

CONFLICT OF INTEREST POLICY

SAFE SPORT

DATE OF APPROVAL — AUGUST 6, 2024

REPLACING PREVIOUS VERSION — APRIL 6, 2024

PURPOSE

1. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of the 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 the organization. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the organization is connected to their own pecuniary or non-pecuniary interests, which could result in a conflict-of-interest situation.
2. Gymnastics Canada strives to reduce and eliminate nearly all instances of conflict of interest at Gymnastics Canada by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Individuals will conduct themselves in matters relating to conflict of interest and will clarify how Individuals shall make decisions in situations where conflict of interest may exist.
3. This policy applies to all Individuals.

OBLIGATIONS

4. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an Individual's personal interest and the interests of Gymnastics Canada shall always be resolved in favour of Gymnastics Canada.
5. Individuals will not:
 - a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with Gymnastics Canada, unless such business, transaction, or other interest is properly disclosed to Gymnastics Canada and approved by Gymnastics Canada;
 - b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment;

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

DISCLOSURE OF CONFLICT OF INTEREST

- 6. Anyone engaging in an activity or situation that does or could involve a conflict of interest must report the conflict of interest so that it may be assessed and, when appropriate, managed. Individuals shall disclose any and all affiliations with any and all other organizations involved with gymnastics or any other sport or organization should such involvement result in a potential conflict of interest, whether real or perceived. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, officer or director.
- 7. Upon appointment to a role, volunteers and employees need to report potential, perceived, or real conflicts of interest by completing a Declaration Form (Appendix A). We need to understand the nature of the conflict and how the volunteer or employee may benefit, so we can manage the situation.
- 8. After appointment, a volunteer or employee has an ongoing obligation to recognize any new conflicts of interest and report them to the Chair of their committee or supervisor.

MANAGING CONFLICTS OF INTEREST

- 9. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an Individual will be considered and decided with the following additional provisions:

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- a) The nature and extent of the Individual'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 Individual does not participate in discussion on the matter.
 - c) The Individual abstains from voting on the decision.
 - d) For board-level decisions, the Individual does not count toward quorum.
 - e) The decision is confirmed to be in the best interests of Gymnastics Canada.
10. For potential conflicts of interest involving the Chief Executive Officer of Gymnastics Canada, Gymnastics Canada's Board of Directors will determine whether there is a conflict and, if one exists, the Chief Executive Officer will resolve the conflict by ceasing the activity giving rise to the conflict.
 11. For any potential conflict of interest involving employees, the Chief Executive Officer will determine whether a conflict of interest exists. Gymnastics Canada staff shall devote their full time and skill to the duties and responsibilities contemplated in their contract and shall not engage in any other employment in any other capacity or any other activity that interferes with the provision of the services contemplated in their contract or that is for the benefit of any person, corporation or enterprise whose business interests are either competitive or in conflict with those of Gymnastics Canada.

CONFLICT OF INTEREST COMPLAINTS

12. Any person who believes that an Individual may be in a conflict-of-interest situation should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to the Committee Chair or staff lead who will collaboratively decide appropriate measures to eliminate or address the conflict as quickly as possible.
13. Failure to comply with an action as determined by the Committee Chair or staff lead may result in suspension from Gymnastics Canada until compliance occurs.
14. Any person who believes that an Individual has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to Gymnastics Canada to be addressed under Gymnastics Canada's Discipline and Complaints Policy.
15. Gymnastics Canada's Chief Executive Officer (or, where the potential conflict of interest involves the Chief Executive Officer, the Board of Directors) may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending the final outcome of the matter.

ENFORCEMENT

16. Failure to adhere to this Policy may result in disciplinary action being taken in accordance with Gymnastics Canada's Discipline and Complaints Policy.