



University Students' Council of the University of Western Ontario **CONFLICT OF INTEREST POLICY**

EFFECTIVE: February 24, 2009

SUPERSEDES: All Others

AUTHORITY: Committee of Council
Operations and Agenda

RATIFIED BY: Council

Executive Council

**RELATED
DOCUMENTS:**

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1.00 PREAMBLE

1.01 The University Students' Council ("USC") strives to conduct its business and political affairs in conformity with the highest ethical and moral standards, thereby ensuring that the University community has complete confidence in the integrity of the USC. The USC expects that all of its members will act in a manner that will enhance the USC's reputation by showing integrity in all of its dealings.

2.00 APPLICATION

2.01 This policy applies to the following individuals:

- (1) Any Voting Member and Non-Voting Member sitting on Council, as more fully defined in By-Law #1;
- (2) USC volunteers;
- (3) At-large members of USC committees; and,
- (4) Agents and representatives of the USC.

3.00 CONFLICT OF INTEREST

3.01 Where it is questionable as to whether a conflict of interest exists, it is incumbent upon the individual to consult with her supervisor or the Governance Officer and disclose the particulars.

3.02 A conflict of interest may present itself in one of three forms:

- (1) An actual conflict of interest: where it can be clearly demonstrated that a conflict of interest exists;
- (2) A potential conflict of interest: where a result could lead to a conflict of interest arising; and,



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(3) A perceived conflict of interest: where an actual or potential conflict of interest may not exist, but an outside perspective into the surrounding circumstances leads or could lead to a perception that a conflict of interest exists.

3.03 A conflict of interest arises where the private or personal interests of an individual are sufficient to influence or appear to influence the objective exercise of her duties. This would include:

- (1) Where the private or personal interests of an individual conflict with the interests of the USC; or,
- (2) Where the individual has a financial interest in a third party that is doing or is seeking to do business with the USC.

3.04 A conflict of interest arises where an individual has or appears to have an opportunity to use her authority, knowledge, or influence derived from her position to improperly benefit the individual or another person. This would include:

- (1) Participating in the hiring, appointment or promotion of a family member, including a spouse, parent, in-law, sibling, child or stepchild;
- (2) Having personal financial dealings with an individual or company whose business with the USC involves the individuals sphere of responsibilities; and,
- (3) Participating in the management of a company which is a supplier of materials or services to the USC.

3.05 A conflict of interest arises if gifts, gratuities or favours of any kind are exchanged between an individual and any individual or company whose relationship with the USC involves the individual's sphere of responsibilities.

- (1) Cash payments in any amount must not be accepted or given as a gift or favour under any circumstances.
- (2) This policy does not apply to incidental gifts and other benefits that are below a value of thirty dollars (\$30) and that are received as a result of general business practices.

3.06 A conflict of interest arises if an individual accepts outside employment or engages in outside activities which may interfere with the efficient performance of the individual's duties.

4.00 PROCEDURE



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- 4.01 An investigation into whether a conflict of interests exists must involve the Governance Officer for guidance on process and practice.
- 4.02 Any individual who has or may have a conflict of interest, or has doubt as to whether a conflict of interest exists or may exist, must disclose, in writing, the circumstances to her immediate supervisor, employer or chairperson.
- (1) Where a Voting Member or Non-Voting Member while sitting in Council has or may have a conflict of interest, she must disclose the circumstances to the Speaker of Council.
 - (2) Where the Governance Officer or Speaker of Council has, or may have, a conflict of interest she must disclose the circumstances to the President.
 - (3) Where the President has or may have a conflict of interest, she must disclose the circumstances to the Governance Officer.
- 4.03 Any allegations made about the actual or potential conflict of interest of another individual must be made, in writing, to that individual's immediate supervisor, employer or chairperson.
- (1) Any allegations that a Voting Member or Non-Voting Member while sitting in Council has or may have a conflict of interest must be made to the Speaker of Council.
 - (2) Any allegations that the Governance Officer or the Speaker of Council has, or may have, a conflict of interest must be made to the President.
 - (3) Any allegations that the President has or may have a conflict of interest must be made to the Governance Officer.
- 4.04 The supervisor, employer, chairperson or other designated individual shall determine whether an actual or potential conflict of interest exists and, where a conflict is found to exist, either:
- (1) Provide written direction on the means by which that conflict may be removed or avoided, or
 - (2) Refer the matter to the Governance Officer for further investigation and/or recommendation.
- 4.05 Avoidance or removal of a conflict of interest may involve, but is not limited to:
- (1) Abstaining from discussing the issue with the individual with the conflict;



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- (2) Requiring the individual to abstain from voting on the issue;
 - (3) Requiring the individual to excuse herself from any discussions involving the issue; and,
 - (4) Requiring the individual to withdraw entirely from the situation in which the conflict arises.
- 4.06 Where it is discovered that an individual should have disclosed a conflict of interest, regardless of whether the matter is concluded or resolved, the USC may:
- (1) Require the individual to relinquish any benefit obtained to the USC;
 - (2) Impose disciplinary action, including termination or removal. Any decision for termination or removal must be commensurate with the circumstances surrounding the conflict of interest; or,
 - (3) Take any other action that is befitting the situation.