

CONFLICT OF INTEREST POLICY

DEFINITIONS

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 PETERBOROUGH RUGBY CLUB, 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) “*REPRESENTATIVES*” – INDIVIDUALS EMPLOYED BY, OR ENGAGED IN ACTIVITIES ON BEHALF OF, PETERBOROUGH RUGBY CLUB INCLUDING: STAFF, CONTRACT PERSONNEL, VOLUNTEERS, MANAGERS, ADMINISTRATORS, COMMITTEE MEMBERS, AND DIRECTORS AND OFFICERS

BACKGROUND

2. INDIVIDUALS WHO ACT ON BEHALF OF A NOT-FOR-PROFIT ORGANIZATION HAVE A DUTY FIRST TO THAT ORGANIZATION AND SECOND TO ANY PERSONAL STAKE THEY HAVE IN THE OPERATIONS OF THE ORGANIZATION. REPRESENTATIVES MUST NOT PUT THEMSELVES IN POSITIONS WHERE MAKING A DECISION ON BEHALF OF PETERBOROUGH RUGBY CLUB IS CONNECTED TO THEIR OWN PERSONAL INTERESTS. THAT WOULD BE A CONFLICT OF INTEREST SITUATION.

PURPOSE

3. PETERBOROUGH RUGBY CLUB STRIVES TO REDUCE AND ELIMINATE NEARLY ALL INSTANCES OF CONFLICT OF INTEREST AT PETERBOROUGH RUGBY CLUB 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.
4. THIS POLICY APPLIES TO ALL REPRESENTATIVES.

OBLIGATIONS

5. ANY REAL OR PERCEIVED CONFLICT OF INTEREST, WHETHER PECUNIARY OR NON-PECUNIARY, BETWEEN A REPRESENTATIVE’S PERSONAL INTEREST AND THE INTERESTS OF PETERBOROUGH RUGBY CLUB, SHALL ALWAYS BE RESOLVED IN FAVOUR OF PETERBOROUGH RUGBY CLUB.
6. 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 PETERBOROUGH RUGBY CLUB, UNLESS SUCH BUSINESS, TRANSACTION, OR OTHER INTEREST IS PROPERLY DISCLOSED TO PETERBOROUGH RUGBY CLUB AND APPROVED BY PETERBOROUGH RUGBY CLUB
 - 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 PETERBOROUGH RUGBY CLUB, 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 PETERBOROUGH RUGBY CLUB, OR IN WHICH THEY HAVE AN ADVANTAGE

OR APPEAR TO HAVE AN ADVANTAGE ON THE BASIS OF THEIR ASSOCIATION WITH PETERBOROUGH RUGBY CLUB

- F) WITHOUT THE PERMISSION OF PETERBOROUGH RUGBY CLUB, USE PETERBOROUGH RUGBY CLUB'S PROPERTY, EQUIPMENT, SUPPLIES, OR SERVICES FOR ACTIVITIES NOT ASSOCIATED WITH THE PERFORMANCE OF THEIR OFFICIAL DUTIES WITH PETERBOROUGH RUGBY CLUB
- G) PLACE THEMSELVES IN POSITIONS WHERE THEY COULD, BY VIRTUE OF BEING A REPRESENTATIVE OF PETERBOROUGH RUGBY CLUB, 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 PETERBOROUGH RUGBY CLUB

DISCLOSURE OF CONFLICT OF INTEREST

- 7. UPON ELECTION TO THE EXECUTIVE COMMITTEE, ALL PETERBOROUGH RUGBY CLUB'S DIRECTORS, AND CANDIDATES FOR ELECTION TO THE EXECUTIVE COMMITTEE, OFFICERS, EMPLOYEES, AND COMMITTEE MEMBERS WILL COMPLETE A **DECLARATION FORM** (APPENDIX A) DISCLOSING ANY REAL OR PERCEIVED CONFLICTS THAT THEY MIGHT HAVE. DECLARATION FORMS SHALL BE RETAINED BY PETERBOROUGH RUGBY CLUB'S SECRETARY.
- 8. IMMEDIATELY UPON BECOMING AWARE THAT A CONFLICT OF INTEREST MAY EXIST, ALL REPRESENTATIVES MUST DISCLOSE ANY REAL OR PERCEIVED CONFLICT OF INTEREST AS FOLLOWS:
 - A) DIRECTORS, OFFICERS, COMMITTEE MEMBERS, CANDIDATES FOR ELECTION TO THE EXECUTIVE COMMITTEE MUST DISCLOSE REAL AND PERCEIVED CONFLICTS OF INTEREST TO THE EXECUTIVE COMMITTEE
 - B) VOLUNTEERS, MANAGERS, AND OTHER REPRESENTATIVES MUST DISCLOSE REAL AND PERCEIVED CONFLICTS OF INTEREST TO THE EXECUTIVE COMMITTEE

