



Conflict of Interest Policy

September 30, 2023

1. Conflict of Interest Policy	3
1.1. Definitions	3
1.2. Background	3
1.3. Purpose	3
1.4. Obligations	4
1.5. Disclosure of Conflict of Interest	5
1.6. Minimizing Conflicts of Interest in Decision-Making	5
1.7. Conflict of Interest Complaints	5
1.8. Enforcement	6

1. Conflict of Interest Policy

1.1. Definitions

1.1.1. The following terms have these meanings in this policy:

1.1.1.1. “Conflict of Interest” – Any situation in which a representative’s decision-making, which should always be in the best interests of NLSA, is influenced or could be perceived to be influenced by personal, organizational, family, financial, business, or other private interests.

1.1.1.2. “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.

1.1.1.3. “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.

1.1.1.4. “Representatives” – Individuals employed by or engaged in activities or decision making on behalf of NLSA, including team personnel, staff members, conveners, contract personnel, volunteers, managers, administrators, committee members, directors and officers of NLSA.

1.1.1.5. “NLSA” – Newfoundland and Labrador Soccer Association

1.2. Background

1.2.1. Individuals who act on behalf of an organization have a duty first to that organization. Directors of NLSA have a fiduciary duty to act in the best interest of NLSA, this includes an obligation to avoid real or perceived conflicts of interest. All Representatives of NLSA are expected to carry out their duties in this manner. Directors, and other Representatives, must not put themselves in positions where making a decision on behalf of NLSA is connected to their own personal interests or those of other soccer organizations.

1.2.2. As per Canada Soccer Requirements for Good Governance, to ensure that there is no conflict of loyalty, no director of the Association shall simultaneously hold a position of director of another organization which is a member of NLSA.

1.3. Purpose

1.3.1. NLSA strives to avoid and address real and perceived conflicts of interest by being aware, prudent, and forthcoming about potential conflicts. This policy describes how Representatives will conduct themselves in matters relating to conflicts of interest, and clarifies how Representatives shall make decisions in situations where conflicts of interest may exist.

1.3.2. This policy applies to all Representatives.

- 1.3.3. As stated in the NLSA By-laws, NLSA Member Organizations are responsible to have bylaws, policies and regulations in place that meet the standards set by this policy; in the absence of such written policies, NLSA members shall be bound by the principles and standards set out herein.

1.4. Obligations

- 1.4.1. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Representative's personal or organizational interest and the interests of NLSA, shall always be resolved in favour of NLSA.
- 1.4.2. Representatives shall not:
 - 1.4.2.1. Place themselves in a position where their loyalty or objectivity may be questioned as they have a duty to another organization. A director of NLSA has a moral responsibility as a steward of the organization to do everything in their capacity to keep it in good health, and its interests must be foremost in their thoughts.
 - 1.4.2.2. Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with NLSA, unless such business, transaction, or other interest is properly disclosed to NLSA and approved by NLSA.
 - 1.4.2.3. Knowingly place themselves in a position where they are under obligation to any person or organization who might benefit from special consideration or who might seek preferential treatment.
 - 1.4.2.4. 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.
 - 1.4.2.5. Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with NLSA, if such information is confidential or not generally available to the public.
 - 1.4.2.6. 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 NLSA, or in which they have an advantage or appear to have an advantage on the basis of their association with NLSA.
 - 1.4.2.7. Without the permission of NLSA, use NLSA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with NLSA.
 - 1.4.2.8. Place themselves in positions where they could, by virtue of being an NLSA representative, influence decisions or contracts from which they could derive any direct or indirect benefit.
 - 1.4.2.9. 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 an NLSA representative.

1.5. Disclosure of Conflict of Interest

- 1.5.1. On an annual basis, all Representatives shall complete a declaration form disclosing any real or perceived conflicts that they might have. Declaration forms shall be retained by NLSA.
- 1.5.2. Where a Representative perceives that they are, or may potentially be, in a position of conflict with the principles enumerated herein, the Representative shall disclose it:
 - 1.5.2.1. In the case of an employee or volunteer, to the Executive Director;
 - 1.5.2.2. In the case of the Executive Director, to the President;
 - 1.5.2.3. In the case of a director, officer or a member of a Board committee, to the President.
- 1.5.3. Representatives shall disclose any and all affiliations with any and all other organizations involved with the same sport. These affiliations include any of the following roles: athlete, team personnel, match official, employee, volunteer, or director

1.6. Minimizing Conflicts of Interest in Decision-Making

- 1.6.1. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an NLSA representative will be considered and decided with the following additional provisions:
 - 1.6.1.1. 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;The representative does not participate in discussion on the matter and is removed from the discussion;
 - 1.6.1.2. The representative abstains from voting on the decision;
 - 1.6.1.3. The decision is confirmed to be in the best interests of NLSA.
- 1.6.2. For potential conflicts of interest involving the Executive Director, NLSA's Board will determine whether there is a conflict. In the case of other NLSA employees, the Executive Director 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. NLSA will not restrict employees from engaging in outside business activities or volunteer appointments provided that it does not deprive NLSA of the time and attention required to properly perform their duties or which are in competition with or related to NLSA activities.

1.7. Conflict of Interest Complaints

- 1.7.1. 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), to the NLSA Executive Director and/or the NLSA Board who will decide appropriate measures to eliminate the conflict.

- 1.7.2. The Board, the President, Executive Director or chair of a committee (where they are in authority) may apply the following actions singularly or in combination for real or perceived conflicts of interest:
 - 1.7.2.1. Removal or temporary suspension of certain responsibilities or decision-making authority;
 - 1.7.2.2. Removal or temporary suspension from a designated position;
 - 1.7.2.3. Removal or temporary suspension from certain teams, events and/or activities;
 - 1.7.2.4. Other actions as may be considered appropriate for the real or perceived conflict of interest.
- 1.7.3. Failure to comply with an action as determined by the Board will result in automatic suspension from NLSA until compliance occurs.
- 1.7.4. 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 Board.
- 1.7.5. 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 NLSA to be addressed under the Formal Complaints Policy.

1.8. Enforcement

- 1.8.1. Failure to adhere to this policy may permit discipline in accordance with the Formal Complaints Policy.