

1. Definitions

1.1 The following terms have these meanings in this Policy:

- a) “*Conflict of Interest*” - Any situation in which an *Individual's* decision-making, which should always be in the best interest of Freestyle Alberta, is influenced or could be influenced by competing personal, family, financial, business, or other private interests.
- b) “*Individuals*” - All categories of membership defined in Freestyle Alberta’s bylaws, as well as all individuals engaged in activities with Freestyle Alberta including, but not limited to, athletes, coaches, judges, officials, volunteers, managers, administrators, committee members, and directors and officers of Freestyle Alberta.
- c) “*In writing*” - A letter, fax or email sent directly to Freestyle Alberta (insert email address)
- d) “*Non-Pecuniary Interest*” - An interest that an *individual* may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss.
- e) “*Pecuniary Interest*” - An interest that an *individual* may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that *individual*, or another person with whom that *individual* is associated.
- f) “*Perceived Conflict of Interest*” - A perception by an informed person that a *conflict of interest* exists or may exist.

2. Background

- 2.1 *Individuals* who act on behalf of Freestyle Alberta have a duty first to Freestyle Alberta and second to any personal stake they have in the operations of Freestyle Alberta. This policy cannot contemplate all situations in which *conflicts of interest* may arise. *Individuals* are to use their best judgment to ensure that they deal with actual and potential *conflicts of interest* appropriately. It is equally important to monitor perceptions of *conflict of interest* which could damage Freestyle Alberta’s reputation. Further guidance may be requested from the Board of Directors if necessary.

3. Purpose

- 3.1 Freestyle Alberta strives to avoid the occurrence of *conflicts of interest* in Freestyle Alberta’s decision-making processes by providing clear guidance to its members to recognize what a *conflict of interest* is, how to disclose or report, and how to act accordingly. This policy describes appropriate behavior expected of *individuals* entrusted with decision-making authority within Freestyle Alberta, where facts and circumstances may cause a *conflict of interest* situation.
- 3.2 Freestyle Alberta recognizes that active coach, athlete and technical official representatives on councils and committees have an inherent *non-pecuniary interest* given their positions. This does not disqualify them from acting in their capacity as such, as long as their degree of influence is mitigated by the decision-making process.

4. Application of this Policy

- 4.1 This policy applies to all *individuals* who, at any given time, are granted the authority to make decisions on behalf of Freestyle Alberta.

5. Obligations

- 5.1 Freestyle Alberta is incorporated under the Alberta Societies Act and is governed by that Act in matters involving a real or *perceived* conflict between the personal interests of a director or officer (or other *individual* involved in decision-making or decision-influencing roles) and the broader interests of Freestyle Alberta.
- 5.2 Any real or *perceived* conflict, whether *pecuniary* or *non-pecuniary*, between an *individual's* personal interest and the interests of Freestyle Alberta, shall always be resolved in favour of Freestyle Alberta.
- 5.3 *Individuals* shall not:
- a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with Freestyle Alberta, unless such business, transaction, or other interest is properly disclosed to Freestyle Alberta and approved by Freestyle Alberta;
 - b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment from them or Freestyle Alberta;
 - c) Exploit their positions within Freestyle Alberta to derive a personal profit from the activities of Freestyle Alberta;
 - d) Exploit their positions within Freestyle Alberta to lever for themselves a personal profit, advantage, or position of prestige;
 - e) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise;
 - f) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with Freestyle Alberta, if such information is confidential or not generally available to the public;
 - g) Engage in any outside work, activity, business, or professional undertaking that conflicts or appears to conflict with their official duties as a representative of Freestyle Alberta, or in which they have an advantage or appear to have an advantage on the basis of their involvement with Freestyle Alberta;
 - h) Without the permission of Freestyle Alberta, use Freestyle Alberta's property, equipment, supplies, or services for activities not associated with the performance of their official duties with Freestyle Alberta except as otherwise approved by Freestyle Alberta.
 - i) Place themselves in positions where they could, by virtue of being a Freestyle Alberta *individual*, influence decisions or contracts from which they could derive any direct or indirect benefit; or
 - j) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being a Freestyle Alberta *Individual*.

