

Category & Number: GP0004	Policy Title: Conflict of Interest
Authority: Bylaw 11. Code of Conduct, Confidentiality Agreement and Conflict of Interest	Approved by: Council
Effective Date: April 1, 2024	Next Review Due: March 1, 2026

BACKGROUND

A primary obligation of the college is the protection of the public interest. Council members, committee members and staff need to perform their duties in such a manner that instills public confidence in the integrity, objectivity, and impartiality of the College. In compliance with Bylaws and to be seen as acting fairly without undue influence, Council members must avoid conflicts of interest when addressing College matters.

PURPOSE

To provide direction to Council members, staff, and committee members regarding recognizing conflict of interest, and identify the process for declaring an actual, perceived, or structural conflict that competes or conflicts with their role with the College. To ensure that the College is aware of any conflicts and puts into place appropriate measures for managing the conflicts.

POLICY & PROCEDURE

To avoid a conflict of interest, no member of the Council or any of its committee members shall derive any personal profit or gain, directly or indirectly, by reason of participation with the organization. No staff member shall derive any personal profit or gain beyond normal contractual work agreements.

1. A conflict of interest may be defined as, but is not limited to:
 - 1.1. Any matter in which the Council or committee member or their immediate family has a direct or indirect financial interest in an operations matter of the college.
 - 1.2. Any matter that arises for discussion affecting or of interest to another organization to which the council or committee member belongs, and where they have significant involvement or are in a position of authority.
 - 1.3. When a Council or committee member fails to disclose information that is relevant to a vital aspect of the affairs of the College.
 - 1.4. Where information obtained in the course of performing duties for or on behalf of the College is used for personal gain or the benefit of a Council member, committee member, staff, or some other person or entity.
 - 1.5. A structural conflict where the ability to uphold the fiduciary responsibilities as a Council or committee member is conflicted by divided loyalties.

- 1.6. A circumstance where a Council member has a private or personal interest sufficient to appear to influence the objective exercise of their official duties.
2. No Council member, immediate family, or business partner of a Council member shall enter into any business relationship with the College.
3. Council members shall not use their employment role, or any other positions they hold with other organizations outside of the Council to influence College decisions.
4. Pre-existing or work-related or personal relationships amongst council members or staff of the College must be declared.
5. Council or committee members or staff must not accept tokens, gifts, or favours from a supplier, service vendor, contractor, or from any individual or other entity subject to decisions made by the Council.
6. Council members and staff shall review the conflict-of-interest policy on an annual basis and affirm that they have reviewed and understand the contents of the policy by signing a document provided by the College.
7. Any Council or committee member having a real, potential, or perceived conflict of interest will declare the relevant details of that conflict before discussion of or voting on the question and be excused from the portion of the meeting during which discussion or voting affected by that conflict takes place. The member may choose to declare a conflict of interest on an issue before the Council without sharing details and excuse themselves from any discussions or vote. The minutes of meetings shall record all declarations of conflict or interest.
8. Upon becoming aware of a real, potential, or perceived conflict, the following procedure for reporting shall be followed. Conflicts involving:
 - Staff shall report as soon as possible to the Registrar;
 - The Registrar shall report as soon as possible to the Council Chair.
 - Members of the Council and committee members shall report as soon as possible to the Registrar and/or Council Chair.
 - Council Chair shall report as soon as possible to the Council as a whole.
9. The resolution of a real or perceived conflict of interest may require the person to withdraw from a discussion before or during a meeting, refrain from voting on an issue, or remove or terminate the conflict or potential conflict by whatever means necessary including relinquishment of your office or position with the organization.
10. Provided that the conflict of interest is disclosed as soon as possible, no material contract entered into, or action taken by the organization with knowledge of the conflict of interest, will be deemed void or voidable.
11. Where an individual fails to disclose a conflict of interest, the organization reserves all rights it may have at law to have any contract entered into or not entered into, or any action taken, set aside, revoked, or rescinded. In addition, the individual may be asked to resign.

