

**Whistler pickleball Association  
(WPA)**

**Conflict**

**of**

**Interest**

**Policy**

**May 7, 2021**

## **1. PURPOSE**

The WPA strives to reduce and eliminate all instances of conflict of interest by being aware, prudent and forthcoming about 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.

## **2. CONTEXT/BACKGROUND**

Individuals who act on behalf of The WPA have a duty first to The WPA and second to any personal stake they have in the operations of the The WPA. 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 WPA. Directors and other stakeholders, must not put themselves in positions where making a decision on behalf of The WPA is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict-of-interest situation.

## **3. APPLICATION**

This Policy applies to all individuals participating in The WPA as officers, employees or committee members.

## **4. COMING INTO FORCE**

This policy shall come into force May 11, 2021.

## **5. ROLES/RESPONSIBILITIES**

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

Individuals will not:

- Engage in any business or transaction or have a financial or other personal interest, that is incompatible with their official duties with The WPA, unless such business, transaction or other interest is properly disclosed to The WPA and approved by The WPA
- 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.

- 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.
- Derive personal benefit from information that they have acquired while fulfilling their official duties with The WPA, if such information is confidential or not generally available to the public.
- 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 WPA or in which they have an advantage or appear to have an advantage based on their association with The WPA.
- Without the permission of The WPA use property, equipment, supplies or services for activities not associated with the performance of their official duties with The WPA.
- Place themselves in positions where they could, by virtue of being a The WPA member, influence decisions or contracts from which they could derive any direct or indirect benefit.
- 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 a The WPA member.

## 6. IMPLEMENTATION

On an annual basis, The WPA's Board of 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 WPA.

Individuals shall disclose real or perceived conflicts of interest to The WPA's Board of Directors (the Board) immediately upon becoming aware that a conflict of interest may exist.

Individuals shall also disclose all affiliations with 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.

### **6.1 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:

- 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.
- The individual does not participate in discussion on the matter.
- The individual abstains from voting on the decision.
- For board-level decisions, the individual does not count toward quorum.
- The decision is confirmed to be in the best interests of The WPA.

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

### **6.2 Conflict of Interest Complaints**

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 Board, who will as quickly as possible decide appropriate measures to eliminate the conflict.

A The WPA Board decision as to whether a conflict of interest exists will be governed by the following procedures:

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

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

### **6.3 Decision**

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

### **6.4 Sanctions**

The Board may apply the following actions singly or in combination for real or perceived conflicts of interest:

- Removal or temporary suspension of certain responsibilities or decision-making authority.
- Removal or temporary suspension from a designated position.
- Removal or temporary suspension from certain teams, events and/or activities.
- Expulsion from The WPA.
- Other actions as may be considered appropriate for the real or perceived conflict of interest.

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 the Board to be addressed under The WPA's Discipline and Complaints Policy.

Failure to comply with an action as determined by the Board will result in automatic suspension from The WPA until compliance occurs.

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 a meeting and a decision of the Board.

## **7. RESULTS**

Failure to adhere to this Policy may permit discipline in accordance with The WPA's Discipline and Complaints Policy.

Date: May 7, 2021