6. Declaration of Interests

- 6.1 On an annual basis, all Freestyle Alberta's directors, officers, employees, and committee members will complete a Declaration Form (Appendix A) in order to disclose any and all affiliations with any and all other organizations involved with Freestyle Alberta. These affiliations include, but are not limited to, any of the following roles in the same sport: athlete, parent of an athlete, coach, manager, official, employee, volunteer, officer or director. *Individuals* shall also disclose on the Declaration Form any and all affiliations with consultants, suppliers, service providers or other third parties that are or may potentially enter into business relationships with Freestyle Alberta.
- 6.2 Declarations of interests in the following circumstances shall be made as follows (if applicable):
- a) *Individuals* who are nominated for election to a position within Freestyle Alberta shall declare their interests prior to the election.
 - b) Upon taking part for the first time in a meeting of a committee or council of Freestyle Alberta, each member shall make a verbal declaration of their interests, to be recorded in the minutes and shared with the *Review Board*.
 - c) Immediately upon being appointed to any position within Freestyle Alberta, *individuals* shall declare their interests.
- 6.3 Declaration Forms shall be retained by Freestyle Alberta as long as the *individual* remains in such position and for a period of at least one year after the end of the *individual's* involvement with Freestyle Alberta.

7. Disclosure of *Conflicts of Interests*

- 7.1 *Individuals* shall, at any given time, disclose real or *perceived conflicts of interest* to the Board of Directors immediately upon becoming aware that a *conflict of interest* may exist. Any determination as to whether there is a conflict of interest will rest solely with the Board of Directors. Such obligation to disclose is continuing and shall not end if the *conflict of interest* is discovered after the tainted decision-making process is completed.
- 7.2 Any person who believes that an *individual* entrusted with making a decision or has made a decision that may or was influenced by real or *perceived conflict of interest* may submit a complaint, *in writing*, to the Executive Director pursuant to section 9 herein. The complaint shall be addressed by the Board of Directors. The identity of the person filing the complaint shall be held confidential by the Executive Director.

8. Minimizing *Conflict of Interest* in Decision-Making

- 8.1 Decisions or transactions that involve a *conflict of interest* that has been proactively disclosed by an *individual* will be considered and decided by applying the following additional provisions:
- a) The nature and extent of the *individual's* interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted.
 - b) The *individual* does not participate in discussions on the matter giving rise to the *conflict of interest*, unless the body considering the matter votes to allow such participation.

- c) The *individual* abstains from voting on the decision.
- d) For board-level decisions, the *individual* does not count towards quorum.
- e) The decision can be proven to be in the best interests of Freestyle Alberta.

8.2 Freestyle Alberta will not restrict employees from accepting other employment, contracts or volunteer appointments during the term of their employment with Freestyle Alberta, provided that the employment, contract or volunteer appointments do not diminish the employee's ability to perform the work contemplated in their employment agreement with Freestyle Alberta. Any determination as to whether there is a *conflict of interest* will rest solely with the Board of Directors, and where a *conflict of interest* is deemed to exist, the employee shall be required to resolve the conflict by either ceasing the activity giving rise to the conflict or resigning from employment with Freestyle Alberta.

8.3 Examples of *conflicts of interest* at Freestyle Alberta could include, but are not limited to:

- a) A director, officer or staff member who is also a member of a board of directors of an affiliate or partner of Freestyle Alberta;
- b) A director, officer or staff member who also provides coaching or other services to Freestyle Alberta's high performance teams;
- c) A director, officer or staff member who has a member of their immediate family named to any Alberta Freestyle high performance team;
- d) A director, officer or staff member who is also a benefactor of Freestyle Alberta; and
- e) A director, officer or staff member who is also an owner or director of a member facility, club or camp.

9. ***Conflict of Interest* Complaints**

9.1 The decision of the Board of Directors as to whether or not a *conflict of interest* exists will be governed by the following procedures:

- a) Copies of any written documents to be considered by the Board of Directors will be provided to the *individual* who may be in a *conflict of interest* situation.
- b) The *individual* who may be in a *conflict of interest* situation will be provided an opportunity to address the Board of Directors orally or, if granted such right by the Board of Directors *in writing*.
- c) The decision will be made by a majority vote of the Board of Directors.

9.2 If the *individual* acknowledges the *conflict of interest*, the *individual* may waive the right to be heard, in which case the Board of Directors will determine the appropriate sanction.

10. **Decision**

After hearing and/or reviewing the matter, the Board of Directors will determine whether a *conflict of interest* exists and, if so, the sanction(s) to be imposed.

