



## BVHS Conflict of Interest and Confidentiality Policy



### Conflict of Interest Policy

BVHS is committed to providing players an opportunity to grow as individuals and gain self-esteem through a positive hockey experience that emphasizes fun, participation, development, safety and respect.

BVHS will strive to accomplish these goals in a consistent, transparent and collaborative environment that encourages the participation of Players, Coaches and Parents.

The Bow Valley Hockey Society has earned a reputation for trustworthiness and respect and expects that each of its board of directors, office staff, members recognize and abide by the Conflict of Interest and Confidentiality Policy that will protect the integrity and respectability of the Bow Valley Hockey Society.

### Definitions

The following terms have these meanings in this Policy:

- a) *“Office Staff”* - All individuals employed with the Bow Valley Hockey Society.
- b) *“Board of Directors”* - Volunteer board of Directors who have been voted by the members at the annual AGM to sit on the BVHS Board of Directors for two-year terms.
- c) *“Conflict of Interest”* – A situation where an individual, or the organization they represent, has a real, potential or perceived direct or indirect interest competing with Bow Valley’s interests, resulting in a real or seeming conflict between one’s private interests and one’s fiduciary duties to the Bow Valley Hockey Society.
- d) *“Perceived Conflict of Interest”* – *A perception by an informed person that a conflict of interest exists or may exist.*
- e) *“Person”* – Any Associate, family member, spouse, friend, customer, business associate, client, sponsor, colleague, corporation, institution or partnership.

### Purpose and Application

The purpose of this Policy is to describe how Office Staff and Board of Directors will conduct themselves in matters relating to real or perceived conflicts of interests, and to clarify how the Bow Valley Hockey Society will make decisions in situations where conflicts of interest may exist.

This Policy applies to all Office Staff and Board of Directors as defined in the Definitions section.



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### Obligations

1. Office Staff and Board of Directors will fulfill the requirements of this policy. Office Staff and Board of Directors **will not**:
  - a) Engage in any business or transaction or have a financial interest that conflicts with their official duties with the Bow Valley Hockey Society.
  - b) Engage in any business or transaction, or other personal interest that conflicts with their official duties with the Bow Valley Hockey Society.
  - c) Knowingly place themselves in a position where they are under obligation to any Person who might benefit from special consideration, or who might seek, in any way, preferential treatment;
  - d) In the performance of their official duties, accord preferential treatment to any Person in which Office Staff and or Board of Directors have an interest, financial or otherwise;
  - e) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with BVHS, where such information is confidential or is not generally available to the public;
  - f) Engage in any outside work, activity or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of BVHS, or in which they have an advantage or appear to have an advantage on the basis of their association with BVHS.
  - g) Place themselves in positions where they could, by virtue of being a Board Member, influence decisions or contracts from which they could derive any direct or indirect and or perceived benefit or interest.
  - h) Accept any gift or favor that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Board Member



## **Disclosure and Declaration of Conflict of Interest**

Members wishing to put their name forward for a position as a Board of Director must declare their professional interests and any potential conflict of interest prior to being declared eligible by the Board of Directors for any such position.

In the event that a member neglects to disclose a professional interest or any potential conflicts of interest, this Policy will apply.

On an annual basis, at the first meeting of the board of directors after being elected by the membership at the BVHS AGM all Board of Directors will complete a written statement disclosing any real or perceived conflicts that they might have.

At any time that a Board of Director becomes aware that there may exist a real or perceived conflict of interest, they will disclose this conflict to the BVHS President and Manager of Hockey Operations immediately.

## **Reporting a Conflict of Interest**

Any Member who is in belief that a Board Member and or Office Staff may be in a position of conflict of interest they shall report this matter immediately to the BVHS President and BVHS Manager of Hockey Operations. If the matter is related to the President and or Manager of Hockey Operations, the matter will be brought forward to the BVHS VP Off Ice, VP On Ice, and Treasurer.

The BVHS President, Executive and BV Manager of Hockey Operations will review the matter and if they decide that a conflict of interest may exist, they shall refer the matter to the Board of Directors.

## **Resolving Complaints of a Real or Perceived Conflict of Interest**

- a) Upon receipt of a complaint from the Executive and or Manager of Hockey Operations, the Board of Directors will determine whether or not a real or perceived conflict of interest exists.
- b) After hearing the matter, the Board of Directors will determine whether a real or perceived conflict of interest exists and if so, what appropriate actions will be taken.
- c) Where the Board of Director that has been accused of being in a real or perceived conflict of interest acknowledges the facts, he or she may waive the meeting, in which case the Board of Directors will determine the appropriate actions.
- d) If the Board of Director accused of being in a real or perceived conflict of interest chooses not to participate in the meeting, the meeting will proceed in any event.
- e) For a conflict of interest involving a member of the Office Staff, the Board of Directors may apply the following actions singly or in combination for real or perceived conflicts of interest:



- a. Removal or temporary suspension of certain responsibilities or decision-making authority.
- b. Removal or temporary suspension from a designated position.
- c. Other actions may be considered appropriate for the real or perceived conflict of interest.

