

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

CONFLICT OF INTEREST POLICY

Effective date	JUNE 18, 2024
Archived date	-
Date last reviewed	JUNE 18, 2024
Scheduled review date	JUNE 18, 2024
Replaces and/or amends	N/A
Approved by and date	SHSAA Board of Directors, JUNE 18, 2024
Appendix(-ces) to this Policy	Appendix A- Conflict of Interest Declaration Form

Background

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. That would be a conflict of interest situation.

Purpose

2. SHSAA strives to reduce and eliminate nearly all instances of conflict of interest at SHSAA – 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.

This Policy applies to all Individuals.

Obligations

3. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an Individual’s personal interest and the interests of SHSAA, shall always be resolved in favour of SHSAA.

4. 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 SHSAA, unless such business, transaction, or other interest is properly disclosed to SHSAA and approved by SHSAA.

- 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 SHSAA, 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 SHSAA, or in which they have an advantage or appear to have an advantage on the basis of their association with SHSAA.
- f) Without the permission of SHSAA, use SHSAA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with SHSAA.
- g) Place themselves in positions where they could, by virtue of their role with SHSAA, 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 SHSAA.

5. Disclosure of Conflict of Interest

- a) On an annual basis, all of SHSAA's directors, officers, employees, and committee members will complete a Declaration Form (Appendix B) disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by SHSAA for as long as required.
- b) Individuals shall disclose real or perceived conflicts of interest in the Declaration Form and, thereafter, shall provide updates to SHSAA's board immediately upon learning that a conflict of interest may have arisen or exist.
- c) Individuals shall also disclose any and all affiliations with any and all other organizations involved with the same sport 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: Student-Athlete, coach, manager, official, employee, volunteer, officer or director.

6. Minimizing Conflicts of Interest in Decision-Making

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:

- 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 SHSAA.
- f) For potential conflicts of interest involving the Executive Director of SHSAA, SHSAA's board will determine whether there is there a conflict and, if one exists, the Executive Director will resolve the conflict by ceasing the activity giving rise to the conflict. For any potential conflict of interest involving employees, the Executive Director will determine whether a conflict of interest exists.
- g) SHSAA will not restrict employees from accepting other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with SHSAA or give rise to a potential conflict of interest.

7. Conflict of Interest Complaints

- a) 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 SHSAA's board who will decide appropriate measures to eliminate or address the conflict as quickly as possible.
- b) Failure to comply with an action as determined by the board may result in disciplinary action being taken pursuant to the Discipline and Complaints Policy.
- c) 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 SHSAA to be addressed under SHSAA's Discipline and Complaints Policy.
- d) SHSAA 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.

8. Enforcement

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

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APPENDIX A: CONFLICT OF INTEREST DECLARATION FORM

1. I have read SHSAA's Conflict of Interest Policy, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. I also commit to disclosing the existence of any real or perceived conflict of interest to the Board, as soon as it is known to me.
2. I declare the following interests which may represent a potential conflicting interest:

[illegible]

Name

Signature

Date