11. Sanctions

11.1 The *Board of Directors* may apply the following actions, including but not limited to, 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) Removal or temporary suspension from certain teams, events and/or activities;
- d) Expulsion from Freestyle Alberta
- e) Other actions as may be considered appropriate for the real or *perceived conflict of interest*.

11.2 Failure to comply with an action as determined by the Board of Directors will result in automatic suspension from Freestyle Alberta until compliance occurs.

11.3 The Board of Directors may determine that an alleged real or *perceived conflict of interest* is of such seriousness as to warrant suspension of designated activities pending a hearing and a final decision of the Board of Directors.

12. Enforcement

12.1 Failure by an *individual* to adhere to this policy may give rise to additional disciplinary measures as determined by the Board of Directors.

13. Appeal

13.1 The sanctions imposed by the Board of Directors may be appealed pursuant to the Appeal Policy of Freestyle Alberta.

APPENDIX A

Declaration Form

As a volunteer, employee and/or consultant, you are required to act in the best interests of the *Association*. However, inevitably, all volunteers, employees and consultants have a wide range of interests in private, public and professional life and these interests might, on occasions, conflict.

Facts or circumstances which have the potential to create a conflict between the *Association's* and your personal interests, financial or otherwise, include but are not limited to:

- Being a member, employee, contractor, administrator or owner/shareholder of an organization that is a member, partner, supplier, service provider or client of the *Association*;
- Having a close relative who is a member, employee, contractor, administrator or owner/shareholder of an organization that is a member, partner, supplier, service provider or client of the *Association*.

Please describe below any such relationships, transactions, positions you hold (volunteer or otherwise), or other similar circumstances:

☐ I have no *conflicts of interest* or facts or circumstances to report.

☐ I have the following *conflict(s) of interest* or facts or circumstances to report:

I hereby:

- confirm that I have read the Association's *Conflict of Interest Policy* and I agree to be bound by the obligations contained therein;
- certify that the information set forth above is true and complete to the best of my knowledge;
- commit to inform the *Review Board* immediately of any change to my declaration above;
- commit to declare, at any relevant times in the exercise of my duties as volunteer, employee and/or consultant of the *Association*, every situation that may arise which would make it inappropriate for me to continue to act in that capacity due to a *conflict of interest*.

Name: _____

Position Title: _____

Signature: _____

Date: _____

Witness : _____

Signature: _____



Conflicts of Interest in SPORTS-RELATED DECISION-MAKING



Introduction

The decision-making process in sports can be difficult and can lead to disputes. Conflicts of interest are frequent in the world of sport because the decision makers are often the parents or coaches of athletes. One must recognize that conflicts of interest are often not usually the result of bad faith on the part of the person involved, but are created by the specific circumstances of each case. Volunteers with the best intentions often wear several hats, and this reality enhances the risk for them to be in a situation of conflict of interest.

Types of Conflicts of Interest

A conflict of interest can be real, perceived or potential		
Real conflict of interest	Potential conflict of interest	Perceived conflict of interest
<p>A situation where a person has a significant interest that will influence their judgement and decision making.</p> <p>Example: A father sitting on an appeal committee that is reviewing a decision concerning his daughter.</p>	<p>A situation where a conflict of interest is predictable but not yet real. It will depend on a future event that may occur.</p> <p>Example: A coach is a member of a selection committee for a team for which his/her athlete may try out. At the onset, there is no conflict but one will arise if the athlete tries out for the team.</p>	<p>A situation where a reasonable third person, once aware of the facts, could be concerned about the existence of a conflict of interest.</p> <p>Example: The contract to supply the club's uniform was awarded to the daughter of the chairperson of the board. There is a perception from a member that favouritism occurred. This perception will be mitigated quickly when the member will learn that the board considered bids from several potential suppliers, in the absence of the chairperson who had voluntarily removed herself from the decision making process after declaring the conflict, and awarded the contract to the lowest bidder.</p>

Identifying Potential Conflicts

Many disputes can arise simply because the person affected by the decision perceives an injustice resulting from the appearance of a conflict of interest. The best way to avoid that is to know how to recognize and disclose conflicts of interests when they occur.

