

# KOOTENAY BOUNDARY DIVISION OF FAMILY PRACTICE POLICY

**Section:** 5. HUMAN RESOURCES

**Subheading:** 1. Relationships

**Policy Number:** 5.1.2

**Policy Title:** Conflict of Interest

## **Definition**

A conflict of interest is any situation where

- A. the personal interests of a director, staff member, or contractor, or
- B. the interests of a family member, close friend, business associate, corporation or partnership in which a director, staff member, or contractor holds a significant interest, or a person to whom a director, staff member, or contractor owes an obligation may prevent the director, staff member, or contractor from acting:
  - i. in the Division's best interests, and
  - ii. on behalf of the Division fairly, impartially and without bias.

## **Policy**

1. Directors, staff members, and contractors must arrange their affairs and conduct themselves in a manner to avoid a conflict of interest, or the appearance of a conflict of interest.
2. Unless authorized to do so, directors, staff members, and contractors may not
  - a. act on behalf of the Division or deal with the Division in any matter where they are in a conflict of interest or appear to be in a conflict of interest, nor
  - b. use their position, office or affiliation with the Society to pursue or advance their personal interests or those of a close friend, family member, business associate, corporation or partnership in which they hold a significant interest, or a person to whom they owe an obligation.
3. Directors, staff members, and contractors must not use their relationship with the Division to confer an advantage on themselves or on a close friend, family member, business associate, corporation or partnership in which they hold a significant interest, or a person to whom they owe an obligation.

## **Conflict of Interest Procedure:**

1. When a situation arises where a conflict of interest, or the appearance of a conflict of interest could occur, the director, staff member, or contractor implicated should disclose the conflict, potential conflict, or appearance of conflict. Where any director, staff member, or contractor perceives a real

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or potential conflict of interest, they have a responsibility to disclose that potential as part of their role of maintaining a positive perception of the Division in the community and among its physician members. The disclosure must include:

- a. A statement that a conflict or duality of interest exists, or may exist;
- b. The general nature and extent of the conflict or potential conflict of interest;
- c. The nature and extent of the benefit that may be received, either directly or indirectly, or that might be perceived by others to accrue to another person or organization.

Note that any disclosure is confidential and must not be shared by any party outside the relevant decision-making forum.

2. After such a disclosure by a Board member or by the Executive Director, the issue will be discussed by the Board, with or without the director's participation, and will arrive at a decision, the reasons for which should be documented in the Minutes of the meeting.
3. After such a disclosure by a staff member or contractor, the issue will be referred to the Executive Director, who will arrive at a decision, the reasons for which should be documented, shared with the individual, and placed in the personnel file.
4. The decisions made in steps 2 or 3 above will be one of the following:
  - a. There is no conflict and the involvement of the affected individual is defensible;
  - b. There is an appearance of conflict and the individual should recuse or absent her/himself from the decision;
  - c. A conflict exists, and the individual must recuse or absent her/himself from the decision;
  - d. If there is a conflict related to a decision already made by the Board, Committee, or Executive Director and previous decision may be reassessed;
  - e. Another decision and relevant course of action.
5. Unless otherwise directed, a director, staff member, or contractor who has an ongoing conflict of interest must take immediate steps to resolve it.