Conflict of Interest Policy

Purpose
This policy defines conflict of interest and explains the duties of Council and committee members with respect to such conflicts.

Application
This policy applies to Council members and non-Council members of College committees (together referred to as “Members”).

Policy
All Members have a duty to maintain the trust and confidence of the public in the integrity of the decision making processes of Council and College committees. To this end, Members must avoid or resolve conflicts of interest while discharging their duties to the College. Members must make best efforts to avoid situations that College members or a member of the public might perceive as a conflict of interest.

Definition and Description of Conflict of Interest
Section 55 of the College’s General Bylaw (the “bylaw”) defines conflict of interest as follows:

A conflict of interest exists where a reasonable person would conclude that a Council or committee member’s personal or financial interest may affect his or her judgement or the discharge of his or her duties to the College. A conflict of interest may be real or perceived, actual or potential, direct or indirect.

The situations in which a potential conflict of interest may arise cannot be exhaustively set out. Conflicts generally arise in the following situations:

1. Interest of a Member: when a member transacts either directly or indirectly with the College, or has a significant interest in a transaction or contract with the College;

2. Interest of a relative or association: when a Member, or his or her immediate family or practice/business partners, enters into any business arrangement with the College in which the Member is directly or indirectly involved;
3. Gifts: When a Member or a member of the Member’s household or any other person or entity designated by the Member, accepts gifts, credits, payments, services or anything else of more than a token or nominal value from a party with whom the College may transact business (including a supplier of goods or services) for the purposes of (or that may be perceived to be for the purposes of) influencing an act or decision of the Council or a committee of the Council;

4. When Members exercise their powers motivated by self-interest or some other improper purposes. Members must act solely in the best interest of the College. Members who are nominees of a particular group must act in the best interest of the College even if this conflicts with the interests of the nominating party; and

5. Failure to disclose information: when Members fail to disclose information that is relevant to a vital aspect of the affairs of the College.

**Process for Resolution of Conflicts of Interest**

Acting in a conflict of interest is a breach of College policy and may be the basis for removal from Council or a Council committee. Section 56 to 59 of the General By-law (attached) contain a process for disclosing and resolving a potential conflict of interest. If Council is not satisfied that a conflict is resolvable through the process in the General By-Law, Council may ask the Member to resign or disqualify the Member.

**Amendment**

Council may amend this policy.

**Updated and approved by Council:** November 28, 2011
Appendix 1

Conflict of Interest Provisions in College By-Law

Definition of Conflict of Interest

55. A conflict of interest exists where a reasonable person would conclude that a council or committee member’s personal or financial interest may affect his or her judgment or the discharge of his or her duties to the College. A conflict of interest may be real or perceived, actual or potential direct or indirect.

Process for Resolution of Conflicts in Council Matters

56. A council member who has or may have a conflict of interest in connection with council business shall consult with the registrar and disclose the conflict to council at the earliest opportunity, and in any case before council considers the matter to which the conflict relates. If there is any doubt as to whether a conflict exists, the member must declare it to council and accept council’s decision as to whether a conflict exists.

57. A council member who has a conflict of interest shall:
   
   (a) disclose the conflict;
   
   (b) leave the room when council is discussing the matter; and
   
   (c) not vote on the matter, or try to influence the vote.

Process for Resolution of Conflict in Committee Matters

58. A committee member who has or may have a conflict of interest in connection with a matter before a committee shall consult with the appropriate committee support representative. For adjudicative committees, the committee member should consult with the Hearings Office. The committee member should disclose the conflict at the earliest opportunity, and in any case before the committee considers the matter. The committee member shall accept the Chair’s direction as to whether there is a conflict of interest and any steps the Chair takes or requires to resolve the conflict. Where the Chair has or may have a conflict of interest, the Chair shall accept the executive committee’s direction as to whether there is a conflict of interest and any steps the executive committee take so requires to resolve the conflict.

Record of Declarations

59. Declarations with respect to conflicts of interest shall be recorded in the minutes of the meeting.