

Conflict of Interest Policy

Introduction

We must be impartial and fair in our dealings with Squash Yukon members, residents, suppliers and the general public. Their trust, confidence and support of Squash Yukon's goals and objectives are necessary if we are to do our job well. Members of the Squash Yukon Executive and members of staff must ensure that opportunities do not exist for their interests, or those of people close to them, to conflict with the impartial performance of their duties. Any potential, real or perceived conflict between an individual's interests and those of the Executives must be resolved in favour of the Executive.

Definition of Conflict of Interest

Conflicts of interest include both pecuniary and non-pecuniary interests. Non-pecuniary conflicts of interest are just as important as pecuniary interests. A pecuniary interest is an interest that a person has in a matter because of the reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated. Associated persons include relatives, partners and employers. A non-pecuniary interest may include family relationships, friendships, positions in associations, and other interests that do not involve financial gain or loss.

A Conflict of interest exists where:

- you have a personal interest that could lead you to be influenced in the way that you carry out your Squash Yukon duties you have a personal interest that could lead a fair person to think that you could be influenced in the way that you carry out your Squash Yukon work and duties; or
- a family member, relative, friend, associate or anybody close to you has a personal interest that could lead you to be influenced in the way that you carry out your Squash Yukon work and duties, or could lead a fair person to think that you could be influenced. Nothing in this definition precludes obligations of Executive members and staff to notify of conflicts of interest in pecuniary matters.

Some examples of situations that may give rise to conflicts of interest include:

- having the responsibility for hiring a consultant where one of the applicants is a good friend;
- supporting proposals from a club, where one spends a great deal of one's leisure time;
- supporting proposals from groups of people or individuals with whom one has regular personal contact.

The presence of a non-pecuniary conflict of interest need not mean automatic or complete exclusion from participating in discussion and decision making.

Perceptions

Not only must our actions be free of any conflicts, but we must ensure that they are seen to be free of any conflicts of interest. It is therefore important that you consider what other people might think of the situation. These other people could include, for example potential suppliers, other sports organizations, fellow Executive members and staff and members of the public.

Notifying A Real, Perceived Or Potential Conflict of Interest

General

Staff or Executive members wishing to discuss a real, perceived or potential conflict of interest should initially contact the President of Squash Yukon, who will act as an objective party in assessing whether such a conflict of interest may or will arise. The President may then refer the

matter to the full Executive for advice. Preliminary discussions with the President about potential conflicts of interest will be regarded as confidential, provided these discussions do not lead to a notification of a conflict of interest.

The objective of notification is to protect you and Executive. In many cases, only you will be aware of the potential for a conflict of interest. The onus for notification is therefore on the individual Executive member or staff member.

Notification of Conflicts of Interest by Staff

Staff must notify a conflict of interest as soon as they are aware one exists. Conflicts of interest must be notified in writing preferably in a standard format and delivered to the President. Notifications of Conflicts of Interest by staff will be presented to the Executive at the discretion of the President.

Notification of Conflicts of Interest by Executive Members

Executive members must notify the President or Treasurer in writing, as soon as they are aware that a conflict of interest exists. If a conflict arises during a meeting, such as an Executive meeting, you should inform the meeting of the interest. The President will ensure that written notifications of conflict of interest by Executive members are presented to the Executive.

Areas Which Require Special Attention

Purchasing

Executive members should not participate in a purchasing process if they feel they have a conflict of interest. If they are uncertain about whether they have a conflict of interest, they should discuss this with the President or Treasurer. Where a staff member's interest can be identified through any of the criteria in the definition of conflict of interest, that staff member will not participate in the purchasing selection process.

Staff and Recruitment

Executive members should not participate in a recruitment process where themselves, a relative or friend stands to or may gain or lose from it. Executive members should immediately notify the nominated officer overseeing the recruitment if they feel they may have a conflict of interest.

Any staff person whose interest in a staff position could be identified through any of the other criteria in the definition of conflict of interest, shall immediately notify the nominated officer overseeing the recruitment. An assessment by the nominated officer of that person's ability to participate in the recruitment will be provided to the President prior to any participation of that person in the recruitment process.

Gifts, Benefits and Hospitality

Executive or staff must never accept any gift or benefit if:

- the person offering it, or a fair person, would expect you to be influenced in the way you do your job or carry out your duties you would feel a sense of obligation or debt to the person offering the gift or benefit; or
- you or the Executive are likely to be compromised. Gifts and benefits that are not token in nature will be entered in a gift register. The following issues must be taken into account when determining whether a gift, benefit or hospitality is token:
 - the scale, lavishness or expense/cost/value of the gift or benefit
 - the frequency of occurrence
 - the degree of openness surrounding the occasion or gift.

