



## The United Church of Canada Conflict of Interest Policy

### **Purpose Statement**

The purpose of this policy is to give guidance to members of decision-making bodies of the United Church. When participating in decisions, they must not put themselves in a position where their own interests may conflict with their duty to act in the best interests of the United Church.

### **Policy**

#### **Application of This Policy**

1. This policy applies to all members and adherents of the United Church when they are participating in decision-making in communities of faith, governing bodies of communities of faith, regional councils and the Denominational Council, and their respective committees, task groups, and commissions, and the denominational Office of Vocation. Each of these bodies is a “Governance Body” in this policy.

#### **Responsibilities**

2. Members of a Governance Body must not participate in decision-making where their duty to the United Church is in conflict with the duty they owe to another organization. For example, that could happen where a member of the Body serves another organization as an employee, contractor, or in an elected leadership role.

3. Members of a Governance Body must not participate in any decision-making by that Body which could result in direct or indirect benefit to them.

4. Members of a Governance Body must not give, in the performance of their duties for that Body, preferential treatment to relatives or friends or any other organization in which they have an interest.

5. Members of a Governance Body must not benefit from the use of information acquired during the course of their participation in that Body, if that information is not generally available to the wider church.

6. Members of a Governance Body must not accept from a person who has dealings with that Body any reward, advantage, or benefit of any kind, either directly or indirectly, that affects decision-making.

7. Members of a Governance Body must not place themselves in a position where they are under obligation to another person who might benefit from special consideration or favour, or who might seek preferential treatment by that Body.

## Exceptions

8. There are exceptions to situations that might otherwise be considered a conflict of interest.
  - A. Monetary conflicts - A monetary conflict arises where the Governance Body is considering a decision that may have a monetary effect, either positive or negative, on a member of the Body or a person close to the member (relative or friend). It is not a conflict of interest if, in the opinion of the Body, the member's monetary interest is substantially the same as the monetary interest of all other members of the Body.
  - B Non-monetary conflicts - A non-monetary conflict arises in any circumstance where a member of the Governance Body is constrained in any way from acting in the best interests of the church. That could occur where a member of the Body, or person close to the member, stands to gain a benefit in some non-monetary way from a decision that the Body is considering. It is not a conflict of interest if, in the opinion of the Body, the member's conflict is not likely to affect the member's decision.
  - C. Membership in a Governance Body through intentional representation from other organizations - It is not a conflict of interest when a member of the Governance Body who represents another organization on the Body brings the perspective of the other organization to the decision-making of the Body. That is a key purpose of having intentional representation from other organizations. As such, it is not a conflict of interest for such a member to participate when the Body is considering a decision that affects the other organization.
  - D. Waiver of conflicts - In any situation where a member of the Governance Body has an apparent conflict of interest, the Body may waive the conflict of interest and allow the member to participate in the decision-making. The Body must be satisfied that waiving the conflict will not negatively impact the transparency and integrity of the Body's decision-making.

## Practice

9. *Knowledge/awareness of conflicts* - Members of a Governance Body must be constantly aware of the need to avoid situations that might result in a conflict of interest or the appearance of a conflict of interest. Orientation and education of members is important.
10. *Identifying conflicts* - As a member of the Governance Body participates in the work of the Body, they must consider whether any particular item of business presents a conflict of interest for them.
11. *Disclosing conflicts* - A member of the Governance Body must inform the Body of a conflict of interest or apparent conflict of interest at the earliest opportunity once the member becomes aware of it.
12. *Refrain from all participation* - The conflict of interest may involve a situation where the member of the Governance Body stands to gain personally, or where the member's relatives or

friends stand to receive a benefit (either monetary or non-monetary). In such case, the member withdraws from any participation in the decision-making on any matters to which the conflict of interest relates. That includes leaving the room while the matter is under discussion until after the decision is made.

13. *Responsibility of other members* - If a member of the Governance Body fails to notice, or to declare, a conflict of interest, any other member may raise the matter with the Body. Once the issue has been raised by another member, the member with the potential conflict may acknowledge the conflict and withdraw from participation in the decision-making.

14. *Decision by Governance Body* - If the member of the Governance Body with the potential conflict of interest disagrees that one exists and/or does not withdraw from participation in the decision-making, it is up to the Body to determine the issue before proceeding with the item of business. If the Body decides that a conflict of interest exists, and makes no decision to waive it, the member is excluded from participation in the decision-making.

15. *Documenting* - The minutes of the meeting of the Governance Body must record all disclosures of conflict of interest, all exclusions from participation in decision-making based on conflict of interest, and all decisions by the Body with respect to conflict of interest.