



Kingston United Soccer Club
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#DedicatedToDevelopment

Kingston United Soccer Club Conflict of Interest Policy

Definitions

The following terms have these meanings in this Policy:

- a. “Club” – **Kingston United Soccer Club**
- b. “Conflict of Interest” – Any situation in which a Person’s decision-making, which should always be in the best interests of the Club, is influenced or could be influenced by personal, family, financial, business, or other private interests
- c. “Persons” – All categories of membership defined in the Club’s Bylaws and Policies, as well as all Persons engaged in activities with the Club including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Club
- d. “In writing” - A letter, fax or email sent directly to the Club
- e. “Pecuniary Interest” - An interest that an Person may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that Person, or another person with whom that Person is associated
- f. “Non-Pecuniary Interest” - An interest that an Person 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

Background

Persons 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 Club. 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 Club. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the Club is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict-of-interest situation.

Purpose

The Club strives to reduce and eliminate nearly all instances of conflict of interest at the Club – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Persons will conduct themselves in matters relating to conflict of interest and will clarify how Persons shall make decisions in situations where conflict of interest may exist.

This Policy applies to all Persons.



Obligations

Any perceived conflict of interest, whether pecuniary or non-pecuniary, between a Person's personal interest and the interests of the Club, shall always be resolved in favour of the Club.

Persons 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 the Club, unless such business, transaction, or other interest is properly disclosed to the Club and approved by the Club
- 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 the Club, 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 the Club, or in which they have an advantage or appear to have an advantage on the basis of their Club with the Club
- f. Without the permission of the Club, use the Club's property, equipment, supplies, or services for activities not associated with the performance of their official duties with the Club
- g. Place themselves in positions where they could, by virtue of being an Club Person, 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 being an Club Person

Disclosure of Conflict of Interest

On an annual basis, all the Club's Directors, Officers, Employees, and Committee Members will complete a Declaration Form disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by the Club.

Persons shall disclose real or perceived conflicts of interest to the Club's Board immediately upon becoming aware that a conflict of interest may exist.

Persons shall also 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, coach, manager, official, employee, volunteer, officer or director.

Minimizing Conflicts of Interest in Decision-Making

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

- a. The nature and extent of the Person'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 Person does not participate in discussion on the matter, and may be excluded from the meeting room
- c. The Person abstains from voting on the decision
- d. For board-level decisions, the Person does not count toward quorum
- e. The decision is confirmed to be in the best interests of the Club

For potential conflicts of interest involving employees, the Club's Board will determine whether there is there a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. The Club 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 the Club or give rise to a conflict of interest.

Conflict of Interest Complaints

Any person who believes that a Person may be in a situation resulting in a conflict of interest should report the matter, in writing (or verbally if during a meeting of the Board or any committee), to the Club's Board who will as quickly as possible decide appropriate measures to eliminate the conflict.

The Club's Board decision as to whether or not a conflict of interest exists will be governed by the following procedures:

- a. Copies of any written documents to be considered by the Board will be provided to the Person who may be in a conflict-of-interest situation
- b. The Person who may be in a conflict-of-interest situation will be provided an opportunity to address the Club's Board orally or if granted such right by the Club's Board, in writing
- c. The decision will be by a majority vote of the Club's Board

If the Person acknowledges the conflict of interest, the Person may waive the right to be heard, in which case the Club's Board will determine the appropriate sanction.

Decision

After hearing and/or reviewing the matter, the Club's Board will determine whether a conflict of interest exists and, if so, the sanctions to be imposed.

Sanctions

The Board may apply the following actions singly 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

The board may consider other or additional action that may be considered appropriate for the real or perceived conflict of interest.

Any person who believes that a



person has made a decision that was

influenced by real or perceived conflict of interest may submit a complaint, in writing, to the Club to be addressed under the Club's *Discipline and*

Complaints Policy.

Failure to comply with an action as determined by the Board will result in automatic suspension from the Club until compliance occurs or until a decision is made under the Club's *Discipline and Complaints Policy*.

The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending and a decision of the Board and/or a Hearing Panel constituted under the Dispute Resolution process.

Enforcement

Failure to adhere to this Policy may permit discipline in accordance with the Club's *Discipline and Complaints Policy*.