## **Resolving Conflicts**

1. Decisions or transactions that involve a real or perceived conflict of interest that have been disclosed by a Board of Director and or Office Staff member may be considered and decided upon by the Bow Valley Hockey Society's Board of Directors provided that:
  - a) The nature and extent of the Board of Directors or Office Staff's interest has been fully disclosed to the body that is considering or making the decision, and that this disclosure is recorded in the meeting minutes of the board at the first meeting held after the conflict has been disclosed;
  - b) The Board Member or Office Staff may participate in discussion on the matter giving rise to the conflict of interest but that Board of Director and or Office Staff may be asked to leave the meeting in which the matter is being considered. The Board of Director and or Office Staff will not be present when the Board of Directors makes its decision in respect of the matter;
  - c) The Board of Director and or Office Staff abstains from voting on the proposed decision or transaction.
  - d) The Board of Director is not included in the determination of quorum for the proposed decision or transaction; and
  - e) The decision or transaction is in the best interests of the Bow Valley Hockey Society.



### **BVHS Board of Directors and Office Staff Confidentiality**

The BVHS Board of Directors and Office Staff acknowledge and agree that they will maintain in strict confidence and that they will not use confidential or proprietary information about the Bow Valley Hockey Society and or contracted staff gained through their association with the Bow Valley Hockey Society for any purpose other than in connection with fulfilling their duties and responsibilities as a member of the BVHS Board of Directors and or office staff member. The requirement to maintain confidentiality shall continue even after a Board Members and or office staff member ceases their role as a BVHS Board of Director. BVHS current and past Board of Directors and Office Staff are required to uphold all Provincial and National laws as it pertains to the collection of private and confidential information.

### **Decision Final and Binding**

Any decision of the Board of Directors in accordance with this Policy shall be considered final and not subject to appeal.



## **Confidentiality Policy**

All information concerning members, former clients and or members, our staff, volunteers, and financial data, and business records of the Bow Valley Hockey Society is confidential. "Confidential" means that you are free to talk about the Bow Valley Hockey Society and about your involvement and your position, but you are not permitted to disclose members' names or talk about them in ways that will make their identity known. No information may be released without appropriate authorization. This is a basic component of business ethics. The board of directors, staff and our members rely on paid office staff and a volunteer board of directors to conform to this rule of confidentiality.

The Bow Valley Hockey Society expects you to respect the privacy of members, office staff and to maintain their personal and financial information as confidential. All records dealing with specific members, clients and office staff must be treated as confidential. General information, policy statements or statistical material that is not identified with any individual or family is not classified as confidential. Staff members are responsible for maintaining the confidentiality of information relating to other staff members and members, board of directors, in addition to clients/partners.

Failure to maintain confidentiality may result in termination of an office staff members employment, and or removal from the board of directors or other corrective action. This policy is intended to protect you as well as the Bow Valley Hockey Society because in extreme cases, violations of this policy also may result in Society liability, personal liability and or legal action.

## **Rationale**

Confidentiality is the preservation of privileged information. By necessity personal and private information is disclosed in a professional working relationship. Part of what you learn is necessary to provide services to the membership; other information is shared within the development of a helping, trusting relationship. Therefore, most information gained about members or agreements with contracted office staff through an assignment is confidential in terms of the law, and disclosure could make you legally liable. Disclosure could also damage your relationship with the membership.

Before you begin your assignment as a staff member and or Board of Director you should be aware of the laws and penalties for breaching confidentiality. Although the Society is liable for your acts within the scope of your duty, giving information to an unauthorized person could result in the Society's refusal to support you in the event of legal action. Violation of the confidentiality policy regarding confidentiality of records could result in legal action.



**Certification of Confidentiality**

I have read the Bow Valley Hockey Society’s policy on confidentiality and the Statement of Confidentiality presented above. I agree to abide by the requirements of the policy and inform the BV President and Manager of Hockey Operations immediately if I believe any violation (unintentional or otherwise) of the policy has occurred. I understand that violation of this policy will lead to disciplinary action, up to and including termination of my service with the Bow Valley Hockey Society.

**Declaration Regarding BVHS Conflict of Interest**

I have read the Bow Valley Hockey Society’s Conflict of Interest and Confidentiality Policy, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. During my time with the Bow Valley Hockey Society, I also commit to disclosing the existence of any real or perceived conflict of interest to the Board of Directors which may arise, as soon as it is known to me.

I declare the following interests which may represent a potential conflicting interest:

1. Description of the situation giving rise to the actual or potential conflict of interest along with the name of the person (s) or individual (s) involved with the actual or potential conflict of interest:

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2. Nature of interest of involvement with Person(s) or individual(s) or organization (s):

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By signing this policy; I agree to inform the Bow Valley Hockey Society and the Board of Directors of any other Board of Director and or Office Staff Member who I feel is in a position of any real, perceived or potential conflict of interest and I accept and understand. I acknowledge and accept the terms outlined within this policy as it relates to conflicts of interest and confidentiality.

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**Name**

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**Signature**

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**Date**