

SPECIAL OLYMPICS BC POLICY MANUAL

Section: **ADMINISTRATION**
Policy: **Conflict of Interest**
Effective Date: February 11, 2011
Revised:
Page: 1 of 4

In order to preserve the integrity and reputation of Special Olympics British Columbia, it is imperative that Board members, committee members, coaches, volunteers, athletes, family members, supporters, sponsors, and employees scrupulously avoid conflicts of interest, whether real or potential, between their own personal and financial interests, or the interests of companies or businesses in which they have an interest, and the interests of the Special Olympics BC. The preceding sentence obligates all involved with Special Olympics BC to avoid not only actual conflicts in situations in which there is a true conflict between competing interests, but also to avoid conflicts which are "potential," in that they may create an appearance of impropriety, and thus risk public embarrassment to Special Olympics or damage to its reputation, even if there is no actual impropriety or conflict. To meet this requirement, all potential conflicts shall be disclosed fully to the appropriate person(s) for resolution prior to entering. If anyone involved with Special Olympics BC has a doubt as to whether a particular situation creates a potential conflict of interest, that doubt shall be resolved, in all instances, in favor of disclosing the potential conflict as required by this section.

Details

- Conflicts of interest can arise naturally from an individual's engagement inside and outside Special Olympics BC, and the mere existence of a conflict of interest does not necessarily imply wrongdoing on anyone's part. However, conflicts of interest must be recognized, disclosed, and assessed.
- Conflicts of interest fall into one of two categories: those that are permissible if appropriately managed and those that are prohibited because they cannot be appropriately managed.
- Individuals are responsible for seeking guidance and approval before engaging in any activity that may be questionable. Individuals shall contact the following initial reviewer for guidance and approval:
 - Athletes, supporters, coaches and volunteers at the Local level shall contact the Local Coordinator for that community.
 - Local and Regional Coordinators shall contact the VP, Sport.
 - Individuals acting in a capacity outside a Local, such as on a provincial committee, shall contact the staff member responsible for that activity.
 - Special Olympics BC employees shall contact the CEO, or in the case of the CEO, the Board Chair.
 - Directors shall contact the Board Chair, or in the case of the Board Chair, the Executive Committee of the Board.
 - The CEO shall be contacted if, after review, there is no clear determination on whether a conflict of interest exists or not, or may be contacted by anyone wishing to discuss a potential conflict of interest situation.

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Section: **ADMINISTRATION**
Policy: **Conflict of Interest**
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Revised:
Page: 2 of 4

Recognizing Conflicts of Interest

As each situation depends upon its specific facts, Special Olympics BC has not attempted to develop an exhaustive list of conflicts of interest. Rather, individuals must conduct themselves at all times with the highest ethical standards in a manner that will bear the closest scrutiny. Conflicts of interest may arise in the following situations, and those in such situations should disclose such:

- Where an individual's responsibility to coach athletes in a fair, unbiased and effective manner is, or appears to be, impeded or compromised. The inherent power imbalance that exists between a volunteer and an athlete must not be used for personal benefit. A conflict of interest exists where an individual receives a personal benefit when dealing with athletes.
- Where an individual has influence over a decision about a proposed relationship between Special Olympics BC and a business in which the individual, or his/her related party, has a financial interest, holds an executive position, or is in a position relevant to the relationship.
- Where an individual or his/her related party obtains a financial interest or a position in a business with which Special Olympics BC has an existing relationship and the business is related to the individual's involvement at Special Olympics BC.
- Where an individual is in a position to influence selection decisions (such as athletes moving forward in competition, selection of individuals to key positions, offers of employment, termination of involvement either as an employee or volunteer) with respect to a person with whom the individual has a personal relationship that might reasonably be construed as a conflict of interest.
- Where an individual uses his/her position with Special Olympics BC to solicit athletes, volunteers, employees, government agencies, private companies, or the public for non-Special Olympics activities.
- Where an individual uses information that is acquired as a result of his/her relationship with Special Olympics BC, and not in the public domain, for non-Special Olympics activities.
- Where an individual's obligations to a Society or organization separate from Special Olympics BC interferes with or compromises the individual's obligations to Special Olympics BC, or where an individual uses his or her position with Special Olympics or resources of Special Olympics, to the benefit of another Society or organization over Special Olympics.

SPECIAL OLYMPICS BC POLICY MANUAL

Section: **ADMINISTRATION**
Policy: **Conflict of Interest**
Effective Date: February 11, 2011
Revised:
Page: 3 of 4

- Where an individual solicits support for personal gain from Special Olympics BC, sponsors of Special Olympics BC, or from the public in connection with his or her position at Special Olympics BC (such as athletes or family members soliciting funds or sponsorships for personal equipment or personal travel costs, or volunteers or employees soliciting sponsors for discounts of products or services for personal use).

Procedures

Duty to Disclose - In the Special Olympics BC community, full and complete disclosure of real or perceived conflicts of interest is a key element in protecting the integrity of individuals, as well as that of Special Olympics BC. An individual must disclose conflicts of interest to his or her initial reviewer and to all parties affected by the conflict of interest.

Recusal of Self - Any individual may recuse himself or herself at any time from involvement in any decision or discussion in which the individual believes he/she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.

Determining Whether a Conflict of Interest Exists – Individuals must disclose personal or financial interests and all material facts to the initial reviewer. The initial reviewer will then assess and manage the situation to such point where they feel the situation is addressed appropriately, or to where they feel they need to involve the CEO.

Assessing and Managing Conflicts of Interest:

- When an initial reviewer becomes aware of a conflict of interest, he or she will assess the situation to determine what action, if any, is appropriate.
- Where the initial reviewer determines that a proposed activity is permissible as disclosed with no further action required, the initial reviewer's determination will be recorded and the individual may proceed with the proposed activity.
- Where the initial reviewer determines that the activity is permissible only if appropriately managed, the initial reviewer will develop and implement a protocol to manage the conflict of interest and the individual may proceed with the proposed activity provided that he or she complies with the protocol.
- Where the initial reviewer determines that the activity is not permissible, the individual must not proceed with the proposed activity.
- Where the initial reviewer is unable to determine whether or not a conflict of interest exists, or may be perceived to exist, the initial reviewer will refer the matter to the CEO who will then determine what action, if any, is appropriate.

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Policy: **Conflict of Interest**
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Revised:
Page: 4 of 4

- Where the CEO is unable to determine whether or not a conflict of interest exists, or may be perceived to exist, the CEO will refer the matter on to the Board Chair who will then determine what action, if any, is appropriate.
- Where the Board Chair is unable to determine whether or not a conflict of interest exists, or may be perceived to exist, the Board Chair will refer the matter on to the Executive Committee of the Board who will then determine what action, if any, is appropriate and whose decision shall be final.

Violations of the Conflicts of Interest Policy

If there is reasonable cause to believe an individual has failed to disclose actual or potential conflicts of interest, the individual shall be informed of the basis for such belief and be afforded an opportunity to explain the alleged failure to disclose.

If, after hearing the individual's response, and after making further investigation as warranted by the circumstances, it is felt that the individual has failed to disclose an actual or potential conflict of interest, the CEO shall be notified, or in the case of the CEO, the Board Chair, and appropriate disciplinary and corrective action shall be taken.