

# Conflict of Interest Policy

Version 1.0, dated Dec 1<sup>st</sup>, 2023

## 1. Purpose

This Conflict of Interest Policy is designed to address situations where an Employee/Supervisor/Officer's personal interests might conflict with the interests of the Victoria Hand Project (VHP). VHP is committed to ensuring a working environment in which Employee(s)/Supervisor(s)/Officer(s) have the right to equitable workplace conditions and treatment. In particular, it is important to ensure fair methods of management and to eliminate any conflicts of interest or perceived or actual bias arising out of personal relationships, including between managers/supervisors and employees. At the same time, there can be no unfair restrictions on the employment opportunities for employees, nor on the reasonable freedom of association and interaction which is part of a healthy working environment. This policy is intended to balance these objectives and clarify the responsibilities of persons dealing with conflicts of interest or allegations of bias in Employee/Supervisor/Officer(s) personal relationships.

## 2. Definitions

For the purposes of this policy:

- a. "Employee(s)" means anyone working for VHP. An Employee may be a full-time regular Employee, a limited contract Employee, or a Cooperative Education (Coop) student, who is receiving compensation.
- b. "Officer(s)" means anyone with an appointment as officer at Victoria Hand Project, as defined in Victoria Hand Project By-Law No. 1.
- c. "Supervisor(s)" means anyone (Employees or Officers) with an appointment at Victoria Hand Project who is engaging in supervising or managing an Employee, a Coop student, or a Volunteer.
- d. "Subordinate" is the person who is being supervised by a Supervisor. The Subordinate is typically at a lower employment-status/role level within VHP, with respect to the person who is Supervising them.
- e. "Volunteer" means anyone volunteering their time to work for VHP with no compensation.
- f. "VHP Community" means anyone or all of the following role: Employee, Supervisor, Officer or Volunteer.
- g. "COIB" means Conflict of Interest or Bias
- h. "Personal Relationship" refers to a connection between individuals based on personal, familial, or romantic ties. These relationships are characterized by intimacy, affection, or trust, and they typically involve friends, family members, or romantic partners. In a corporate setting, personal relationships are significant because they can influence professional judgment or lead to conflicts of interest, particularly when they intersect with business dealings, employment decisions, or other professional activities.

### 3. Scope

All VHP Employee/Supervisor/Officer(s) must avoid conflicts of interest or bias (COIB). Where COIB are unavoidable, all Employee/Supervisor/Officer(s) must declare them. This policy applies specifically to Relationships between Employee/Supervisor/Officer(s).

### 4. Policy

- Conflicts of interest and bias (COIB) may be actual, potential, or perceived
- An actual COIB is where a personal relationship is in conflict with that person's obligations to the Victoria Hand Project, or where a personal relationship is in conflict with that person's actions/obligations to other people of the VHP community.
- A potential conflict is where a person's personal relationship has not yet conflicted with their obligations to the VHP or a member of the VHP community, but might reasonably be expected to.
- A perceived conflict is where a person appears to have, in the opinion of a reasonably informed observer, a personal interest that puts into question the independence, impartiality, and objectivity that this person is expected to exercise in performing their VHP duties and responsibilities.
- The mere existence of an actual, potential, or perceived conflict of interest does not necessarily imply wrongdoing on anyone's part. Nonetheless, conflicts of interest and situations that give rise to conflicts of interest must be recognized, disclosed, and assessed.

4.1 A COIB may arise in situations in which there is a reasonable apprehension that a particular relationship between Employee/Supervisor/Officer(s) may confer upon one of them an unfair advantage or subject one of them to an unfair disadvantage. Such personal relationships include, but are not limited to:

- (a) close family relationships such as those between spouses or spousal equivalents, parents and children, siblings, in-laws, or grandparents and grandchildren;
- (b) amorous, intimate and/or sexual relationships;
- (c) long-lasting friendships; and
- (d) relationships between persons with dependent or interdependent economic interests.

4.2 A COIB may arise in any situation where one person in a personal relationship as defined in Definitions and in Section 4.1, is in a position to make decisions or take actions that affect the other person in the relationship. Such situations may include, but are not limited to:

- (a) Hiring or Promotion;
- (b) Determining employment compensation/salary/benefits;
- (c) Supervision;
- (d) Performance Evaluations;
- (e) Assignment of work duties/certain tasks;
- (f) Disciplinary actions;
- (g) Assigning travel as part of training/deployment, conferences, or other VHP obligations;
- (h) approval of vacation requests, or other time off;



- (i) Influence business decisions for gain;
- (j) Engaging in financial transactions for gain.

## 5. Risks of Personal Relationships

- 5.1 The VHP expects that any Personal Relationships as defined within this policy (Section 4.1) be avoided. The VHP is a Canadian and US Charity, and its reputation underpin its ability to attract and obtain donations and grant funding, hence personal relationships within VHP may be perceived by third parties as negative.
- 5.2 Where Personal Relationships cannot be avoided or pre-date this policy, they must be disclosed (as per Section 7) and be treated appropriately, giving due consideration to the balance of trust, power and dependency in the relationship, and how those and other factors may create real or perceived situations of bias, unfair treatment, discrimination, or harassment.
- 5.3 In the case of Supervisor-Subordinate personal relationships which are amorous, intimate, and/or sexual, the unequal power (a.k.a. Power Over) inherent in such relationships may heighten the vulnerability of the Subordinate. Subordinates may have difficulty communicating freely that they do not consent to such a relationship, or that they want the relationship to end, because of a concern over the impact such a communication may have on their career or career prospects. Furthermore, consent is negated if it was induced by conduct that constitutes an abuse of the relationship of trust, power, or authority between a Supervisor and a Subordinate. The VHP strongly discourages Supervisors from commencing or continuing any amorous, intimate, and/or sexual relationship with a Subordinate because the Subordinate's ability to give effective consent may be compromised.
- 5.4 Supervisors who become romantically or sexually involved with a Subordinate may leave themselves open to allegations of sexual harassment. Even relationships that appear to be consensual may constitute sexual harassment if one person's behaviour is felt as unwelcome by the other.

