



Conflict of Interest Policy

*** This Conflict of Interest Policy replaces and supersedes all pre-existing alternate Ontario Water Polo Association (OWP) conflict of interest policies including those posted on the OWP website prior to January 1st 2013***

Definitions

1. The following terms have these meanings in this Policy:
 - a) “*Conflict of Interest*” – An incompatibility between one’s private interests and one’s duties as a trustee of the organization
 - b) “*Pecuniary Interest*” - An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated
 - c) “*Non-Pecuniary Interest*” - An interest that an individual 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
 - d) “*Stakeholder*” – Individuals employed by, or engaged in activities on behalf of, OWP including: coaches, staff members, convenors, contract personnel, volunteers, managers, administrators, committee members, and directors and officers of the OWP
 - e) “*Person*” – Any Member, family member, friend, customer, client, sponsor, colleague, legal person or organization

Background

2. 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, board members are required, by law, to act as a trustee (in good faith, or in trust) of the organization. Board members, and other stakeholders, must not put themselves in positions where making a decision on behalf of the organization is connected to their own personal interests. That would be a conflict of interest situation.

Purpose

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

Obligations

5. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between a Stakeholder’s personal interest and the interests of OWP, shall always be resolved in favour of OWP
6. Stakeholders 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 OWP, unless such business, transaction, or other interest is properly disclosed to OWP and approved by OWP

- 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 OWP, if such information is confidential or not generally available to the public
- e) Without the permission of OWP, use OWP property, equipment, supplies, or services for activities not associated with the performance of their official duties with OWP
- f) Place themselves in positions where they could, by virtue of being a OWP Stakeholder, influence decisions or contracts from which they could derive any direct or indirect benefit
- g) 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 OWP Stakeholder

Disclosure of Conflict of Interest

7. Stakeholders shall disclose conflicts of interest to the OWP Board of Directors immediately upon becoming aware that a conflict of interest exists.
8. Stakeholders shall also disclose any and all affiliations with any and all other water polo organizations with which the individual is associated. These associations include any of the following roles: player, coach, manager, official, staff member, or board member.

Minimizing Conflicts of Interest in Decision-Making

9. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by a OWP Stakeholder will be considered and decided with the following additional provisions:
 - a) The nature and extent of the Stakeholder'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 Stakeholder does not participate in discussion on the matter
 - c) The Stakeholder abstains from voting on the decision
 - d) For board-level decisions, the Stakeholder does not count toward quorum
 - e) The decision is confirmed to be in the best interests of OWP

Conflicts Involving Employees

10. OWP will monitor employees who volunteer with, or are employed by, any OWP Member (such as in a coaching position at a local club) during the term of their employment. Such association with a OWP Member must not diminish the employee's ability to perform the work outlined in the employee's employment agreement or contract with OWP. Judgments on employees' associations with OWP Members, as well as any conflicts of interest arising from those associations, will be at the discretion of OWP. If a conflict of interest is determined to exist, the employee will resolve the conflict by ceasing the activity or association with the OWP Member.

Conflict of Interest Complaints

11. Any person who believes that a Stakeholder may be in a conflict of interest situation should report the matter, in writing, to the OWP Board of Directors.

12. Upon receipt of a complaint, OWP will determine whether or not a conflict of interest exists provided the alleged Stakeholder has been given notice of and the opportunity to submit evidence and to be heard at such meeting.
13. After hearing the matter, OWP will determine whether a conflict of interest exists and if so what appropriate actions will be imposed.
14. Where the Stakeholder accused of being in a conflict of interest acknowledges the facts, he or she may waive the meeting, in which case OWP will determine the appropriate actions.
15. OWP 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;
 - d) Expulsion from OWP;
 - e) Implement further discipline in accordance with OWP's Discipline and Complaints Policy;
 - f) Other actions as may be considered appropriate for the conflict of interest.
16. Failure to comply with an action as determined by OWP will result in automatic suspension from OWP until such time as compliance occurs.
17. OWP may determine that a conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of OWP.

Decision Final and Binding

18. Any decision of OWP in accordance with this Policy may be appealed in accordance with the OWP's Appeal Policy.

Enforcement

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

