

B.A.H.A.'s Conflict of Interest Policy

Objective:

B.A.H.A. must meet high ethical standards in order to merit the trust of its Member Associations, clients, sponsors, and the public.

The integrity of B.A.H.A. depends on ethical behavior throughout the organization, and fair, well-informed decision-making. The ability to make decisions is sometimes affected by other interests (personal or professional) of individuals in the organization. Such conflict-of-interest situations are a regular part of organizational and personal life and cannot simply be eliminated. The objective of this policy is to permit B.A.H.A. to manage conflict of interest situations successfully and to resolve them fairly.

Scope:

This policy applies to all members of the Board of Directors and all staff of B.A.H.A. It also applies to volunteers, but formal procedures should consider their circumstances. Collectively, these three groups are called "affected persons" below.

Definition of Conflict of Interest:

A conflict of interest is a situation in which a person has a private or personal interest sufficient enough to appear to influence the objective exercise of his or her official duties with B.A.H.

"Private or personal interest" refers to an individual's self-interest (i.e. to achieve financial profit or avoid loss, or to gain another special advantage or avoid a disadvantage); the interests of the individual's immediate family or business partners; or the interests of another organization in which the individual holds a position (voluntary or paid).

"Objective exercise of duties" refers to an individual's ability to carry out her or his responsibilities in the best interest of B.A.H.A.

Types of Conflict:

A Board member, employee or volunteer of the Association may be in a conflict-of-interest situation that is:

1. Actual or real, where his official duties are or will be influenced by their private interests.
2. Perceived or apparent, where her official duties appear to be influenced by their private interests.
3. Foreseeable or potential, where his official duties may be influenced in the future by their private interests.

Examples of Conflicts of Interest:

- Self-interested funding, contracting, or hiring when an affected person uses a position in the Association to influence a decision to provide funding or contracts to another organization in which he or she has an interest, or to go outside normal hiring processes to give a job to a friend or family member.
- Improper influence: when an affected person solicits or accepts some form of benefit in return for influencing the Associations activities or promoting someone else's interests in the Association.
- Inappropriate outside activity: when an affected person's activities the Association are in conflict with the interests of the Association.



- Accepting undue benefits, such as significant gifts which place an affected person under obligation to the donor.

Responsibilities:

Overall Responsibility

Members of the B.A.H.A. Board, staff and volunteers are responsible for managing conflict of interest situations in order to ensure that workplace behavior and decision-making throughout the Association are not influenced by conflicting interests.

Responsibility for Prevention

B.A.H.A. supports an organizational culture in which people freely take responsibility for both “self-declaring” possible conflicts of interest, and respectfully raising possible conflicts faced by others in the organization. This culture makes it possible to avoid any such situations from arising in the first place.

Managers, staff, volunteers and Board members have the responsibility to implement appropriate practical preventive measures, such as:

- Providing education about what to do when gifts and hospitality are offered;
- Providing meeting agendas in advance to enable participants to foresee possible conflicts;
- Ensuring that people are clearly told when information must be protected from improper use;
- Declining involvement in an action (such as supporting a questionable outside activity).

Responsibility for Managing

Where prevention is not the solution, conflict of interest situations must be managed. Here are the steps to be taken by those involved in such situations, working together and supporting one another’s ethical responsibilities:

1. **Declare it.** Ensure transparency by self-declaration, and by making sure that a record of the declaration is made.
2. **Discuss it.** In a doubtful situation, take a moment for a quick word with the chair of your meeting, or undertake a full dialogue with the group, if the situation warrants it.
3. **Deal with it.** Measures to mitigate or eliminate a conflict of interest will depend on what is appropriate to the severity of the situation.

Options include:

- a. **Restrict the involvement of the individual.** For example, the individual may withdraw from decision-making. This would not be appropriate if the conflict of interest arises frequently, or if the individual cannot be separated from parts of the activity.
- b. **Recruit a third party to assist.** For example, ask a disinterested party to sit on a hiring board, appeal process. There will be situations where no appropriate third party is available.
- c. **Remove the individual from affected duties.** When “restrict” and “recruit” are not suitable options, the individual with the conflict may be removed from duties or discussions related to the conflict. The individual could transfer to other duties.
- d. **Relinquish the private interest.** In cases of serious conflict, the individual may choose to drop the private interest, such as membership on the Board of another organization, which is causing the conflict.
- e. **Resign from the official duties.** In serious cases where other solutions are not possible, the individual may have to resign from the position creating the conflict.
- f. **Document what has been done.** Board minutes, correspondence to interested parties, or other documentation will provide a record of steps taken.

Policy Application:



1. This policy must be explained to all new Board members, staff and volunteers. All such affected persons must agree in writing, at the outset of taking a position or volunteering with the Association, that they will abide by this policy.
2. At that time, Board members and staff must disclose possible conflict situations to the Executive Director (or President) in confidence. Subsequent material changes must be disclosed when they first emerge. Volunteers must inform the President and or Executive Director of possible conflict situations.
3. The Executive Committee will indicate to each individual whether any further action is necessary to manage the possible conflicts of interest disclosed. Actions might include the following, depending on the severity of the conflict:
 - a. Declaring the conflict to all concerned before discussion or decision-making.
 - b. Withdrawing from final decision-making only;
 - c. Withdrawing from all aspects of discussion and decision-making.
4. The Executive Committee is also the final authority on resolving disputes, for example when an individual does not agree with the perception that he or she is facing a conflict of interest.
5. The Executive Committee is the authority on dealing with real conflicts of interest which are discovered "after the fact". A variety of serious measures, such as cancelling a contract or hiring decision, may have to be considered, case by case, in such situations.

For the purposes of this policy, the President is the appropriate authority in all matters relating to the affairs of the Board, and to any issues involving the Executive Committee's own affairs. Any issues involving the President's own affairs will be dealt with by the Vice President of Off-Ice Operations. The Executive Committee is the authority in all other matters.

Conflict Of Interest Rulings:

The Board of Directors has taken steps to avoid any real or perceived conflicts of interest in regard to coaching and being a board member within the Association.

In order to avoid any issues, the Board of Directors will enforce the following:

1. A Level Director may not have a child in the level they are directing; with the exception to this rule being if no other directors are nominated for a position and there are no other places to move the director then they must direct the level with the aid of another Level Director who is willing to act as a liaison if needed.
2. A Level Director may not Head Coach a team within the Level they are directing.
3. The Vice President of Off-Ice Operations may not manage any team while serving on the board, as they are the key contact for all managers.