MINIMIZING CONFLICTS OF INTEREST IN DECISION-MAKING

- 9. DECISIONS OR TRANSACTIONS THAT INVOLVE A CONFLICT OF INTEREST THAT HAS BEEN PROACTIVELY DISCLOSED BY A REPRESENTATIVE OF PETERBOROUGH RUGBY CLUB WILL BE CONSIDERED AND DECIDED WITH THE FOLLOWING ADDITIONAL PROVISIONS:
 - A) 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 OR NOTED
 - B) THE REPRESENTATIVE DOES NOT PARTICIPATE IN DISCUSSION ON THE MATTER
 - C) THE REPRESENTATIVE ABSTAINS FROM VOTING ON THE DECISION
 - D) FOR EXECUTIVE COMMITTEE-LEVEL DECISIONS, THE REPRESENTATIVE DOES NOT COUNT TOWARD QUORUM
 - E) THE DECISION IS CONFIRMED TO BE IN THE BEST INTERESTS OF PETERBOROUGH RUGBY CLUB

CONFLICT OF INTEREST COMPLAINTS

- 10. 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 EXECUTIVE COMMITTEE OR ANY COMMITTEE), TO PETERBOROUGH RUGBY CLUB'S EXECUTIVE COMMITTEE WHO WILL DECIDE APPROPRIATE MEASURES TO ELIMINATE THE POTENTIAL OR EXISTING CONFLICT. THE EXECUTIVE COMMITTEE 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 PETERBOROUGH RUGBY CLUB
 - E) OTHER ACTIONS AS MAY BE CONSIDERED APPROPRIATE FOR THE REAL OR PERCEIVED CONFLICT OF INTEREST

11. ANY PERSON WHO BELIEVES THAT A REPRESENTATIVE HAS MADE A DECISION THAT WAS INFLUENCED BY REAL OR PERCEIVED CONFLICT OF INTEREST MAY SUBMIT A COMPLAINT, IN WRITING, TO PETERBOROUGH RUGBY CLUB.
12. FAILURE TO COMPLY WITH AN ACTION AS DETERMINED BY THE EXECUTIVE COMMITTEE WILL RESULT IN AUTOMATIC SUSPENSION FROM PETERBOROUGH RUGBY CLUB UNTIL COMPLIANCE OCCURS.
13. THE EXECUTIVE COMMITTEE 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 EXECUTIVE COMMITTEE.

ENFORCEMENT

14. FAILURE TO ADHERE TO THIS POLICY MAY PERMIT DISCIPLINE IN ACCORDANCE WITH THE *CODE OF CONDUCT*.

POLICY HISTORY	
APPROVED	OCTOBER 2022
NEXT REVIEW DATE	

APPENDIX A – CONFLICT OF INTEREST – DECLARATION FORM

I HAVE READ PETERBOROUGH RUGBY CLUB'S *CONFLICT OF INTEREST POLICY*, I AGREE TO BE BOUND BY THE OBLIGATIONS CONTAINED THEREIN, AND I COMMIT TO AVOID ANY REAL OR PERCEIVED CONFLICT OF INTEREST. I ALSO COMMIT TO DISCLOSING THE EXISTENCE OF ANY REAL OR PERCEIVED CONFLICT OF INTEREST TO THE EXECUTIVE COMMITTEE, AS SOON AS IT IS KNOWN TO ME.

I DECLARE THE FOLLOWING INTERESTS WHICH MAY REPRESENT A POTENTIAL CONFLICT OF INTEREST:

NAME

SIGNATURE

DATE