Some situations are more serious than others and therefore not all conflicts of interest require the same vigilance. The table herein provides some examples of situations or circumstances which correspond to conflicts of interest of varying severity ("inflexible red", "flexible red", "orange" and "green"). To consult the decision flow chart overleaf first may help the reader better understand the table.

Applying the Standard of Reasonableness to these Guidelines:

All sport organizations should strive to comply with these guidelines in managing and avoiding conflicts of interest. Organizations may use discretion in applying these guidelines, so as to not paralyze their operations with impractical rules. In all cases, however, sport organizations should look to adopt a governance structure that makes it possible for individuals in decision-making positions not to be involved in the issues or situations requiring decisions. A policy on conflict of interest should also put in place a mechanism allowing people to declare any conflicts and withdraw from the decision-making process when appropriate.

www.crdsc-sdrcc.ca

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Inflexible RED LIST

These situations raise the most serious concerns about impartiality.

A basic premise is that one cannot be both judge and person affected by the decision.

The following are examples of circumstances that would disqualify someone from acting as decision maker:

- Having a significant interest, financial or otherwise, in the decision or being potentially affected by it.
- Having a family member who has a vested interest in the decision or is potentially affected by it.
- Having publicly given an opinion concerning the issue to be decided.
- Being the coach (paid or volunteer) of one of the athletes potentially affected by the decision.
- In an appeal process, having taken part in the decision-making process that gave rise to the appeal.
- Being in other situations/circumstances similar to the above.

Disclose these facts immediately and refuse to act as a decision maker by withdrawing completely from the process, including from any discussions about it. No exceptions are possible in these circumstances. **Follow the Inflexible Red List path on the decision flow chart.**

Flexible RED LIST

Serious conflict situations, but less serious than the Inflexible Red List.

This category would be best described with the expression “too close for comfort”. Although the link to the decision or to the persons potentially affected by it is not as direct as in the Inflexible Red list, the following examples of circumstances are cause for concern:

- Having taken a position on the issue at hand at an earlier stage of the decision-making process.
- Having given advice concerning the decision to one of the persons potentially affected by the decision.
- Having close ties with a family member of a person potentially affected by the decision.
- Having a member of your family who coaches an athlete potentially affected by the decision.
- Being the coach of a person potentially affected by the decision, but in another discipline.
- Having a business relationship with a person potentially affected by the decision or with a family member of this person.
- In an appeal process, being the family member of a person who acted as decision-maker in the contested decision.
- Being in other situations/circumstances similar to the above.

Disclose these facts immediately and before the decision is made. When the persons potentially affected by the decision are informed, if they expressly accept that you remain the decision maker, it is up to you to choose whether or not you are comfortable doing so. **Follow the Flexible Red List path on the decision flow chart.**

ORANGE LIST

Situations that could create a perception of conflict of interest among the persons affected by the decision.

Indirect links to the decision or to the persons potentially affected by that decision are found under this category. Examples include:

- Having previously voiced your opinion on a question being posed in this particular decision process.
- Having a family member who acts as a decision maker in another decision-making process involving the same persons potentially affected by the decision.
- Being in other situations similar to the above.

Situations that might otherwise be found in the Flexible Red List may also be mitigated by time elapsed. For example, when professional relationships to persons potentially affected by the decision took place in the past, such as:

- Within the last three years, having coached one of the athletes potentially affected by the decision.
- Having already taken part in another decision process involving one or several of the persons potentially affected by the decision.
- Being in other situations/circumstances similar to the above.

Disclose these facts immediately and before the decision is made. When the persons potentially affected by the decision are informed, if they do not object to you remaining the decision maker within a reasonable timeline, it is up to you to choose whether or not you are comfortable doing so. **Follow the Orange List path on the decision flow chart.**

GREEN LIST

Facts that are not considered, objectively, as a conflict of interest, but warrant caution.

Ideally, the decision maker is:

- Free from any interest in the outcome of the decision-making process;

AND

- Free from any ties with the persons who may be affected by the decision.

