

Conflict of Interest Policy Socio Legal Information Centre (SLIC)

Scope

- This policy applies to all staff and other individuals who interact or potentially interact with the work of the organization.
- The individuals falling within scope of this policy include employees, consultant, volunteers.
- The content of the policy cannot cover every potential conflict and must be interpreted in the light of the particular circumstances of each case.

What is conflict of interest?

A simple definition of conflict of interest is a situation in which an individual, or organization, has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances in relation to awarding organization activity, for example:

- an individual whose personal interests conflict with his/her professional position
- an employee who works for one organization but who may have personal interests – paid or unpaid - that compete with his/her employment.
- a person who has a position of authority in one organization that conflicts with his or her interests in another organization
- a person who has conflicting responsibilities
- When one part of the organization creates and follows a procedure that conflicts with the organization's regulatory responsibilities.

Definitions

1. Interested Person

Any director, principal officer, or member of a committee with Board of Trustees delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,

- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest unless a person who has a financial interest may have a conflict of interest only if the appropriate board of Trustees or national core team decides that a conflict of interest exists.

Section 3: Conflict of Interest Avoidance Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of national core team with governing board delegated powers considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the board of trustees or national core team meeting while the determination of a conflict of interest is discussed and consensed upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the board of trustees or national core team meeting, but after the presentation, he/she shall leave the meeting during the discussion of and the consensus on, the transaction or arrangement involving the possible conflict of interest.

- b. The chairperson of the board of trustees or national core team, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the board of trustees or national core team shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the board of trustees or national core team shall determine by a consensus of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a. If the board of trustees or national core team has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the board of trustees or national core team determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4: Records of Board and Board Committee Proceedings

The minutes of the board of trustees or national core team with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and consensus decisions relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or

arrangement, and a record of any consensus decisions taken in connection with the proceedings.

Section 5: Annual Statements

All personnel at SLIC shall annually sign a statement which affirms such person:

- Has received a copy of the conflicts of interest policy,
- Has read and understands the policy,
- Has agreed to comply with the policy, and

Adopted by the Board of Trustees on 16th January, 2016