

POLICY: **Conflict of Interest**

APPROVED: **October 24, 2018 Board of Directors**

REVISED: **February 22, 2024**

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PURPOSE: To provide standards of ethical behaviour to ensure that all employees of Access Community Services Inc. make decisions and take actions that align with the best interests of the organization.

It is mandatory for every employee to identify and report in a timely manner any possible or actual conflict of interest to her/his respective manager.

DEFINITION: "Conflict of Interest" is a situation where the personal or business interest of an employee is in conflict with the best interests of Access Community Services Inc. or the individuals we support. A Conflict of Interest may occur when:

A direct or indirect personal gain, benefit, advantage and /or privilege is given to, or received by:

- i) an employee of Access Community Services Inc.
- ii) a family member or an employee of Access Community Services Inc.

Throughout this policy where the term "employee" is used, it is referring to an employee, volunteer or Board member.

An employee shall refrain from all Conflicts of Interest. If an employee becomes aware of, or becomes involved in, a Conflict of Interest, he or she shall immediately disclose such Conflict of Interest to the Executive Director or Manager.

An employee must also disclose what could be "perceived" by an outsider as a Conflict of Interest. An employee cannot avoid the disclosure requirement because the employee feels that he or she was not, is not or will not be influenced by the Conflict of Interest.

An employee who is unsure whether something constitutes a Conflict of Interest shall immediately discuss the specific concern with the Executive Director or Manager in

order to determine Access's position on the issue. As soon as possible the existence of any actual or potential Conflict of Interest must be reported so that safeguards can be put in place to protect all parties.

The Executive Director will determine whether:

- A Conflict of Interest exists
- The seriousness of the potential or actual Conflict of Interest
- What steps are necessary to protect Access against the Conflicts of Interest. In making this determination, the Executive Director shall be guided by any other policies which may apply. Additionally, the Executive Director may consult legal counsel if the Conflict of Interest involves an issue of legal sensitivity.

If the Executive Director experiences any of the above conflicts they are to be disclosed to the Board of Directors and the Board is to decide on the best resolution on a case-by-case basis.

An employee who becomes aware of a Conflict of Interest or potential Conflict of Interest and fails to immediately report that conflict is subject to discipline. Depending on the severity of the conflict or potential conflict, an employee who fails to report a Conflict of Interest may also be terminated for "cause" without notice or compensation in lieu thereof.

The Executive Director may, depending on the circumstances, institute one or more of the following steps:

- Require the employee cease to be involved in the situation giving rise to the Conflict of Interest
- Remove the employee from a position of influence with respect to matters which give rise to the Conflict of Interest-e.g. if the conflict involves a relative's bid to provide services to Access or Access clients, the employee may be precluded in the participating in the decision-making process with respect to the bid.

Discipline the employee, up to and including termination for cause for being involved in the Conflict of Interest. In determining the nature of such discipline, the Executive Director/Manager shall consider:

- The employee's disclosure of the existence of the Conflict of Interest, if such disclosure was made, whether any such disclosure was made promptly, the severity of the Conflict of Interest, whether the Conflict of Interest involved any

kind of dishonesty, whether Access was actually harmed by reason of the Conflict of Interest, what harm could have resulted to Access as a result of the Conflict of Interest.

This policy statement is to be used as the agency intent to foster sound judgement, integrity and sound ethics within Access for all individuals served, staff and volunteers.