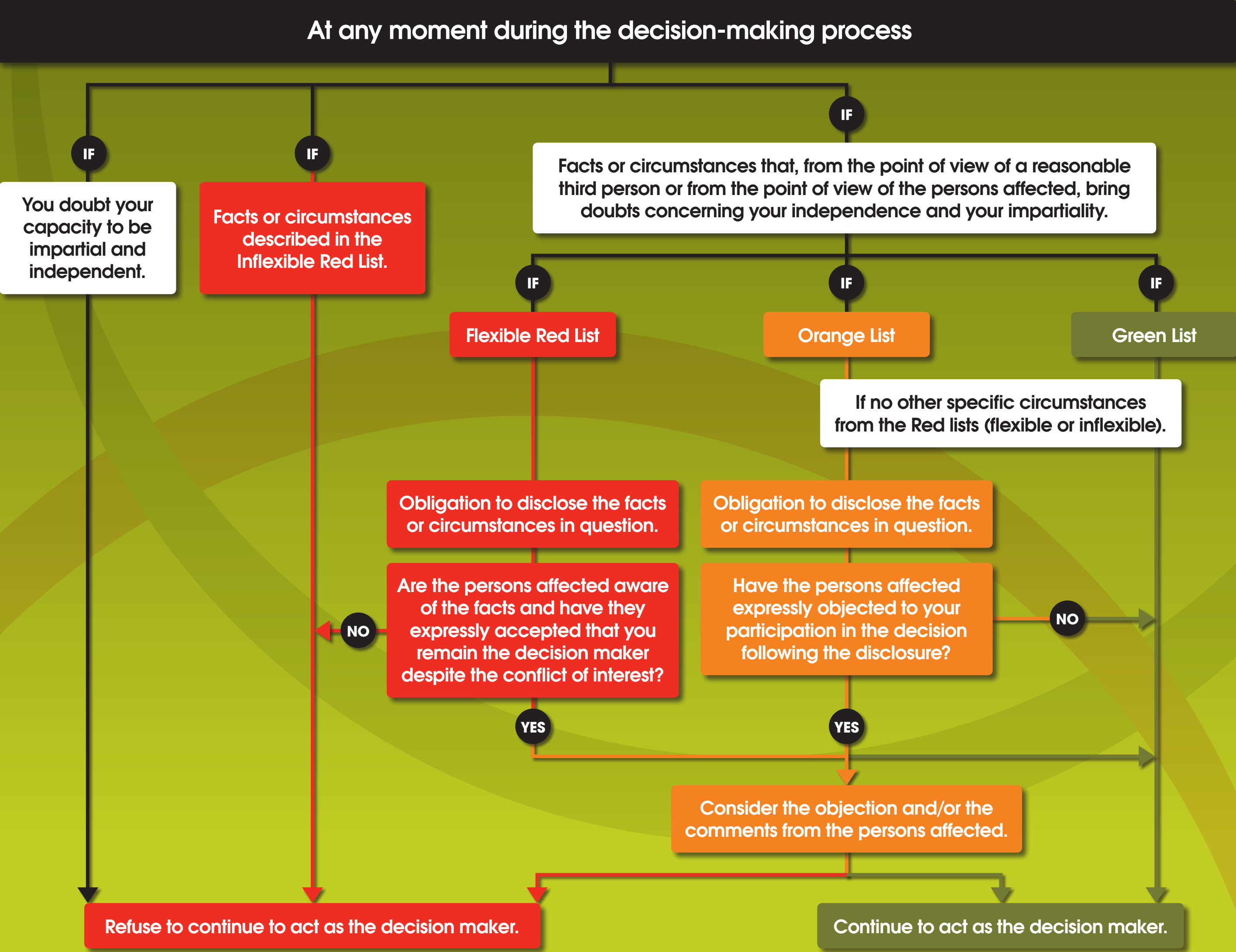
Because it is hardly feasible in some smaller sport clubs or associations to have completely independent decision makers, it is possible for example that those entrusted with an important decision:

- Have a family member who was involved in a previous decision-making process that concerned one of the persons potentially affected by the decision that is about to be made.
- Have personal ties, through membership in the same organization, to persons potentially affected by the decision.
- Have acted together as decision makers in the past with persons potentially affected by the decision that is about to be made (e.g. on the same board or committee).
- Be in other situations/circumstances similar to the above.

Although these circumstances may not disqualify you as decision maker, for the sake of transparency it is preferable that you reveal such facts to the persons potentially affected by the decision. **Follow the Green List path on the decision flow chart.**

Precautions to Take During the DECISION-MAKING PROCESS

If a potential for a real or perceived conflict of interest has been identified, it is important to take action to appropriately deal with the situation to avoid potential negative impacts. The diagram below suggests some precautions to take in each type of situation.





