



# SASKATCHEWAN SOCCER ASSOCIATION

POLICIES AND PROCEDURES MANUAL

Section Seven Conflict of Interest Policy

Effective: February 2015

Amended: 11 24



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# 1 Conflict of Interest Policy

## 1.0 Background

- 1.0.1 Individuals who act on behalf of an organization have a duty first to that organization. For example, in not-for-profit organizations directors are required, by law, to act as a trustee (in good faith, or in trust) of SSA. Directors, and other representatives, must not put themselves in positions where making a decision on behalf of SSA is connected to their own personal interests or other soccer organizations. That would be a conflict of interest situation.
- 1.0.2 As per Canada Soccer Requirements for Good Governance, to ensure that there is no conflict of loyalty, no director of the SSA shall hold simultaneously a position of director of another organization which is a member of the SSA.

## 1.1 Purpose

- 1.1.1 SSA strives to reduce and eliminate nearly all instances of conflict of interest at SSA – by being aware, prudent, and forthcoming about potential conflicts. This policy describes how representatives will conduct themselves in matters relating to conflict of interest, and will clarify how representatives shall make decisions in situations where conflict of interest may exist.
- 1.1.2 This policy applies to all representatives.
- 1.1.3 As stated in the SSA By-laws, SSA 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, SSA members shall be bound by the principles and standards set out herein.

## 1.2 Obligations

- 1.2.1 Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a representative's personal or organizational interest and the interests of SSA, shall always be resolved in favour of SSA.
- 1.2.2 Representatives will not:
  - a) Place themselves in a position where their loyalty or objectivity may be questioned as they have a duty to another organization. A director of SSA 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;
  - b) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with SSA, unless such business, transaction, or other interest is properly disclosed to SSA and approved by SSA;
  - c) 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;

- d) 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;
- e) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with SSA, if such information is confidential or not generally available to the public;
- f) 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 SSA, or in which they have an advantage or appear to have an advantage on the basis of their association with SSA;
- g) Without the permission of SSA, use SSA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with SSA;
- h) Place themselves in positions where they could, by virtue of being an SSA representative, influence decisions or contracts from which they could derive any direct or indirect benefit; and
- i) 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 SSA representative.

### **1.3 Disclosure of Conflict of Interest 07 24**

- 1.3.1 On an annual basis, all of SSA's representatives will complete a declaration form disclosing any real or perceived conflicts that they might have. Declaration forms shall be retained by SSA.
- 1.3.2 Individuals shall disclose real or perceived conflicts of interest in the Declaration Form and, thereafter, shall provide updates to SSA's board immediately upon learning that a conflict of interest may have arisen or exist.
- 1.3.3 Where a representative perceives that they are, or may potentially be, in a position of conflict with the principles enumerated herein, the representative will disclose it:
  - a) in the case of an employee or volunteer, to the Executive Director
  - b) in the case of the Executive Director, to the President
  - c) in the case of a director, officer or a member of a Board committee, to the President
- 1.3.4 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.

### **1.4 Minimizing Conflicts of Interest in Decision-Making**

- 1.4.1 Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an SSA representative 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 and is removed from the discussion;
- c) The representative abstains from voting on the decision; and
- d) The decision is confirmed to be in the best interests of SSA.

1.4.2 For potential conflicts of interest involving the Executive Director, SSA's Board will determine whether there is a conflict. In the case of other SSA employees, the Executive Director will determine whether there is a conflict. If one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. SSA will not restrict employees from engaging in outside business activities or volunteer appointments provided that it does not deprive SSA of the time and attention required to properly perform their duties or which are in competition with or related to SSA activities.

## **1.5 Conflict of Interest Complaints**

- 1.5.1 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 SSA and the SSA Board who will decide appropriate measures to eliminate the conflict.
- 1.5.2 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:
  - 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; or
  - d) Any other actions as may be considered appropriate for the real or perceived conflict of interest.
- 1.5.3 Failure to comply with an action as determined by the Board will result in automatic suspension from SSA until compliance occurs.
- 1.5.4 The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant a suspension of designated activities pending a meeting and a decision of the Board.
- 1.5.5 Any person who believes that a representative has made a decision that was influenced by a real or perceived conflict of interest may submit a complaint, in writing, to SSA to be addressed under the Formal Complaints Policy.

