**Brescia University College Students’ Council**

**CONFLICT OF INTEREST POLICY**

| EFFECTIVE: **10-January-2016** | **SUPERCEDES:** N/A |
| --- | --- |
| AUTHORITY: **Executive** **Council** | **RATIFIED BY:** Council, as of January 10, 2016 |
| RELATED DOCUMENTS: **By-Law #1** | **PAGE** | 1 of 4 |

**PREAMBLE**

The BUCSC strives to conduct its business and political affairs in conformity with the highest ethical and moral standards, thereby ensuring that the Brescia community has complete confidence in the integrity of the BUCSC. The BUCSC expects all members will act in a manner that will enhance its reputation and show integrity in all dealings.

**1.0**  **APPLICATION**

1.01 This document applies to all members of the BUCSC, and anyone reasonably considered to be associated with or representative of the BUCSC, including but not limited to Executive Members, Commissioners, Representatives, or any club or student body ratified by the BUCSC.

**2.0**  **CONFLICT OF INTEREST**

2.01 Where it is questionable that a conflict of interest exists, might exist or could be perceived to exist, the individual or body in question is obliged to meet with either their portfolio holder or the Governance Officer and disclose any relevant details or information

2.02 A conflict of interest can take one (1) or more of three (3) forms:

(1) Actual Conflict of Interest: where conflict of interest can be clearly demonstrated;

(2) Potential Conflict of Interest: where the result or potential result of a decision or action could lead to an actual conflict of interest arising; and,

(3) Perceived Conflict of Interest: where an actual or potential conflict of interest many not exist but an outside perspective into the surrounding circumstances leads or could lead to a perception that a conflict of interest exists.

2.03 A conflict of interest arises where the private or personal interests of an individual are sufficient to influence or appear to influence the objective exercise of their duties. This would include:

(1) Where the private or personal interest of an individual conflict with the interests of the BCUSC; or,

(2) Where the individual has a financial interest in a third party that is doing or is seeking to do business with the BUCSC.

2.04 A conflict of interest arises where an individual has or appears to have an opportunity to use their authority, knowledge, or influence derived from their position to improperly benefit the individual or another person. This would include:

(1) Participating in the hiring, appointment or promotion of a family member, including a spouse, parent, in-law, sibling, child or stepchild;

(2) Having personal financial dealings with an individual or company whose business with the BUCSC involves the individuals sphere of responsibilities; and,

(3) Participating in the management of a company which is the supplier of materials or services to the BUCSC.

2.05 A conflict of interest arises if gifts, gratuities or favours of any kind are exchanged between and individual and any individual or company whose relationships with the BUCSC involves the individuals sphere of responsibilities.

(1) Cash payments in any amount must not be accepted or given as a gift or favour under any circumstances.

(2) This policy does not apply to incidental gifts and other benefits that are below a value of thirty dollars ($30) and that are received as a result of general business practices.

2.06 A conflict of interest arises if an individual accepts outside employment or engages in outside activities, which may interfere with the efficient performance of the individual’s duties.

**3.0** **PROCEDURE**

3.01 An investigation into whether a conflict of interest exists must involve the Governance Officer for guidance on process and practice;

3.02 Any individual who has or may have a conflict of interest, or has doubt as to whether a conflict of interest exists or may exist, must disclose, in writing, the circumstances to their designated supervisor/chairperson, as listed:

(1) Where a Voting Member or Non-Voting Member while sitting in Council has, or may have, a conflict of interest, they must disclose the circumstances to the Speaker of Council.

(2) Where the Governance Officer or Speaker of Council has, or may have, a conflict of interest, they must disclose the circumstance to the President.

(3) Where the President has, or may have, a conflict of interest, they must disclose the circumstances to the Governance Officer.

3.03 Any allegations made about the actual or potential conflict of interest of anther individual must be made, in writing, to that individual’s designated supervisor/chairperson, as listed:

(1) Any allegations that a Voting Member or Non-Voting Member while sitting in Council has, or may have, a conflict of interest, they must disclose the circumstances to the Speaker of Council.

(2) Where the Governance Officer or Speaker of Council has, or may have, a conflict of interest, they must disclose the circumstance to the President.

(3) Where the President has, or may have, a conflict of interest, they must disclose the circumstances to the Governance Officer.

3.04 The appropriate, previously designated supervisor/chairperson shall determine whether an actual or potential conflict of interest exists and, where a conflict is found to exist, either:

(1) Provide written direction on the means by which that conflict may be removed or avoided; or,

(2) Refer the matter to the Governance Officer for further investigation and/or recommendation.

3.05 Avoidance or removal of a conflict of interest may involve, but is not limited to:

(1) Abstaining from discussing the issue with the individual with the conflict;

(2) Requiring the individual to abstain from voting from the issue;

(3) Requiring the individual to excuse themself from any discussions involving the issue; and,

(4) Requiring the individual to withdraw entirely from the situation in which the conflict arises.

3.06 Where it is discovered that an individual should have disclosed a conflict of interest, regardless of whether the matter is concluded or resolved, the BUCSC may:

(1) Require the individual to relinquish any benefit obtained to the BUCSC;

(2) Impose disciplinary action, including termination or removal. Any decision for termination or removal must be commensurate with the circumstances surrounding the conflict of interest; or,

(3) Take any other action that is befitting the situation.

**4.0**  **PROCEDURAL AUTHORITY**

4.01 Further Procedures necessary for the effective and efficient implementation of this policy shall be established and amended as necessary by the Executive Council.

(1) The scope of such Procedures is limited to the scope of this policy.

(2) In the event of any conflict, this Policy supersedes any documents created under it.

(3) Any new Procedures and amendments to any existing Procedures must be ratified by the Executive Council before taking effect.

(4) Any Procedures ratified by the Executive Council, or any subsections therein, may be repealed by a resolution of Council.