## 6 Restrictions on Personal Relationships

- 6.1 Given the Risks described in Section 5, this policy defines separate provisions for personal relationships concerning VHP Leadership members, including any of the: Board Chair, Vice-Chair, Secretary, the Executive Director (CEO) and other Officers (COO, CTO, and other applicable Officers) of VHP.
- 6.2 VHP strictly prohibits any personal relationships as defined in Section 4.1, between any of the VHP Leadership members (Board Chair, Vice-Chair, Secretary, the Executive Director (CEO) and other Officers (COO, CTO, and other applicable Officers) of VHP.)
- 6.3 Where a personal relationship between VHP Leadership members is disclosed, or where one arises during the course of employment, the following applies:
  - 6.3.1 One or both VHP Leadership members must resign from VHP. The resignation must be in writing to the Board of Directors, with a brief explanation as to the nature of the resignation in relation to this policy.
- 6.4 Where a personal relationship between a VHP Leadership member and a VHP Employee, Coop Student, or Volunteer is disclosed, or where one arises during the course of employment, the following applies:



6.4.1 The VHP Leadership member must resign from VHP. The resignation must be in writing to the Board of Directors, with a brief explanation as to the nature of the resignation in relation to this policy.

6.4.2 In the case where a personal relationship pre-dates this policy, a letter of disclosure will be provided the Board Chair, with a brief explanation as to the nature of the personal relationship, as per Section 4. The Board Chair, in consultation with the Executive (CEO, COO, CTO) team, will prepare a course-of-action document, to address the situation (similar to the provisions of Section 7.5 )

6.5 In the case of a failure of a VHP Leadership member to disclose a personal relationship, the Board of Directors will become involved. The Board of Directors will discuss the matter, and may solicit legal advice, as appropriate. The Board of Directors will make a determination as to the course of action, in accordance with this policy, which may lead to the termination of that member.

## 7. Disclosure of COIB

7.1 It is the responsibility of Board Chair, Executives, and Board of Directors to ensure compliance with this policy. The Board Chair is to be advised of matters arising under this policy.

7.2 It is incumbent upon Employee(s)/Supervisor(s)/Officer(s) to avoid situations in which a COIB may arise and to deal promptly with any COIB that does arise.

7.3 Where a COIB, as defined above, arises, the Employee(s)/Supervisor(s)/Officer(s) must notify the relevant Board Chair or Executive (CEO, COO, CTO).

7.4 Other persons who apprehend a COIB may also bring the matter to the attention of the appropriate Board Chair or Executive (CEO, COO, CTO).

7.5 Where an actual, potential, or perceived COIB arises, one or more of the following methods must be used to avoid or resolve such conflict.

7.5.1 The Employee(s)/Supervisor(s)/Officer(s) will decline or immediately terminate a supervisory, evaluative, or decision-making role in which a COIB arises, unless the Board Chair or Executive (CEO, COO, CTO) is of the view that this will create undue hardship for the Subordinate.

7.5.1.a In the case of termination of a supervisory relationship, the Board Chair or other Executive (CEO, COO, CTO) will normally supervise the Subordinate and become involved in decision-making situations (such as the situation listed in Section 4.2)

7.5.1.b In the case of conflict between a Supervisor and a Subordinate, including (but not limited to) a failure to disclose a personal relationship, the Board Chair will become involved and the Board Chair will determine an appropriate resolution to the conflict. The Board Chair may consult with the Board of Directors, and/or solicit legal advice, as appropriate.

7.5.1.c Where no reasonable and appropriate alternative exists, the Board Chair or other Executive (CEO, COO, CTO) will ensure that a fair and unbiased mechanism of supervision/evaluation of the Subordinate is put in place. This will normally require that another suitably qualified superior will supervise the Subordinate in situations listed in Section 4.2.

7.5.1.d Where third parties are concerned about a perceived conflict of interest, the Board Chair or other Executive (CEO, COO, CTO) may inform them that the conflict has been dealt with pursuant to this policy. Such a step is for the protection of the Subordinate, the Supervisor, and the VHP.



7.6 Any person concerned about a conflict of interest:

- a) may bring the matter to the attention of the appropriate person: the Board Chair or other Executive (CEO, COO, CTO); and
- b) shall be notified of the outcome.

## 8. Support

8.1 Any member of the VHP Community who has a concern about discrimination, harassment, or sexualized violence (whether or not it arises from a romantic or sexual relationship) may seek support from the Board Chair or other Executive (CEO, COO, CTO), as appropriate.

8.2 Supervisors who experience harassment or inappropriate behaviour from a Subordinate may seek support through the Board Chair or other Executive (CEO, COO, CTO), as appropriate.

## 9. Compliance with this Policy

9.1 Failure to comply with this policy – including failure to disclose a COIB as required under Section 7.0 is a disciplinary offence and the Employee(s)/Supervisor(s)/Officer(s) will be sanctioned. Where sanctions are required, the Board Chair will be informed of the situation. Sanctions may range from disciplinary actions to termination from VHP.

9.2 The Board Chair or other Executive (CEO, COO, CTO) as appropriate, will determine appropriate sanctions (range from disciplinary actions to termination), in consultation with the Board Chair, the Executive (CEO, COO, CTO), the Board of Directors, and/or solicit legal advice, as appropriate.