

PATHWAYS ABILITIES SOCIETY

POLICY: CONFLICT OF INTEREST

Applies to: All Personnel and Volunteers

Original Approval Date: June 27, 2005

Date Board Approved: December 12, 2016

Replaces Policy Dated: December 7, 2015

Board Member's Signature

PREAMBLE

A conflict of interest is any situation where personal interest may prevent a member of the Board of Directors, employee or volunteer from acting in Pathways Abilities Society's best interest or on behalf of Pathways Abilities Society fairly, impartially and without bias. A conflict of interest exists wherever an individual could benefit, disproportionately from others, directly or indirectly, from access to information or from a decision over which they might have influence or where someone might reasonably perceive there to be such a benefit and influence.

Personal interest and benefits may be direct (involving a director, employee or volunteer) or indirect (involving a close friend, family member, business associate, corporation or partnership in which a director holds a significant interest). A benefit is generally understood to be something that advances or protects a person's interests, although it may not be necessarily measurable in monetary terms.

When a director, employee or volunteer engages in a conflict of interest, the mutual trust that exists between the community, Pathways Abilities Society members, its Board and its employees is endangered. Examples of possible conflict of interest situations include:

- A director has a personal or business relationship with the Society.
- An employee has a financial relationship with a person receiving service outside of the workplace. This does not include employees providing home share or respite services.
- The society is employing someone who is directly related to a director.

The policy is not all-inclusive and may be amended from time to time; regardless the intent of the policy is to be followed. Common sense should prevail and if a director, volunteer, employee, or relative of either feels a conflict may exist, it probably does and guidance is to be sought before possibly conflicting action occurs, not after.

POLICY

Employees, volunteers and members of the Board of Directors will conduct themselves in a manner to avoid conflicts of interest or the appearance of conflicts of interest and will adhere to the society Code of Ethics.

The acceptance of benefits derived from being an employee, volunteer or director of the society is prohibited.

Employees, volunteers and directors will reveal any personal, family or business interests they have that could influence their judgment and the wisdom of their decisions.

A director will not enter into any transaction with Pathways Abilities Society in which they have a direct or indirect interest. Exceptions to this would include:

- Transactions between Pathways Abilities Society and another society, in which the conflict of interest arises solely because the two societies have a director in common;
- Transactions involving insurance for the director against personal liability incurred by virtue of the directorship;
- Transactions involving an agreement to reimburse a director for expenses and liabilities incurred by virtue of the directorship.

Employees, volunteers and directors will not accept gifts from an individual, group or society, including travel or accommodation which create or appear to create a favoured position for an individual, group or society that conducts affairs with Pathways Abilities Society.

Contracts

In awarding contracts on behalf of the society, employees and directors will conduct such activities in the best interests of the society without favour or preference and in accordance with the Contract policy and procedures.

Solicitation

No employee, volunteer or director or relative will solicit for the purposes of financial gain or other consideration, any individuals for whom the society is responsible. Solicitation will include direct verbal or written contact or indirect (i.e. through a third party or advertisement) contact by any means.

Examples of solicitation may include (but are not limited to) sales of the employee's, director's, volunteer's or relative's own goods or goods that the employee, director, volunteer or relative is involved in selling for financial gain. Solicitation of the individual whom we assist and support to occupy a house or other dwelling or similar premises where the employee, director, volunteer or relative is receiving money or other compensation in exchange for the occupancy of the client.

Supervision of Relations by Relatives

Realizing that it is difficult, if not impossible, to supervise a relative directly, in this case a relative being defined as a spouse, common-law spouse, brother, sister, parent, son or daughter by blood, marriage or adoption and/or grandparents by blood, marriage or adoption, that a conflict will be deemed to exist if this situation arises by:

- Transfer or posting of a relative into an existing department or setting where the transferee then becomes directly supervised by a relative, or directly supervises a relative.

- Marriage either by legal definition or by a common-law relationship of employees or relatives that currently exist in a department and where a supervisor/subordinate relationship exists.

Personal Financial Interests

It is essential that the personal financial interests of an employee, volunteer or director, not conflict or appear to conflict in any manner with the person's duties to the society. If participation in an outside business interest exists, the employee, volunteer or director has a continuing responsibility to ensure that no conflict of interest develops. If an employee, volunteer or director is in doubt as to whether they are in this type of situation, they should contact the executive director or Board president immediately.

Fairness on Pricing

Selling: The society will produce and sell goods and services for the best and fairest price.

Purchasing: The society will purchase goods and services within the parameters of the Purchasing and Storage policy and procedures. It will be a conflict of interest where any employee, volunteer or director of Pathways Abilities Society or relative sells or arranges to sell goods or services at a price deemed to be unfair compared to comparable goods and services from a non-employee, non-member of the Board of Directors or relative of either. Any decision to buy from a person in conflict of interest will be ratified by the Board. Where directors are involved, this person will be excluded from the decision-making procedure.

Any employee, volunteer or director who violates the Conflict of Interest policy will face corrective action. Retaliation (taking action) against any person reporting a violation is strictly prohibited. Actions, including disciplinary, will be taken against any person engaging in any form of retaliation.