Sports for Kids Timmins
Policy #2 Code of Conduct/Conflict of Interest/Confidentiality
2027

The following Guidelines are intended to govern the code of conduct, disclosure of and avoidance of conflicts of interest for all board members of Sports for Kids Timmins, and to clarify their obligations to ensure that certain information of which they become aware remains confidential.
These guidelines, set out below are intended to supplement the requirements of the common law and any governing legislation including, without limitation, The Canada Corporations Act. Unless otherwise specified, the term member shall be used to refer to board member.

Members shall:

a) Utilize courtesy and responsiveness in dealing with others.
b) Carry out their duties in a professional and conscientious manner, making decisions that are procedurally fair to people, communities and organizations throughout the City of Timmins.
c) Avoid unfair discrimination. For example: on grounds of gender, race, and religion.
d) Engage in rational debate and allow alternative points of view to be expressed
e) Avoid behaviour, which might reasonably be perceived as harassing, bullying or intimidating.
f) Carry out official decisions and policies faithfully and impartially.
g) Adhere to professional codes of conduct where applicable.
h) Utilize material and financial resources only for legitimate organization purposes.
i) Avoid waste.
j) Maintain adequate security over organization property, facilities and resources.
k) Respect the privacy of clients by holding in strict confidence all information about clients. Members will disclose such information only when required or allowed by law to do so, or when clients have consented to disclosure.
l) Maintain the confidentiality of any such documentation or information that is proprietary or may otherwise be considered confidential.
m) Not use confidential information gained through their association with Sports for Kids Timmins for their own personal gain, nor for the gain of any friends, acquaintances, business contacts or relatives.
n) Report fraud or corrupt conduct to the Executive Committee. At the discretion of the Executive, this report may be requested in writing.
o) Familiarize themselves with the Code of Conduct and endeavor to ensure that its principles are observed at all times.

Significant departures from the standards of conduct outlined in the Code of Conduct (comprised of these principles) may amount to misconduct on the part of the individual member and will be referred to non-compliance of guidelines.

Acceptance of Gifts
A board member shall not accept a gift, favour or service from an individual, organization or corporation, other than:
a) The normal exchange of gifts between friends;
b) The normal exchange of hospitality between persons doing business together;
c) Tokens exchanged as part of protocol; or

d) The normal presentation of gifts to persons participating in public functions.

If gifts are received as described above, they must be reported immediately to the President.

Dealings with Relatives

Board members who exercise regulatory, inspectional, or other discretionary decision functions, wherever possible, disqualify themselves from dealing with relatives, including parents, parents-in-law, brothers and sisters, and grand-parents, with respect to those functions.

CONFLICT OF INTEREST

2. CONFLICT OF INTEREST DECLARATION

A conflict of interest arises when the interests of a member have the *potential* to be at odds with the *best* interests of the organization (Sports for Kids Timmins). The member's interests may be personal or professional.

Duty of Member

Every member shall declare verbally to Sports for Kids Timmins, the nature and extent of any relationship, arrangement, contract or agreement, which creates a duty to or interest in any other person, which may result in a conflict of interest, real or perceived.
Where a member, either on his or her own behalf or while acting for, by, with or through another, has any financial interest, direct or indirect, in any matter and is present at a meeting of the board at which the matter is the subject of consideration, the member;

a) Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof to the President and provide a written declaration if requested by the President.
b) Shall not take part in the discussion of, or vote on any question in respect of the matter; and
c) Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

Where the meeting referred to in subsection (a) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

Where the interest of a member has not been disclosed as required by subsection (a) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (a) at the first meeting of the board, as the case may be, attended by the member after the meeting referred to in subsection (a).

Every declaration of interest and the general nature thereof made under this section shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the recorder of the board.

Every declaration of interest made under this section, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public.

CONFIDENTIALITY AND NON-DISCLOSURE

3. CONFIDENTIALITY

Information provided by a client, or gathered by Sports for Kids Timmins on behalf of a client and disclosed to a member shall in all circumstances be deemed private and confidential, and shall not be released until approved by the client.
Except as hereinafter specified, members agree to not directly, or indirectly use, or exploit such information, to hold such proprietary information in confidence without disclosure to any third party, and to protect it against unauthorized use and disclosure, as would a reasonably prudent owner of such proprietary information. The member may disclose proprietary information to the extent reasonably necessary to perform his or her duties on behalf of Sports for Kids Timmins, provided that any such disclosure shall be made on a "need to know" basis.

Members shall:

a) Provide a written record of discussion with the media, which will be attached to the subject file. Sports for Kids Timmins shall approve those board members who may speak for Sports for Kids Timmins.
b) Ensure that all matters not previously made public by Sports for Kids Timmins, are private and confidential.
c) Not disclose information of a confidential nature to any person or agency at any time prior to the authorized release of such information.
d) Not release in whole or in part without proper authorization, any Sports for Kids Timmins records, reports, papers, plans and studies considered private and confidential.
e) Not disclose information, which might impair the organization, its corporate effectiveness, or which might violate the private rights of individuals, or agencies.
f) Not disclose confidential information except as required by law.

The stipulations set out above shall not apply when:

a) Information already known to the member without restriction on full disclosure is evidenced by such member’s records;
b) Information rightfully obtained by the member from a third party without restriction
c) Information independently developed by the member, from and after the date of any such disclosure; and
d) Information that, at the time of receipt, was in the public domain, or becomes public domain information through no breach of the confidentiality obligations by any member of the board, or any employee.
e) Information divulged or used by the member after receiving the disclosing person’s express written content thereto.

Any member who knowingly violates Sports for Kids Timmins policies and guidelines may be subject to disciplinary action as outlined in Non-*Compliance of Guidelines.*

Non-Compliance of Guidelines

In the event of any allegation of non-compliance with the aforementioned, the board of Sports for Kids Timmins, may investigate and determine the validity of such allegations. The board may take such steps and measures as the board may, in its sole discretion, determine appropriate, including and without limitation, declaring that the board member has breached these guidelines. If they are no longer qualified to serve as a member of the board and that his office is thereby vacated; provided that, the board shall first advise the member in writing of the nature and extent of such allegations and provide the member with an opportunity to make representations regarding same.

Signature: _____

Witness: _____

Date: _____