1.2.12 Board Conflict of Interest

Policy Statements:

1. The Board of Directors is committed to independent, unrelated Board representation, in order to minimize potential conflicts of interest.

2. All Directors of the Board are expected to act in a way that does not cause, or is not likely to cause, a conflict or the appearance of a conflict between their private interests and the best interests of the agency.

3. Directors of the Board are prohibited from using their relationship with PLEA for personal gain or profit either directly or indirectly. Specifically, a Director of the Board may not:

   - Act on behalf of the agency, or deal with the agency, in any matter where he or she is in an actual or perceived conflict of interest;
   - Use his or her position, office or affiliation with the agency to pursue or advance personal interests or those of an individual described in the definition below; or
   - Have direct or indirect financial interests in the assets, leases, business transactions, or professional services of the agency.

Definitions:

Independent Board representation is the absence of conflict of interest by a Board Director with respect to any organizational transaction. A Board Director is typically independent with respect to a transaction if neither the individual nor any related person or entity benefits from the transaction or is subject to the direction or control of a person or entity that benefits from the transaction.

Unrelated Board representation is the absence of an affiliation between a Board Director and any person or entity that benefits from any organizational transaction. For the purposes of the foregoing, affiliation generally means a relationship that is familial; characterized by control of at least a 35 percent voting, profits, or beneficial interest by the Board Director; or substantially influenced by the Board Director.

Conflict of Interest: any situation where an individual's personal or private interests (or those of a family member, friend, close associate or business partner) could influence the performance of his/her duties, bias their decisions, or undermine the public's trust and confidence in the agency.

Procedures:

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1. All Board Directors will sign the *Board of Directors' Conflict of Interest Declaration* (Appendix 1.2A) annually.

2. A Director of the Board, who feels that he or she may be in a conflict of interest, or potential conflict of interest, is expected to immediately notify the Board of Directors and Chief Executive Officer in writing.

3. If a Director of the Board becomes aware of a conflict after a transaction is concluded, he or she is still responsible for making the disclosure immediately.

4. A Director of the Board who is in doubt as to whether a conflict of interest exists is expected to seek the advice of the Board of Directors or an individual designated by the Board.

5. A Director of the Board who is in a conflict of interest situation refrains from participating in any discussion or vote taken with respect to such transactions or services.

Appendix 1.2A BOARD OF DIRECTORS CONFLICT OF INTEREST DECLARATION

1. I acknowledge that I have received and read a copy of the Board Conflict of Interest Policy.
2. I will discharge my duties as a Director in a way that does not cause nor is likely to cause, a conflict or the appearance of a conflict between my private interests and the best interests of the Society.
3. I will not use my relationship with PLEA for personal gain or profit either directly or indirectly.
4. I am not currently aware of circumstances where there is a conflict between my personal interests and those of the organization.
5. If I become aware of a conflict of interest, or potential conflict of interest, I will immediately notify the Chair of the Board of Directors and Chief Executive Officer in writing.
6. I will refrain from participating in any discussion or vote taken with respect to any situation in which a conflict of interest exists or the appearance of a conflict may exist.
7. I also understand that if I am unclear or uncertain about whether I am in a conflict of interest situation I will seek the advice of the Board of Directors or an individual designated by the Board.
8. I further acknowledge and agree that failure to comply with the Board Conflict of Interest Policies may result in my being asked to leave the Board.

Dated this _____ day of _____ 20___ At _____. BC

Name: _____ Signed: _____

For PLEA Community Services Society of B.C.

Name: _____ Signed: _____

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COMMUNITY SERVICES

3.1.31 Conflict of Interest or Commitment Policy

Scope:

This policy applies to all employees. The *3.1.32 Outside Employment* and *3.1.33 Personal Relationships in the Workplace policie*s are written in accordance with this policy and contain additional information on managing potential conflict of interest or commitment situations.

Statements:

1. The purpose of this policy is to provide employees with guidance so that conflicts of interest or commitment can be recognized, avoided and/or resolved in a timely manner through appropriate disclosure and management.

2. Employees have fiduciary responsibilities to the agency; it is essential that employees perform their duties in a manner that will ensure no conflict, or the appearance of conflict, between their personal interests and those of PLEA.

3. The relationship of the agency with its employees is based on mutual trust. As the agency is committed to preserve the interests of people under its employment, it expects the same from its employees.

4. It is not possible to provide an inclusive list of all situations giving rise to a conflict of interest or commitment. In general, employees may not use their positions for the gain of themselves or others, nor may they engage in activities that adversely impact PLEA or their ability to do their jobs. This policy includes a brief overview of specific situations presenting potential conflicts of interest or commitment.