## **1.6 Enforcement**

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

## 2 Appendix A Definitions

- 2.0.1 *“Affected Party”* – any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the Appeal Policy and who may have recourse to an appeal in their own right under the Appeal Policy.
- 2.0.2 *“Appellant”* – the Party appealing a decision pursuant to the Appeal Policy.
- 2.0.3 *“Appeal Manager”* – an individual appointed by SSA to oversee the administration of the Appeal Policy. The Appeal Manager’s responsibilities shall include those as described in the Appeal Policy. The Appeal Manager shall be independent of SSA. Appeal Managers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
- 2.0.4 *“Athlete”* – includes any Individual who is registered with SSA (either directly or indirectly through their club, national sport organization or other sport organization) for either recreational or competitive purposes.
- 2.0.5 *“Board”* – the Board of Directors of SSA.
- 2.0.6 *“Case Manager”* – an independent individual appointed by SSA to fulfill the responsibilities described in the Discipline and Complaints Policy. In order to be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator. Case management service providers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
- 2.0.7 *“Club Licensing”* - Club Licensing system in accordance with Canada Soccer’s Rules and Regulations directives whose objectives are to safeguard the credibility and integrity of Club competitions, to improve the level of professionalism of soccer in Saskatchewan, to promote sporting values in accordance with the principles of fair play as well as safe and secure match environments, and to promote transparency in the finances, management and control of MO.
- 2.0.8 *“Complainant”* – the Party making a complaint pursuant to the Discipline and Complaints Policy and as referred to in the Investigations Policy.
- 2.0.9 *“Complaint Resolution Officer”* – an individual appointed by SSA to handle the duties of the Complaint Resolution Officer as described in the Discipline and Complaints Policy. Complaint Resolution Officers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
- 2.0.10 *“CONCACAF”* - Confederation of North and Central American and Caribbean Associations of Football; and is a Confederation of the FIFA.
- 2.0.11 *“Conflict of Interest”* – Any situation in which a representative’s decision-making, which should always be in the best interests of SSA, is influenced or could be perceived to be influenced by personal, organizational, family, financial, business, or other private interests.



- 2.0.12 *"Consent"* - Consent is (a) informed (knowing), (b) voluntary (freely given), and (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed upon sexual activity.
- 2.0.13 *"Criminal Record Check (CRC)"* – a search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
- 2.0.14 *"Days"* – calendar days.
- 2.0.15 *"Director of Sanctions and Outcomes"* – the individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) (or other conduct rules, as applicable) within the jurisdiction of the Office of the Sport Integrity Commissioner (OSIC).
- 2.0.16 *"Discrimination"* – as defined in the UCCMS and as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).
- 2.0.17 *"Enhanced Police Information Check (E-PIC)"* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
- 2.0.18 *"Event"* – an event sanctioned by SSA, and which may include a social Event.
- 2.0.19 *"FIFA"* - Fédération Internationale de Football Association, which is the Governing Organization of soccer in the world.
- 2.0.20 *"Governing Body"* - The organization that has the authority to manage a judicial process as per the policies of the governing body. Governing body may refer to Canada Soccer, SSA, or Member Organizations, clubs/zones or entities that are members of SSA.
- 2.0.21 *"Harassment"* – a vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including social media, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
  - a) Written or verbal abuse, threats, or outbursts;
  - b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
  - c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
  - d) Leering or other suggestive or obscene gestures;
  - e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - f) Practical jokes which endanger a person's safety, or which may negatively affect performance;





- g) Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity, which does not contribute to any Individual's positive development, but is required to be accepted as part of a team or group, regardless of the individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
  - h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - i) Deliberately excluding or socially isolating a person from a group or team;
  - j) Persistent sexual flirtations, advances, requests, or invitations;
  - k) Physical or sexual assault;
  - l) Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
  - m) Retaliation or threats of retaliation against a person who Reports harassment to SSA.
- 2.0.22 *"Independent Third Party"* – the independent organization or individual(s) retained by Sask Sport to receive complaints and to fulfill the responsibilities outlined in the Discipline and Complaints Policy, Investigation Policy and Appeal Policy, as applicable.
- 2.0.23 *"Individuals"* – refers to all categories of members in the Bylaws of SSA including, without limitation, Life Members, Participant Members and Organizer Members, as well as all people employed by, contracted by, or engaged in activities with SSA including, but not limited to, employees, contractors, Athletes, Team Personnel, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, directors or officers.
- 2.0.24 *"Maltreatment"* – as defined in the UCCMS, and as amended from time to time by the SDRCC.
- 2.0.25 *"Match Official/Referee"* – Individuals who perform as referees, assistant referees, 4th officials, referee administrators, referee assignors, referee supervisors, referee mentors, referee leads, referee instructors and referee assessors during sanctioned soccer activities.
- 2.0.26 *"Member Organizations"* (MO) – Regular Members and Associate Members, as defined in the SSA Bylaws.
- 2.0.27 *"Minor"* – any Individual who is under the age of 18. Adult Individuals are responsible for knowing the age of a Minor.
- 2.0.28 *"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.






