall not disclose or use information relating to the business of NCSC for their personal profit or advantage or the personal profit or advantage of Family Members.

Failure to Disclose a Conflict of Interest

9. Where an NCSC Representative has failed to disclose a Conflict of Interest the Chair of NCSC will take the following actions:
 - a) Request that the NCSC Representative's actions be justified in writing;
 - b) Discuss the circumstances at the next Board meeting (or if circumstances necessitate convene a Board meeting by conference call or email).
10. Based on the decision of the Board, the NCSC Representative may be requested to cease those actions that brought about the conflict of interest or withdraw from those NCSC activities that cause a conflict of interest. Should the NCSC Representative continue those actions or activities that have been deemed to be in conflict with the interests of NCSC, the NCSC Representative will be removed from his or her position (if applicable).
11. Documentation relating to Conflict of Interest situations shall be recorded in the Minutes of the Board of Directors and all Committees of NCSC.
12. In situations where an inflexible application of a policy would produce an excessive result, it is expected the policy will be tempered by appropriate discretion of the Board.
13. When the Board of Directors determines that exploitation of a Conflict of Interest has occurred, the Board of Directors will make it public.
14. If the NCSC Representative is removed from his/her position and the NCSC Representative wishes to appeal the decision, a written request for appeal stating grounds, must be submitted in accordance with the Appeal Policy.

**Conflict of Interest
Disclosure Form**

Name: _____

Position (contractor/volunteer/trustee): _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between NCSC and your personal interests, financial or otherwise:

_____ I have no conflict of interest to report

_____ I have the following conflict of interest(s) to report

1. _____

2. _____

3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest of NCSC.

Name: _____

Signature: _____

Date: _____