5. Failure to comply with this policy may result in discipline up to and including termination.

Definitions:

Agency Resources**:** for the purposes of this policy, resources include, but are not limited to, employee time, office equipment, PLEA-issued devices, office supplies or support staff.

Conflict of Interest: when an employee's commitment to the agency may be compromised by personal benefit or when an employee's interest in a particular subject may lead them to actions, activities or relationships that undermine the agency and may place it to disadvantage.

Conflicts of Commitment: activities that could divert an employee's attention from their duties at PLEA or consume time or energy that they interfere, or appear to interfere, with an employee's responsibilities to the agency.

Developed: January 2021—HR
Last reviewed: July 2024—HR

Responsibilities

Employees are responsible for:

1. Avoiding situations or activities that could interfere, or appear to interfere, with their exercise of judgment in the interests of the agency.

2. Submitting *Conflict of Interest Disclosure Form* (Appendix 3.1.31A) to their manager and discussing any activity that might result in a conflict of interest or conflict of commitment and not participating in the activity until it is determined whether a conflict of interest or commitment does exist, and the matter is resolved with their manager.

3. Refraining from letting personal and/or financial interests and external activities come into opposition with the agency's interests.

4. Not using agency property or other resources to advance personal interests or activities during their employment at PLEA.

Managers are responsible for:

1. Keeping an eye on potential conflict of interest or commitment situations for their employees.

2. Reviewing employee disclosures and determining the appropriate response.

3. Resolving conflicts of interest when necessary.

4. Documenting the submission and review of employee disclosures on the *Conflict of Interest Disclosure Form*, including any approvals given, resolutions implemented and/or denials of approval.

5. Sending the Human Resources department a copy of the completed *Conflict of Interest Disclosure Form* for the employee's personnel file.

Those overseeing managers (e.g., a Program Director) are responsible for:

1. Making the final decision on conflict of interest or commitment situations when a solution cannot be found by the manager, noted above.

The Human Resources designate is responsible for:

1. Filing the completed Conflict of Interest Disclosure Forms in the personnel file.

Procedures:

Conflict of Interest

1. It is possible that a conflict of interest may occur and can be addressed and resolved before any actual damage is done. Therefore, when an employee understands or suspects that a conflict of interest exists, they should bring this matter to the attention of their manager so corrective action may be taken.

Conflict of Commitments

2. Paid activities or other outside pursuits are not to occur during work time. Please see *3.1.32 Outside Employment (Secondary Employment) Policy* for additional information.

Relationships with Third Parties

3. Employees must ensure they maintain appropriate relationships between themselves and third parties with whom they come in contact while performing their jobs for the agency.

    a. These parties may include, but are not limited to, external stakeholders, ministry and/or government officials and vendors of goods and services.

4. Personal gain resulting from a relationship with a third party must be avoided.

Personal Relationships

5. Employees are expected to inform management of any potential conflicts of interest that may arise, or appear to arise, as a result of their relationship with another individual in the organization, as per the *3.1.33 Personal Relationships in the Workplace* policy.

Documentation and Retention

6. All disclosures and their resolutions shall be documented. Copies of the documentation will be securely stored by the Human Resources' department in the employee's personnel file as per the *3.1.21 Personnel Files* policy.

Appendix 3.1.31A Conflict of Interest Disclosure Form

I have read and reviewed 3.1.31 Conflict of Interest or Commitment policy, 3.1.32 Outside Employment (Secondary Employment) Policy, and 3.1.33 Personal Relationships in the Workplace policy (the 'Policies').

I understand my responsibility to disclose in writing a full description of any activity, interest , or relationship on my part that might create or appear to create a conflict of interest under the provisions of these policies, as soon as I become aware of a potential conflict.

To the best of my knowledge and belief, I am not now engaged in any activity, interest, or relationship that would create or appear to create a conflict of interest under the terms of the Policies, except as indicated below. I agree to maintain my affairs in compliance with the Policies.

The only situation(s) that could possibly give rise to the appearance of a conflict of interest is (are) as follows (please include the nature of the potential activity, interest or relationship, including how they may conflict with the agency's interests:

_____ _____

Employee Name Submission Date

_____ _____

Title Signature

Reviewed (Approved— no conflict exists)

_____	_____
Manager /Director Name	Date
_____	_____
Title	Signature

Reviewed (Not approved— conflict exists)

_____	_____
Manager /Director Name	Date
_____	_____
Title	Signature