



2. Human Resources

No: 05

Policy Title: Conflict of Interest

Date Approved: August 12, 2007

(Note: Included as an Appendix under Specific Hosting Guidelines)

I - PURPOSE

The purpose of this policy is to describe how members of the NSCA will conduct themselves in matters relating to conflicts of interest, and to clarify how the NSCA will make decisions in situations where conflicts of interest may exist.

II – DEFINITION OF CONFLICT OF INTEREST

Conflict of interest: Any situation in which an individual or organization representing the NSCA in any capacity is influenced or could be influenced in a decision by personal, family, financial, business or other interests which over-ride NSCA best interests.

Conflicts of interest include both pecuniary and non-pecuniary interests. A pecuniary interest is 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. A non-pecuniary interest may include family relationships, friendships, volunteer positions in associations, or other interests that do not involve the potential for financial gain or loss.

III - APPLICATION

This policy applies to directors, officers, employees, contractors, committee members, volunteers and other decision-makers within the NSCA (hereafter referred to as "Representatives" of the NSCA).

IV - OBLIGATIONS

Representatives of the NSCA will not:

- Engage in any business or transaction, or have a financial or other personal interest that is incompatible with their official duties with the NSCA, unless such business, transaction or other interest is properly disclosed in accordance with this policy;

- 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;
- 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;
- Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with the NSCA, where such information is confidential or is not generally available to the public.
- 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 NSCA, or in which they have an advantage or appear to have an advantage on the basis of their association with the NSCA;
- Use the NSCA property, equipment, supplies or services for activities not associated with the performance of official duties with the NSCA;
- Place themselves in positions where they could, by virtue of being a Representative of the NSCA, influence decisions or contracts from which they could derive any direct or indirect benefit or interest;
- 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 Representative of the NSCA.

V – DISCLOSURE OF CONFLICT OF INTEREST

On an annual basis, all directors, officers, employees and committee members will complete a written statement disclosing any real or perceived conflicts that they might have.

At any time that a Representative of the NSCA becomes aware that there may exist a real or perceived conflict of interest, they shall disclose this conflict to the Board of Directors immediately.

Any person who is of the view that a Representative of the NSCA may be in a position of conflict of interest may report this matter to the Board.

VI – RESOLVING CONFLICTS IN DECISION-MAKING

Decisions or transactions that involve a real or perceived conflict of interest that has been disclosed by a Representative of the NSCA may be considered and decided upon by the NSCA provided that:

The nature and extent of the 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;

The Representative does not participate in discussion on the matter giving rise to the conflict of interest, unless the body considering the matter votes to allow such participation;

The Representative abstains from voting on the proposed decision or transaction;

The decision or transaction is in the best interests of the society and,

Any real or perceived conflict, whether pecuniary or non-pecuniary, must at all times be resolved in favour of the NSCA.

VII – CONFLICTS INVOLVING EMPLOYEES

The NSCA will not restrict employees from accepting other employment, contracts or volunteer appointments during the term of their employment with the NSCA, 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 the NSCA. Any determination as to whether there is a conflict of interest will rest solely with the NSCA, 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.

VIII - ENFORCEMENT

Failure to adhere to this policy may give rise to discipline in accordance with the NSCA's Code of Conduct and Discipline policy.

IX – REVIEW AND APPROVAL

This policy was approved by the Board of Directors on August 12, 2007 and will be reviewed by the Executive Committee on an annual basis.