



SWIM•NATATION
MANITOBA
CONFLICT OF INTEREST POLICY

Definitions

1. The following terms have these meanings in this Policy:

- a) “*Conflict of Interest*” – A situation where an individual, or an organization in which they have an interest, has a real direct or indirect interest competing with SNM’s interests, resulting in an incompatibility between the individual’s interests and their duties to SNM.
- b) “Decision Makers”- All individuals employed by or volunteering for SNM who are decision-makers for SNM.
- 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) “Panel” - The panel appointed pursuant to this policy.
- e) “*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.
- f) “*Person*” – Any Decision Maker or their family member, friend, customer, client, sponsor, colleague or a legal person or organization in which the Decision Maker has an interest.
- g) “SNM” - Swim/Natation Manitoba .

Purpose and Application

- 1. The purpose of this Policy is to describe how Decision Makers will conduct themselves in matters relating to conflicts of interests, and to clarify how SNM will make decisions in situations where conflicts of interest may exist.
- 2. This Policy applies to all Decision Makers.

Obligations

- 3. Decision Makers **will not**:
 - a) Engage in any business or transaction, or have a financial or other interest that is incompatible with their duties with SNM unless such business, transaction or other interest is disclosed to and approved by SNM in accordance with this Policy;
 - 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, in any way, preferential treatment;

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- c) In the performance of their duties with SNM, accord preferential treatment to any Person or to any entity in which that Person has an interest;
- d) Derive personal benefit from information that they have acquired during the course of fulfilling their duties with SNM, where such information is confidential or is not generally available to the public;
- e) Engage in any outside work, activity or business or professional undertaking that conflicts with their duties as a representative of SNM unless such work, activity or undertaking has been disclosed to and approved by SNM in accordance with this Policy;
- f) Use SNM property, equipment, supplies or services for activities not associated with the performance of duties of SNM without the permission of SNM; or
- g) Accept any gift or favor given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Decision Maker.
- h) Accept any gift or favor in excess of One Hundred Dollars (\$100.00).

Disclosure of Conflict of Interest

- 4. On an annual basis, all Decision Makers will complete a written Conflict of Interest Declaration in the form attached hereto as Schedule "A".
- 5. Any time a Decision Maker becomes aware that they may have a Conflict of Interest, they will immediately disclose this Conflict of Interest in writing to the Board of Directors of SNM.

Reporting a Conflict of Interest

- 6. Any person who is of the view that a Decision Maker may be in a position of Conflict of Interest may report this matter to SNM's head office. Such a report must be signed and in writing. Anonymous complaints may be accepted upon the sole discretion of SNM.

Resolving Complaints of Conflict of Interest

- 7. Upon receipt of a report of Conflict of Interest, SNM shall provide written notice of a hearing to the Decision Maker alleged to have the Conflict of Interest and to the person who filed the report. The Board of Directors of SNM shall appoint three (3) individuals to a Panel. At the hearing, the Decision Maker alleged to have the Conflict of Interest and the individual who filed the report will be given the opportunity to submit evidence and be heard.
- 8. After hearing the matter, the Panel will determine whether a Conflict of Interest exists and if so what appropriate actions will be imposed.
- 9. Where the Decision Maker alleged to have a Conflict of Interest agrees to the facts, he or she may waive the hearing, in which case the Panel will determine the appropriate action to be taken.
- 10. If the Decision Maker alleged to have a Conflict of Interest chooses not to participate in the hearing, the hearing will proceed in any event.

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11. Following a hearing, the Panel may apply the following actions singly or in combination if a determination is made that a Decision Maker has a Conflict of Interest that was not disclosed to and approved by the Board of Directors of SNM:
 - 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 SNM teams, events and/or activities;;
 - d) Other actions as appropriate.

Notice of any such action shall be provided to the Decision Maker.

1. Failure to comply with an action as determined by the Panel will result in automatic suspension of membership in SNM until such time as compliance occurs.
2. The Board of Directors of SNM may determine that an alleged Conflict of Interest is of such seriousness as to warrant suspension of designated activities pending a hearing and a decision of the Panel.

Resolving Conflicts in Decision-making

3. Decisions or transactions that involve a Conflict of Interest that has been disclosed by a Decision Maker may be considered and decided upon by the Board of Directors of SNM provided that:
 - a) The nature and extent of the Decision Maker's interest has been fully disclosed to SNM in accordance with this Policy;
 - b) The Decision Maker does not participate in discussions on the matter giving rise to the Conflict of Interest;
 - c) The Decision Maker abstains from voting on the proposed decision or transaction;
 - d) The Decision Maker is not included in the determination of quorum for the proposed decision or transaction; and
 - e) The decision or transaction is in the best interests of SNM.

Decision and Appeal

1. Any decision of a Panel or the Board of Directors of SNM in accordance with this Policy may be appealed in accordance with SNM's Appeal Policy.

Notice

2. All notices required by this Policy shall be given by personal service or by mailing the same in a sealed envelope, first class mail, postage prepaid and either registered or certified, return receipt requested.

Schedule "A"

Declaration regarding Conflict of Interest

I have read SNM's Conflict of Interest Policy and I commit to disclosing the existence of any Conflict of Interest to the Board of Directors of SNM, as soon as it is known to me.

I declare the following interests which may represent a potential Conflict of Interest (Please list none if you do not have any existing conflicts of interest) :

_____ **Name**

_____ **Signature**

_____ **Date**