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Approved By:	OCPSA Board of Directors

1.3 CONFLICT OF INTEREST POLICY

Purpose

1. The purpose of this Policy is to describe how OCPSA Representatives will conduct themselves in matters relating to real or perceived conflicts of interest, and to clarify how OCPSA will make decisions in situations where conflicts of interest may exist.

Definitions

2. The following terms have these meanings in this Policy:
 - a) “Act” – Corporations Act of Ontario, R.S.O. 1990, Chapter C.38
 - b) “Conflict of Interest” – A real or seeming incompatibility between one’s private interests and one’s public or fiduciary duties.
 - 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) “Non-Pecuniary Interest” - Family relationships, friendships, volunteer positions in associations or other interests that do not involve the potential for financial gain or loss.
 - e) “Perceived Conflict of Interest” – A perception by an informed person that a conflict of interest exists or may exist.
 - f) “OCPSA” – Ontario Cerebral Palsy Sports Association.
 - g) “OCPSA Representative” - Any director, officer, committee member, employee, contractor, volunteer, coach, official, referee, manager, parent and member within OCPSA.

Application

3. This Policy applies to all OCPSA Representatives.

Statutory Obligations

4. OCPSA is incorporated and governed under the Act in matters involving a real or perceived conflict between the personal interests of OCPSA Representatives and the broader interests of the OCPSA.

5. Under the Act, any real or perceived conflict, whether pecuniary or non-pecuniary, between an OCPSA Representatives' interest and the interests of OCPSA, must at all times be resolved in favour of OCPSA.

Additional Obligations

6. In addition to fulfilling all requirements of the Act, OCPSA Representatives will fulfill the additional requirements of this Conflict of Interest Policy as follows, OCPSA 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 OCPSA, unless such business, transaction or other interest is properly disclosed to OCPSA;
 - 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, in any way, preferential treatment;
 - c) In the performance of their official duties, accord preferential treatment to family members, friends or colleagues, or to 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 the course of fulfilling their official duties with OCPSA, where such information is confidential or is not generally available to the public;
 - e) Use OCPSA property, equipment, supplies or services for activities not associated with the performance of official duties with OCPSA without the permission of OCPSA;
 - f) Place themselves in positions where they could, by virtue of being a OCPSA Representative, influence decisions or contracts from which they could derive any direct or indirect benefit or interest; or
 - g) Accept any gift or favor that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being an OCPSA Representative.

Disclosure of Conflict of Interest

7. An OCPSA Representative will disclose a conflict of interest to the OCPSA Board of Directors immediately upon becoming aware that there exist real or perceived conflicts of interest.
8. Any person who is of the view that a Representative of OCPSA may be in a position of conflict of interest may report this matter in writing to the OCPSA Board of Directors.

Resolving Conflicts in Decision-Making

9. Decisions or transactions that involve a real or perceived conflict of interest that have been disclosed by a OCPSA Representative will be considered and decided upon by OCPSA Board of Directors provided that:
 - a) The nature and extent of the OCPSA Representative's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded in the minutes;
 - b) The OCPSA Representative does not participate in discussion on the matter giving rise to the conflict of interest;
 - c) The OCPSA Representative abstains from voting on the proposed decision or transaction;

- d) The OCPSA Representative is not included in the determination of quorum for the proposed decision or transaction; and
- e) The decision or transaction is in the best interests of the OCPSA.

Conflicts Involving Employees

- 10. OCPSA will restrict employees from being affiliated with any OCPSA member during the term of their employment unless consented to by OCPSA. Any determination as to whether there is a conflict of interest will rest solely with OCPSA, and where a conflict of interest is deemed to exist, the employee will resolve the conflict by ceasing the activity giving rise to the conflict
- 11. OCPSA will not restrict employees from accepting other employment, contracts or volunteer appointments during the term of their employment with OCPSA, provided that the employment, contract or volunteer appointment does not diminish the employee's ability to perform the work contemplated in their employment agreement with OCPSA or is in conflict with section 10. Any determination as to whether there is a conflict of interest will rest solely with OCPSA, and where a conflict of interest is deemed to exist, the employee will resolve the conflict by ceasing the activity giving rise to the conflict

Enforcement

- 12. Failure to adhere to this Policy may give rise to discipline in accordance with OCPSA's Discipline and Complaints Policy.