



CONFLICT OF INTEREST POLICY

June 2022

1. Definition

1.1 The following terms have these meanings in this Policy:

- a) *“Conflict of Interest”* – Any situation in which a Representative’s decision-making, which should always be in the best interests of SSC, is influenced or could be influenced by personal, family, financial, business, or other private interests
- b) *“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
- c) *“Non-Pecuniary Interest”* – An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss
- d) *“Registrant(s)”* – Individuals who are associated with a Member or a local club governed by a Member. Includes honorary skaters and honorary supporters as defined by Speed Skating Canada By-Laws
- e) *“Representatives”* – Individuals employed by, or engaged in activities on behalf of, SSC including athletes, coaches, staff members, convenors, contract personnel, volunteers, officials, managers, administrators, committee members, and Directors and Officers of SSC

2. Background

2.1. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of SSC. For example, in not-for-profit organizations, Directors are required, by law, to act as a trustee (in good faith, or in trust) of SSC. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of SSC is connected to their own personal interests. That would be a conflict of interest situation.

3. Purpose

3.1 SSC strives to reduce and eliminate nearly all instances of conflict of interest at SSC – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Representatives will conduct themselves in matters relating to conflict



of interest and clarifies how Representatives shall make decisions in situations where conflict of interest may exist.

3.2 This Policy applies to all SSC Representatives.

4. Obligations

4.1 Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Representative's personal interest and the interests of SSC, shall always be resolved in favour of SSC.

4.2 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 SSC, unless such business, transaction, or other interest is properly disclosed to SSC and approved by SSC
- 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 preferential treatment
- c) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or 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 SSC, if such information is confidential or not generally available to the public
- e) 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 SSC, or in which they have an advantage or appear to have an advantage on the basis of their association with SSC
- f) Without the permission of SSC, use SSC's property, equipment, supplies, or services for activities not associated with the performance of their official duties with SSC
- g) Place themselves in positions where they could, by virtue of being a Representative of SSC, influence decisions or contracts from which they could derive any direct or indirect benefit
- h) 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 SSC

5. Disclosure of Conflict of Interest

5.1 SSC's Directors, Officers, Employees, Committee Members, Officials and National Program Athletes are required to complete a Conflict-of-Interest Declaration Form disclosing any real or perceived conflicts that they might have. Representatives will complete the form prior to or upon commencing their duties or activities with SSC. Declaration Forms shall be retained by SSC.



- 5.2 Representatives are expected to self-monitor their personal situation with respect to newly arising conflicts of interest. Should a new conflict of interest arise representatives shall complete a Conflict-of-Interest Declaration Form immediately and disclose the newly arisen conflict to their supervisor or an appropriate representative of SSC.
- 5.3 Representatives shall also disclose all affiliations with other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, or Director.

6. Minimizing Conflicts of Interest in Decision-Making

- 6.1 Decisions involving a real or perceived conflict of interest that has been proactively disclosed by a Representative of SSC will be considered and evaluated by SSC Directors or Management, as appropriate and depending on the duties and position of the Representative with the conflict of interest. All or any combination of the following courses of action may be taken to address the conflict of interest:
- a) The conflict of interest is noted in the minutes.
 - b) The Representative does not participate in discussion on the matter as it relates to the conflict of interest.
 - c) The Representative abstains from voting on any decision being made as it relates to the conflict of interest
 - d) The Representative may be asked to leave a meeting (in person or in video conference) if, due to their conflict of interest, their presence may impact the candor of a discussion.
 - e) The Representative may be requested to resign from their duties if continuing them will be detrimental to the best interests of SSC
- 6.2 For potential conflicts of interest involving employees, SSC's CEO and the Board will determine whether there is a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. SSC will not restrict employees from accepting other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with SSC or give rise to a conflict of interest.

