

Subject: Conflict of Interest	Date Approved: April 15, 2009
Approved by: Board of Directors	Date Revised:
Specific to: All Staff, Board of Directors	Next Review Date: September 2020

OVERVIEW:

No set of guidelines governing conflicts of interest can cover all situations that may arise. Hopefully, the following policy and guidelines will help the Trustees define and understand their appropriate role in the Corporation’s consideration and approval of investments and other matters.

The reason for this policy and guidelines is to assure prospective ‘contacts’ and public generally that 1) no organization has an unfair advantage in obtaining funds because of corporation/staff affiliation and 2) no corporation/staff member will benefit unfairly from decisions.

The absence of any perception of favouritism is as important as the absence of the condition itself. These guidelines apply equally to all investment and business decisions and related matters.

PURPOSE:

To protect the rights and interests of the North Huron Family Health Team and to stipulate the responsibility of Board members, Corporation members, physicians and employees are required to disclose situations of conflict of interest.

POLICY:

Board members, physicians and employees must disclose situations where their interest might be, or be perceived to be, in conflict with the interests of the North Huron Family Health Team Corporation.

Board members and employees must also disclose situations that would prevent them from acting objectively on behalf of the corporation.

PROCEDURE:

- Employees must disclose to the Executive Director any business or financial interest which might reasonably be construed as being in actual or potential conflict of interest with the corporation.
- Each board member, annually and upon nomination to the Board is asked to file with the secretary a Disclosure Statement setting forth: any position held with any charitable, community or business organization involvement currently held and covering two years prior to nomination.
- Board members must disclose to the Chairperson of the Board any business or financial interest which might reasonably be construed as being in actual or potential conflict of interest with the corporation. Each Board member is asked to update such disclosure statement as the Board members relationships change.
- Board members and/or employees must not use their position of trust and confidence to further their personal financial interests. In this respect, the practice of Board members or employees pursuing private referrals of business from patients and/or staff to their own business ventures off site is not permitted.
- Employees who breach this policy may be subject to discipline, up to and including discharge.
- Board members who breach this policy may be subject to withdrawal of Board privileges and terminated as a Corporate Member of the North Huron Family Health Team.

- Where a conflict is disclosed the Board will determine the risk and perception of impropriety and decide whether to exclude the individual from decision making and/or mitigate the conflict by involvement of a third party involvement.

GUIDING PRINCIPLES FOR CONFLICT OF INTEREST

Definition:

The reputation and credibility of the corporation rests on its ability to make fair, objective, and impartial decisions. It is essential to avoid or disclose situations where a conflict of interest may influence, or appear to influence, that decision making process.

“Conflict of Interest” is a term used to suggest a clash between public (organizational) interest and private interest or an individual concerned. Conflict of interest arises when an elected/appointed representative’s or employee’s personal or financial interest conflicts or appears to conflict with his/her assigned responsibilities.

There are two types of conflict of interest situations:

1. Where a Trustee, physician or staff member (or relative, partner, et cetera) has a financial interest, or appears to have a financial interest, in a decision; and
2. Where a Trustee, physician or staff member has an affiliation with a potential ‘contact’ or other conflict of loyalties that may lead to or suggest influence in the corporation’s decision, but has no personal financial interest.

The following are situations which may have potential conflict:

- Engaging in an activity, whether personal or public interest in nature, in such a manner that it conflicts with the time they are expected to be undertaking their duties. In making judgments with respect to conflicts involving time, the corporation will take into consideration any irregular time demands that are incorporated into this position.
- Use of privileged, proprietary or confidential information for personal gain that may be detrimental to the corporation or against the law.
- Association with outside organizations/businesses whose products or services compete with the Family Health Team’s services.
- Failure to disclose any information which could be detrimental to the interests of the Family Health Team.
- Making specific referrals to individuals or agencies not authorized by the Family Health Team.
- Entering into any business arrangement relating to the purchase of property, goods or services with the Family Health Team unless authorized by the Executive Director and the Board Chairperson for Board members or vice-chair in situations of conflict for Chairperson.
- Owing a loyalty to another organization (e.g. employer, provincial society or regulatory body) which is in some way competitive with the duty owed to Family Health Team.