- 2.0.29 *“Organizer”* – Anyone performing an activity connected with soccer at a Member Organization or entity, regardless of title, type of activity (administrative, sporting or any other) and duration of the activity. Includes all directors, officers, committee members, coaches, trainers, match officials, diversity officers, persons in charge of safety, and any other person responsible for technical, medical and/or administrative matters, members, clubs or leagues, as well as all other persons obliged to comply with SSA and Canada Soccer by-laws regardless of whether they are paid or volunteers.
- 2.0.30 *“OSIC”* – the Office of the Sport Integrity Commissioner, which is an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner.
- 2.0.31 *“Parties”* – in the context of a complaint under the Discipline and Complaints Policy, the Complainant and Respondent; in the context of an appeal under the Appeal Policy, the Appellant, Respondent and Affected Party (or Parties).
- 2.0.32 *“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.
- 2.0.33 *“Person in Authority”* – any Individual who holds a position of authority within SSA, including, but not limited to, coaches, officials, managers, support personnel, chaperones, committee members, directors or officers. In addition to the responsibilities described for Individuals in the Code of Conduct and Ethics, a Person in Authority shall be responsible for knowing what constitutes Maltreatment and Prohibited Behaviour.
- 2.0.34 *“Provisional Suspension”* – means that the Individual is barred temporarily from participating in any capacity in any Event or activity of SSA (or, as applicable, SSA’s Member Organizations), or as otherwise decided pursuant to the Discipline and Complaint Policy, prior to the decision rendered in a hearing conducted pursuant to the Discipline and Complaints Policy.
- 2.0.35 *“Power Imbalance”* – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 2.0.36 *“Prohibited Behaviour”* – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 2.0.37 *“Prohibited Method”* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
- 2.0.38 *“Prohibited Substance”* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
- 2.0.39 *“Reporting (or Report)”* – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 2.0.40 *“Respondent”* – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.



- 2.0.41 *“Personal Information”* – Any information about an individual that relates to the person’s personal characteristics including, but not limited to: sex, gender, age, income, home address, phone number, ethnic background, family status, health history, and health conditions, athletic testing and results and email
- 2.0.42 *“PIPEDA”* - The Personal Information Protection and Electronic Documents Act (PIPEDA) sets out ground rules for how private sector organizations may collect, use or disclose personal information in the course of commercial activities
- 2.0.43 *“PSO Safe Sport Liaison”* - Each PSO will identify at least one designated individual who is responsible for acting as a representative of their organization and lead point of contact for any safe sport or dispute resolution matters. This includes, but is not limited to; 1) working directly with the Independent Third Party to select Complaint Resolution Officers, Case Managers and Appeal Managers from approved listing (on Sask Sport website), 2) ensuring major and minor sanctions are enforced, 3) ensuring mediation agreements are approved by PSO/club and upheld, 4) long-term suspensions (1 year or longer) are reported to Sask Sport, 5) screening requirements and educational/training requirements are enforced. Safe Sport Liaisons must have knowledge and experience in board governance and must have completed the Governance Essentials e-learning course offered by the Canadian Centre for Ethics in Sport.
- 2.0.44 *“Sask Cup”* – The suite of championships offered by the Saskatchewan Soccer Association
- 2.0.45 *“SSA”* – Saskatchewan Soccer Association.
- 2.0.46 *“Sexual Harassment”* – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 2.0.47 *“Social media”* – the catch-all term that is applied broadly to computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, TikTok, and Twitter.
- 2.0.48 *“SDRCC”* – the Sport Dispute Resolution Centre of Canada.
- 2.0.49 *“Tampering”* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
- 2.0.50 *“Team Personnel”* - All supervisory team personnel including but not limited to coaches, assistant coaches, managers, trainers and other medical staff, and gender representative personnel or anyone that wishes to have access to the field of play.
- 2.0.51 *“UCCMS”* – the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
- 2.0.52 *“UCCMS Participant”* - an Individual affiliated with Canada Soccer, and who has signed the required UCCMS Participant consent form.
- 2.0.53 *“Vulnerable Participant”* – as defined in the UCCMS and as amended from time to time by the SDRCC.



- 2.0.54 *“Vulnerable Sector Check (VSC)”* – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database.
- 2.0.55 *“Workplace”* – any place where events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of SSA, work-related social functions, work assignments outside offices, work-related travel, the training, and competition environment (wherever located), and work-related conferences or training sessions.
- 2.0.56 *“Workplace Harassment”* – vexatious comment(s) or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
- a) Bullying;
  - b) Workplace pranks, vandalism, bullying or hazing;
  - c) Repeated offensive or intimidating phone calls, text messages or emails;
  - d) Inappropriate sexual touching, advances, suggestions or requests;
  - e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - f) Psychological abuse;
  - g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
  - h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
  - i) Sabotaging someone else’s work or performance;
  - j) Gossiping or spreading malicious rumours;
  - k) Intimidating words or conduct (offensive jokes or innuendos); and
  - l) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
- 2.0.57 *“Workplace Violence”* – the use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- a) Verbal or written threats to attack;
  - b) Sending or leaving threatening notes, text messages or emails;
  - c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - d)  Wielding a weapon in a Workplace;

- e) Hitting, pinching or unwanted touching which is not accidental;
- f) Dangerous or threatening horseplay;
- g) Physical restraint or confinement;
- h) Blatant or intentional disregard for the safety or wellbeing of others;
- i) Blocking normal movement or physical interference, with or without the use of equipment;
- j) Sexual violence; and
- k) Any attempt to engage in the type of conduct outlined above.