



CONFLICT OF INTEREST

POLICY AND PROCEDURE



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Montreal Indigenous Community NETWORK

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1. Preamble:

The Montreal Indigenous Community NETWORK (The NETWORK) staff, board, participant-members, and volunteers are expected to conduct themselves with personal integrity, ethics, honesty, and diligence in performing their duties for the organization. They are required to support and advance the interests of the organization and avoid placing themselves in situations where their personal interests actually or potentially conflict with the interests of the NETWORK.

2. Definition:

A conflict of interest refers to a situation in which private interests or personal considerations may affect the judgment of a staff, board, participant-members, and volunteer in acting in the best interest of the NETWORK. Conflicts of interests could be either legal, financial or relational in context. These conflicts of interest may be personal or professional. It includes using their position, confidential information, or organizational time, materials, or facilities, for private gain or advancement, or the expectation of private gain or advancement. A conflict may also occur when an interest benefits any of their family, friends, or an organization that they work for or govern. A conflict of interest happens when a member's personal or professional interest could reasonably be perceived as conflicting with their obligation to further the NETWORK's interests.

3. Intent of this policy:

The NETWORK wishes to create an environment of open, non-accusatory, and frequent conversations about conflict of interest. This is both in order to ensure the integrity of our work, but also because we are aware that our professional and personal context is highly entangled, and real or possible conflicts of interest are a regular part of our working environment.

4. Decision-Making about Conflict of Interest:

It is assumed that minor conflicts can be minimized or avoided through individual discretion / judgment and regular discussion or consultation with the Executive Director. If, after disclosure of the relevant facts, the situation described reveals a real or apparent conflict, those involved should attempt to resolve the issue informally. In many cases, administrative adjustments will ensure that the opportunity to influence decisions is minimized or avoided. If resolution is not reached through this process, the Executive Director will make a binding decision.



5. Subject to this Policy:

This policy applies to members of the Board of Directors, participant-members (like working committee members), volunteers, and staff.

6. Application:

It is essential that all conflict of interest or appearance of conflict of interest be avoided. The rules and examples that follow do not exhaust the possibilities for conflict of interest, but they identify obvious situations covered by the policy:

6.1 Participation and Decision-making:

Board, staff, participant-members, and volunteers must adjust their participation on subjects with which they have a conflict of interest. Adjusting their participation could include stating the relationship, abstaining from a vote, taking on an observer role, fully removing themselves from all communication regarding the subject, and/or other. Conflicts of interest where one should adjust their participation can include, but are not limited to, the following example:

- A.** Regarding funds or partnerships that involve an organization for whom the member governs (on board of directors) or work (as an employee);
- B.** Regarding a matter for which the member (or someone they have a relationship with, e.g. spouse or roommate), whether personal or professional, has the possibility of financial gain;
- C.** Regarding a hiring process that involves a candidate with whom you have a relationship with, whether personal or professional.

6.2 Special Treatment:

Board, staff, participant-members and volunteers are not allowed to use their positions to give anyone special treatment that would advance their own interests or that of any member of their family, friends, and/or an organization that they govern (on board of directors) or work for, other than the NETWORK.

- A.** EXAMPLE; the organization of an employee or board member receives preferential access to funding partnerships because of the relationship that they have with the NETWORK;
- B.** EXAMPLE; advocating for the hiring of their friend or family without stating the conflict of interest and playing an observational role during interview.



6.3 Receiving Fees or Gifts:

Board, staff, members, and volunteers may not accept gifts, money, discounts, or favours, including a benefit to their family members or friends, for doing work that is expected of their role as a board member, staff, volunteer, or member. The only exception to this are gifts of nominal value (e.g., coffee mug or culturally appropriate gift), although it is expected that the supervisor will be informed of such gifts. Gifts of monetary value may only be accepted on behalf of the NETWORK as an organization and passed on to the Organization.

6.4 Playing more than one role:

A Board member, staff, participant-members and volunteer should not fulfill more than one of these roles at once. For example, this means that:

- A.** Board members cannot be staff (permanent or contractual) at the NETWORK (with the exception of the ED's voting spot on the Board)
- B.** Board members cannot be Active members of a working committee but they can be Supporting members
- C.** Staff members can only participate in Working committees as facilitative members (see Working Committees Policy)

6.5 NETWORK property:

Staff, board, participant-member, and volunteers may not use, or permit the use of, items of NETWORK property, facilities, equipment, supplies, or other resources, for activities not associated with their work. The Executive Director must expressly approve any exceptions to this.

6.6 Confidential Information:

Staff, board, participant-members, and volunteers may not disclose confidential or privileged information about the NETWORK or use confidential information to advance personal or others' interests. For example:

- A.** EXAMPLE; sensitive information (ex. Funding, human resources, other) that is learned in their role on the Board cannot be shared in any other space inside or outside the organization



7. Requirement to Report Conflict of Interest:

It is up to the staff, board, participant-member or volunteer to recognize and state conflicts of interest as they arise. After stating a conflict of interest, the member should adjust their level of participation in matters relating to that conflict. Adjusting their participation could include abstaining from a vote, taking on an observer role, fully removing themselves from all communication regarding the subject, or other.

If staff, board, participant-members, volunteers, or their family members, friends, or colleagues have a personal or financial interest that might present a conflict or bias in connection with their duties at the NETWORK, the Executive Director may ask this person to formally document this relationship by [filling out this form](#). Similarly, the President of the Board of Directors may ask the Executive Director to do the same. In addition, if a staff, board, participant-member or volunteer is concerned about a perceived conflict of interest, they are encouraged to bring up the question to the person directly or to the body (committee, Board, etc), as appropriate.

8. Failure to comply with policy:

Staff, Board of Directors, members and volunteers who fail to comply with this policy may be subject to disciplinary action, up to and including dismissal from their position.

9. Implementation:

The NETWORK must make the policy available to all staff, board members, participants and volunteers. They should discuss the entire policy with them and highlight the rules that are particularly relevant, given the nature of their roles and responsibilities. Those who need help interpreting the rules and how the policy applies to particular situations should ask the Executive Director, an appropriate staff member, or another person in a leadership position in their area of the organization. Staff, Board members, participating members and volunteers should check with the Executive Director if they need help interpreting whether a situation they have experienced or are facing places them in a conflict of interest situation. If there is a concern that the Executive Director may be in a conflict of interest situation, and the ED has been unwilling to address the issue, it can be brought to the attention of the Board President.