The Myths and Realities of Conflicts of Interest in Sport

by Marie-Claude Asselin

October 2011

From grassroots to international level, the occurrence of conflict of interest in sport organizations is unavoidable. A conflict of interest occurs when someone is in a position to make a decision that affects him/herself, a close relative, a business partner, a friend, or even an enemy. So what should we do when entrusted with such a decision? And what should we do when we think that someone else may be in a conflict of interest?

Myth: People in conflict of interest are bad

Reality: Not at all. On the contrary, people often end up in conflicts of interest inadvertently because they are good. Indeed, the “best people”, those who dedicate a lot of their time to sport, are competent at what they do, and as a result are asked (or begged) to wear multiple hats within a given sport, are most at risk for finding themselves in conflicts of interest. For example, it is not uncommon that parents or personal coaches of potential team members are found to be on team selection committees; or that experienced sport officials sit on the very same committee that could designate them to officiate at an important competition. Surely their technical knowledge or expertise in that particular sport might justify them being on those committees; however if they do not disclose the conflict of interest and they continue to act despite it, they undermine the legitimacy of the decision-making process and make it vulnerable to appeals. Those who truly are “good people” will recognize and disclose the conflict of interest.

Myth: Declaring a conflict of interest is like an admission of guilt

Reality: A conflict of interest is a situation; it is not something one does nor is something to be ashamed of. Because conflicts of interest arise from the existence of special circumstances that are often out of one’s control, disclosing such conflict cannot be construed as an admission of guilt. Evidently, guilt may come afterwards if the situation is not handled properly. The disclosure of a conflict of interest should take place as soon as it is discovered and can be made at anytime, even if the decision-making process is near completion or even after the decision has been made. When people realize that they have been put in a situation of conflict of interest, they would be smart to disclose it themselves and not wait for their integrity to be called into question by someone else. It can only bring them respect.

Myth: Pointing out a possible conflict of interest is an accusation

Reality: The answer to this stems from the previous myth. As much as declaring a conflict of interest is not an admission of guilt, pointing out a potential conflict of interest is merely looking out for due process. When individuals in decision-making positions are not properly informed of

Perceived, Potential or Real?

Real Conflict of Interest: A situation in which a person has a private interest that is sufficient to influence him/her in the exercise of other duties. An example would be a father sitting as member of an internal appeal panel to review a decision previously rendered by his daughter in her capacity as high performance chairperson. The decision-maker (the father) places himself in a situation of conflict of interest because his ruling will have a significant impact on a personal relationship with an immediate family member. One can imagine the ambiance of the next family gathering if the father was to overturn his daughter’s own decision. The father here should disclose the conflict and decline the appointment.



what a conflict of interest is, they may not even realize that they are in one. In fact, a common test to verify the presence of a perceived conflict of interest is to determine whether a reasonable person not involved in the situation might think that certain factors, unrelated to the issues to be decided, are likely to influence a decision-maker's judgment. As a third party looking in, your point of view may actually contribute to this person realizing the impropriety of acting in such decision-making capacity. Of course, tact is always of the essence in raising any such concerns.

Myth: There can't be a conflict of interest if there is no money involved

Reality: This could not be further from the truth. The definition of conflict of interest goes well beyond the potential for pecuniary gain. It may include such concepts as friendship, love, envy, ambition, or prestige. Whenever the decision-maker has something to gain, whether financial, material or emotional, from a particular outcome (as opposed to another outcome) of the issue to be decided, conflict of interest is present.

Myth: I can still be objective

Reality: A lot of people tend to think so but that is unlikely to be. We are all human beings and true objectivity requires complete independence; that is, total disinterest for the outcome. Some individuals will be so cautious as to favor, in case of a "close call", the outcome that goes against what their conflict of interest would suggest. That is not an act of courage or nobility; it is purely a disservice to fairness for the person on the receiving end of the decision. Even if you maintain that you can be objective, it is simply not for you to decide. That determination belongs to the people who are in a position to be affected by your decision.

Myth: If nobody finds out, it's OK

Reality: People engaged in cheating, doping, collusion or corruption, do it to gain an unfair advantage with the hopes of never getting caught. If someone does find out that you were in conflict of interest and did not disclose it, then it is your own credibility that is in jeopardy. Moreover, it will cast doubt on the objectivity of the decision-making process and embarrass the entire organization on behalf of which you are acting. Is it really worth the risk? People who think so should ask themselves what makes it worth the risk; if the answer has anything to do with their desire to control the outcome of the decision-making process, they should seriously reconsider their motives for being involved in sport.