A Register of Gifts, Benefits and Hospitality shall be kept by the Executive for this purpose. Wherever possible, staff shall be required to notify the President prior to receiving any gift, benefit or hospitality.

Gifts, benefits and hospitality cover, but are not limited to: food or alcohol, including lunches or dinners giveaways or prizes tickets to cultural or sporting events personal

services (eg, use of equipment, computers or cars). If an Executive member or staff member is uncertain whether they are receiving a gift, benefit or hospitality, they should discuss the matter with the President/Treasurer.

Secondary Employment

Staff will require the approval of the President prior to undertaking paid work outside of work hours which may conflict with current work obligations. No approval for paid work outside of work hours will be allowed if it meets any of the criteria in the definition of conflict of interest.

Use of Squash Yukon Facilities and Equipment

Executive members and staff should not use Squash Yukon facilities or property for private use without prior approval of the President.

Record Keeping for Conflicts of Interest

Squash Yukon will keep the following Conflict of Interest records:

- standard notification letter for Executive members and staff for conflicts of interest
- creation of a confidential file within the current record-keeping system called "Conflicts of Interest - Executive members and staff"
- Register of gifts and benefits for staff and Executive members
- Register of pecuniary interests for designated staff and Executive members

Records on all conflicts of interest will include the following information:

- all conflict of interest notifications
- failures to disclose
- disclosure by others (eg, colleague or member of the public) about an Executive member and/or staff
- vexatious claims assessment of the matter and how it was resolved
- any action (eg, resolutions) taken by the Executive
- any appeals on process

The notification for conflicts of interest will include the following:

- the person's name,
- position in Council (if appropriate),
- contacts phone number/address,
- the nature of the conflict of interest, real, perceived or potential
- date of notification
- suggested course of action to deal with conflict of interest

Registers of Gifts, Benefits and Hospitality for Executive members and staff will be kept with the President.

Assessing and Resolving Conflicts of Interest Matters

Criteria for determining whether an assessment of conflict of interest exists will be those contained in the definition of conflict of interest.

Any notification of pecuniary conflicts of interest will immediately prevent the individual involved in considering or discussing the matter in which they have the interest and will not be able to vote on any question relating to the matter.

All relevant information should be made available at the time of assessment (including legal or other advice, if required) initial assessments of conflicts of interest matters (other than pecuniary) will be completed within three days of receipt of the notification.

Any action required on a conflict of interest (eg, sanctions) will be determined within 14 days of receipt of the notification

When determining the best option to resolve the conflict of interest, the test will be that the option ensures impartiality, fairness and protection of the public interest.

Sanctions Available to Deal with Breaches of Codes of Conduct

Sanctions for staff and Executive members will be determined by the Executive Committee.

Sanctions for staff will include, but not be limited to:

- withdrawal from project or issue where conflict of interest exists
- direction to the individual to remove the source of conflict
- counseling
- suspension with pay
- withdrawal (temporary or permanent) of access to additional work opportunities such as overtime or training
- suspension without pay
- dismissal (if appropriate)

Sanctions for Executive members will include, but not be limited to:

- limited involvement in the matter (eg, participation in discussion but not in decision making)
- no involvement in the matter
- direction that the Executive member concerned removes the source of conflict
- passing a censure motion at an Executive meeting
- public disclosures of inappropriate conduct (eg, through the annual report, media, weekly news columns) requesting a formal apology
- counseling
- prosecution of any conflicts of interest that breach the law.

Any conflicts of interest that appear to breach the law will always be referred to the police for investigation and action.

Appeals on Actions Taken to Resolve Conflicts of Interest

Executive members and staff will advise the President within four days of receiving notification of action taken to resolve a conflict of interest of their intention to appeal this decision. Notification of intention to appeal should be in writing and outline the reasons for the appeal.

The President will refer the appeal to the next Executive meeting, after an assessment has been conducted. A full report from the President will accompany the Executive members request to appeal.

The decision by the Executive on the appeal will be final

Training and Education on Managing Conflicts of Interest

All Squash Yukon Executive members and staff will be supplied with a copy of the Conflict of Interest Policy on election to the Executive or hiring.