7. Conflicts of Interest Complaints

- 7.1 Any person who believes that a Representative may be in a conflict of interest situation should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to SSC's Board, CEO or designate who will determine appropriate measures to eliminate the conflict. The CEO and the Board may apply the following actions singly or in combination for real or perceived conflicts of interest:
- a) Removal or temporary suspension of certain responsibilities or decision-making authority



- b) Removal or temporary suspension from a designated position
- c) Removal or temporary suspension from certain teams, events, and/or activities
- d) Expulsion from SSC
- e) Other actions as may be considered appropriate for the real or perceived conflict of interest

7.2 Any person who believes that a Representative has made a decision that was influenced by a real or perceived conflict of interest may submit a complaint, in writing, to SSC's Board, committee chair, CEO or designate to be addressed under SSC's *Complaints, Investigations & Discipline Policy*.

7.3 Failure to comply with an action as determined by the CEO and/or the Board will result in automatic suspension from SSC until compliance occurs.

7.4 The CEO and the Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of the CEO and the Board.

8. Enforcement

8.1 Failure to adhere to this Policy may permit discipline in accordance with SSC's *Complaints, Investigations & Discipline Policy*.



CONFLICT OF INTEREST DECLARATION FORM

I, the undersigned, hereby declare the indicated absence or presence of a potential "Conflict of Interest".

Please check appropriate box

- I declare that I am **not** in a position of conflict of interest.
- I declare that I am in the following position of conflict.

with regards to the following other Registrant(s) and/or activities of Speed Skating Canada:

Registrant(s) and or activities

Describe the nature of the conflict of interest (familial, intimate, business relationship, etc.):

Declaring Registrant

Name: -----

Position/Role: -----

Email Address: -----

Signed on this _____ of _____, -----

Signature: -----



1. Provisions

- 1.1 Representatives of SSC acting on its behalf shall not:
- a) Engage in any business or transaction or have a financial or other personal interest which is incompatible with the discharge of their duties and obligations;
 - b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or favor on their part or who might seek, in any way, preferential treatment;
 - c) Knowingly place themselves in a position where they could be influenced in a decision by personal, family, financial, business or other interests;
 - d) Accord, in the performance of their duties and obligations, preferential treatment to relatives or friends or to organizations in which they or their relatives or friends have an interest, financial or otherwise;
 - e) Benefit from the use of information acquired during the course of their official duties, which is generally not available to the public;
 - f) Engage in any outside work, activity, or business undertaking
 - i. that conflicts or appears to conflict with their duties as a Board, Committee Member, Staff Person, or representative of SSC;
 - ii. in which they have an advantage or appear to have an advantage derived from their association with SSC; or
 - iii. in a professional capacity that will or might appear to influence or affect the carrying out of their duties as a SSC Board, Committee Member, Staff Person, or representative of SSC;
 - g) Use SSC property, equipment, supplies, or services of consequence for activities not associated with the discharge of official duties;
 - h) Place themselves in a position where they could derive any direct or indirect benefit or interest from any contracts, the decisions with respect to which, they could influence; or
 - i) Accept any gift that could reasonably be construed as being given in anticipation or recognition or of special consideration by the SSC.
- 1.2 Disclosure of conflict of interest shall be made in the following ways:
- a) For those who are nominated for election, they will disclose prior to the election their potential conflict of interest;
 - b) At the first annual meeting of a Committee, each member shall make verbal and written disclosure of their interests, to be recorded and submitted to the Board of Directors;
 - c) At the first annual meeting of a Committee, each member shall make verbal and written disclosure of their interests, to be recorded and submitted to the Board of Directors;
 - d) In addition to the foregoing, whenever a Board or Committee member, other SSC Representative or Staff Person considers that they could be, or could potentially be, in a conflict of interest as defined within this policy or otherwise, they shall disclose this conflict to either the Board of Directors, the committee chair (if during a committee meeting), the CEO or designate;



- e) Any SSC Representative or Staff Person who feels that another SSC Registrant or Staff Person is in a conflict of interest can raise the matter with either the Board of Directors, the committee chair (if during a committee meeting) or the CEO or designate;
- f) If a Representative is in doubt as to whether or not a conflict of interest situation exists, they should provide disclosure to SSC's Board, CEO or designate.