Myth: If you're in conflict of interest, you should automatically remove yourself

Reality: Withdrawal is not always the only solution. Different situations may cause conflicts of interest of various degrees of importance, some of which may not justify such a drastic move. In some cases, individuals who will be affected by your decision may actually trust that you are, despite the perceived or real conflict, the best person to be making it. The seriousness of the

Perceived, Potential or Real?

Potential Conflict of Interest: Refers to a conflict of interest that is foreseeable but not yet real. This may occur for example if a personal coach is named a member of the Olympic team selection committee of his NSO, with a strong possibility that his top athlete will be vying for a spot on that team. At this stage, it is still a *potential* conflict because we are unsure whether the athlete's performances will lead her to even be considered for the team. If however the athlete in question is successful in meeting minimum criteria and becomes a candidate for consideration by the committee, the conflict will become *real*. The personal coach would then be advised to declare the conflict and leave the meeting when the committee will discuss the selection of his athlete. Because potential conflicts can be anticipated, arrangements may be made in advance to facilitate disclosure and removal without too much disruption in the process.



issues at hand can also impact whether the conflict of interest could be disregarded by the individuals involved. For example, a teenager acting as referee in a U-5 exhibition soccer game in which his younger brother plays may not raise an eyebrow. On the other hand, a mother sitting on the carding committee that will determine if her son will receive thousands of dollars in direct funding is of much greater concern. If you recognize yourself to be in a situation where your objectivity can be brought into question, the first thing to do is to disclose it. Being upfront about the facts that may have an effect on your ability to be impartial will enable the people potentially affected by your decision to determine whether those facts create a real concern for them. Prompt and full disclosure allows people to judge the potential negative impact on them if you remain in that decision-making capacity. If they are given an opportunity to object and they expressly agree that you remain the decision-maker, you and only you will then have to decide whether you think you can remain objective.

Myth: It's all about individuals being honest.

Reality: Let's not pretend that managing conflict of interest is all about how each honest individual should behave. Members of a sport organization act as they are told to act; they are also deemed to be acting in good faith within the boundaries of their knowledge. So if your organization does not have a clearly articulated and communicated policy on conflict of interest, you are in the wrong as much as individuals who unknowingly act in conflict of interest on your behalf. Your conflict of interest policy should guide your members, minimally, on the following elements: what is a real or perceived conflict of interest, how should one recognize a conflict of interest, and how should one react in such situation. Because most people in a given sport community know each other or at least know of each other, it is important for your sport organization to foster a culture that makes it acceptable to declare conflicts of interest and that deals appropriately with them.

Perceived, Potential or Real?

Perceived Conflict of Interest: When there is a reasonable apprehension that a conflict of interest exists. This means that someone may reasonably think that there is a conflict of interest even though there may not be one at all. Disclosure of facts and circumstances at the origin of that person's beliefs may uncover a real conflict, a potential conflict, or no conflict at all. In our example, the Board of a sport club recently awarded a contract to the IT company of a fellow Board member to redesign the club's website. Any reasonable person looking in would find this suspicious. Upon verification of the facts, it was discovered that: 1) the Board member in question had sent advance notice to the Board that her company would respond to the request for proposals; 2) she was never provided with copies of the proposals received and she left the meeting before the proposals were assessed; 3) a blind evaluation took place during which the Board selected the lowest bid without knowing it was from their colleague's company; 4) upon announcement of the contract award, the Board member in question made arrangements with her accountant to ensure that any revenue from this contract would be split equally between her other two business partners so that she would not personally benefit from the contract. In this case, while there was a *potential* conflict of interest, all precautions had been taken to ensure that there was no *real* conflict of interest.

Unfortunately, all the preventive work and education does not eliminate the possibility that situations arise where conflicts of interest are not properly recognized or disclosed. If you are negatively affected by a decision that is tainted with a potential or real conflict of interest on the part of the decision-maker, you may have grounds to have this decision reviewed. You should be informed of your right to appeal such decision, either through your sport organization's internal appeal process or through other dispute resolution services such as those of the SDRCC.■