

# **Ontario Weightlifting Association Conflict of Interest Policy**

The Ontario Weightlifting Association (OWA) accepts the basic principles of the Canadian Weightlifting Federation Halt rophile Canadienne (CWFHC) Conflict of Interest Policy as it applies to Ontario.

## **Introduction**

The OWA recognizes that it must be impartial and fair in its dealings with OWA members, suppliers, and the general public. The trust, confidence, and support of the OWA goals and objectives are necessary if the OWA is to do its job well. OWA Executive Board, Committee members, staff/contractors must ensure that opportunities do not exist for individual interests, or those close to them, to conflict with the impartial performance of the individuals OWA duties. Any potential, real or perceived conflict between an individual's interests and those of the OWA must be resolved in favour of OWA.

## **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:

- an individual has a personal interest that could lead to be influenced in a way that OWA duties are carried out; or
- a personal interest that could lead a fair person to think that an individual could be influenced in the way that OWA duties are carried out; or
- a family member, relative, friend, associate, or any individual associated has a personal interest that could lead individuals to be influenced in a way that OWA duties are carried out, or could lead a fair person to think that the individual could be influenced.

Nothing in this definition precludes obligations of Executive Board members, Committee members or staff/contractors to notify of conflicts of interest in pecuniary matters.

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

- responsibilities 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 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**

The OWA must not only be free from conflict of interest, but the OWA must ensure that it is seen to be free of any conflicts of interest. It is therefore important that the OWA considers the optics and of how of individuals may perceive the situation. Other people include, but are not limited to: potential suppliers; other sport organizations; colleagues; staff/contractors; general membership; or the public.

### **Notifying a Real, Perceived or Potential Conflict of Interest**

#### General

OWA Executive Board, Committee members, staff/contractors wishing to discuss a real, perceived or potential conflict of interest should initially contact the President and VP Operations, who will act as objective parties in assessing whether such a conflict of interest may, or will arise. The President and VP Operations may then refer the matter to the full Executive Board, or seek legal or ethical advice for further consultation and decision making. Preliminary discussions with both the President and VP Operations regarding potential conflicts of interest will be viewed as confidential, provided these discussions do not lead to a notification of a conflict of interest. The objective of notification is to protect the individual and the Executive Board. In many cases, only the individual, themselves, is aware of the potential for a conflict of interest. The onus for notification is therefore on the individual.

#### Notification of conflicts of interest by staff/contractors

OWA staff/contractors must notify a conflict of interest as soon as they are aware one exists. Conflicts of interest must be notified in writing and delivered (email is acceptable) to the President and VP Operations. Notifications of conflicts of interest by staff/contractors will be presented to the entire Executive Board.

#### Notification of conflicts of interest by Executive Board members

OWA Executive Board members must notify the President and VP Operations in writing (email is acceptable), as soon as they are aware that a conflict of interest exists. If a conflict arises during a meeting, such as a Executive Board meeting, the conflict must be verbally stated immediately and captured in the meetings minutes. The President and VP Operations will ensure that written notifications of all conflicts of interest by Executive Board members are presented to the entire Executive Board.

## Areas which require special attention

### ***Purchasing***

OWA Executive Board members must not participate in a purchasing process if it is felt there is a conflict of interest. If the member is uncertain about whether a conflict of interest exists, it must be discussed with both the President and VP Operations. Where a staff/contractor may have an interest and it can be identified through any of the criteria in the definition of conflict of interest, that staff/contractor will not participate in the purchasing selection process.

### ***Staff and Recruitment***

OWA Executive Board members must not participate in any recruitment process where that individual has a relative or friend, who stands to, or may gain or lose, from it. Executive Board members must immediately notify the nominated officer overseeing recruitment if it is felt that a conflict of interest may exist. Any staff/contractor whose interest in a staff/contractor 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 individual's ability to participate in the recruitment will be provided to the President and VP Operations prior to any participation of that individual in the recruitment process.

### ***Gifts, Benefits and Hospitality***

OWA Executive Board, Committee members, or staff/contractors must never accept any gift or benefit if:

- the person offering it, or a fair person, would expect an individual to be influenced on how OWA duties are carried out, or a sense of obligation or debt to the person offering the gift or benefit; or
- any Executive Board members is 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 of gift.

The VP Administration shall keep a Register of Gifts, Benefits and Hospitality for this purpose. Wherever possible, staff/contractor will be required to notify the President and VP Operations prior to receiving any gift, benefit or hospitality.

Gifts, benefits and hospitality cover, but are not limited to: food or alcohol, including lunches or dinner, giveaways or prizes, tickets to cultural or sporting events, personal services (i.e.: use of equipment, computers or cars). If an Executive Board member, Committee member, staff/contractor is uncertain whether a gift, benefit or hospitality has been received it should be discussed with the President and VP Operations.

### **Record Keeping for Conflicts of Interest**

The OWA will keep the following Conflict of Interest records:

- standard notification letter for OWA Executive Board, Committee members, staff/contractors for conflicts of interest
- creation of a confidential file within the current record keeping system called “Conflicts of Interest”
- register of gifts and benefits
- register of pecuniary interests

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

- all conflict of interest notifications
- failures to disclose
- disclosure by others (i.e.: colleague or member of the public)
- vexatious claims
- assessment of the matter and how it was resolved
- any action (i.e.: resolutions) taken
- any appeals on process

The notification for conflicts of interest will include the following:

- the person’s name
- position
- contact information
- 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 will be kept by the OWA VP Administration respectively.

### **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 (i.e.: sanctions) will be determined within fourteen days of receipt of 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 the Conflict of Interest Policy**

Sanctions will be determined by the President and VP Operations and a third appointed independent party, unless it is the President or VP Operations being sanctioned, in which case another independent party will be appointed.

Sanctions for staff/contractors will include, but not 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 Board or Committee members, will include, but not be limited to:

- limited involvement in the matter (i.e.: participation in discussion but not in decision making)
- no involvement in the matter
- direction that the member concerned removes the source of conflict
- passing a censure motion at a Executive Board meeting
- public disclosures of inappropriate conduct (i.e.: annual report, media, newsletters) requesting a formal apology
- counseling
- prosecuting any conflicts of interest which breach the law

Any conflicts of interest, which 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**

OWA Executive Board, Committee members, staff/contractors will advise the President and VP Operations within four days of receiving notification of action taken to resolve a conflict to interest of the intention to appeal this decision. Notification of intention to appeal should be in writing (email is acceptable) and outline the reasons for the appeal.

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

The decision by the Executive Board on the appeal will be final.

## **Training and Education on Managing Conflicts of Interest**

All OWA members and staff/contractors will be directed to review the OWA Conflict of Interest Policy, as posted on the OWA website, upon becoming a member or upon being hired or contracted.