



**PEICOT**

**Policies & Procedures**

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**Conflict of Interest**

**CATEGORY: Governance**

**AUTHORITY: RHPA/Regulations**

**POLICY TITLE: CONFLICT OF INTEREST**

**Introduction**

The PEI College of Occupational Therapists is governed by a Council comprised of elected members and appointed public representatives. The strategic goals and policies established by Council provide direction for the staff of the PEI College of Occupational Therapists. The College takes seriously the responsibility with which it has been entrusted by the public, and governs the practice of occupational therapy in Prince Edward Island in the interest of the health and well-being of the public.

The College recognizes that having a Council and committees comprised of elected and appointed members who volunteer, makes it unreasonable to expect these individuals to cease outside activities during their term of office. Regardless of outside affiliations, each member of Council has a duty to act in the best interest of the College. However, such outside activities and affiliations may give rise to situations in which the member is in, or is perceived to be in, a conflict of interest. The appearance of conflict of interest can damage the reputation and image of the PEI College of Occupational Therapists and compromise its ability to fulfill its mission and mandate.

**1.0 Application**

1.1 For the purpose of this document the term “member” refers to Council members, staff, delegates, committee members, and working groups of the PEI College of Occupational Therapists.

1.2 This policy applies to members during their term of office, and in the case of confidentiality and other relevant sections, after they have completed their term.

1.3 For the purpose of this document, the term “College” refers to the Prince Edward Island College of Occupational Therapists.

**2.0 Procedures**

**2.1 Definitions**

2.1.1 *Conflict of Interest*: Any situation in which a member or their immediate family member has, foreseeably will have, or may be perceived to have, a private or personal interest which results in the following:

- (a) The objective of their official College duties being influenced to the detriment of the College or its mandate;
- (b) A gain or advantage or showing of preference to a member or their immediate family member to the detriment of the College or its mandate;

2.1.2 *Immediate Family*: Includes father, mother, step-parents, brother, halfbrother, stepbrother, sister, half-sister, step-sister, spouse, child of the employee, father-in-law, mother-in-law, daughter- in-law, son-in-law, brother-in-law, sister-in-law, step child, ward of the employee, grandparent or grandchild of the employee, and a relative permanently residing in the employee’s household or with whom the employee permanently resides or a close friend.



# PEI College of Occupational Therapists

## **2.2 Conflict Declaration**

2.2.2 Members are expected to use good judgment, to adhere to high ethical standards, and to conduct their affairs in such a manner as to avoid any actual or potential conflict between their interests and those of the College.

2.2.3 Each properly constituted meeting of the Council, committee, or working group of the College will contain a standing provision for oral declaration of conflict of interest.

2.2.4 Members who believe themselves to be in conflict with items to be addressed during the meeting must declare the conflict prior to any discussions surrounding the item in question. Members will be given an opportunity at the beginning of every meeting to declare any potential conflicts of interest, either real or perceived.

2.2.5 All members who have reason to believe that another member has a conflict of interest, shall be given an opportunity to state their concerns at the beginning of each meeting.

2.2.6 Members who will not be present at the meeting at which they have reason to believe that the Council or committee will act on a matter in which the member has a conflict of interest shall disclose to the Chair of the Council all facts relating to the conflict. The Chair shall report the declaration at the meeting.

2.2.7 Declarations of conflicts shall be reflected in the minutes of the meeting.

## **2.3 Conflict Identification and Resolution**

2.3.1 Where a member is unsure if they are in conflict, the member must raise the perceived or potential conflict with the Council or committee, disclosing all facts relating to the conflict. The member shall excuse themselves during the Council or committee's discussions of the matter and shall not be permitted to participate in the vote to determine if the conflict exists.

2.3.2 A member who has a conflict of interest with respect to a decision, policy or action that will be voted on at a meeting shall not be counted in determining the presence of quorum for purpose of the vote.

2.3.3 In recognition of the fact that the identification of conflicts of interest is sometimes difficult, members are encouraged to alert fellow members to possible conflicts where they may exist. The member alerted will declare the potential conflict to the Council or committee and then follow the policy described in 2.3.1.

2.3.4 Where it has been determined that a member has not declared a conflict of interest and/or has not satisfactorily addressed the conflict of interest situation, Council will consider the extent to which the duty to act in good faith and in the best interests of the College has been breached in its consideration of the need for redress. Breaches that are deemed by Council to be severe may result in the removal of the member from their position with the Council or committee.

2.3.5 The Registrar will notify the Chair of any real or perceived conflict of interest as soon as they become aware of the current or pending conflict of interest.

## **3.0 Conducting Business with the College**

3.1.1 Members must not conduct private business with the College except through established processes that are transparent and controlled to assure openness, competitive opportunity and equal access to information.

3.1.2 Members must not use their position to obtain employment with the College or other stakeholders for themselves or their family members.

3.1.3 Should a member be considered for employment by the College, they must temporarily withdraw from Council deliberations, voting and access to information pertaining to the employment.

## **4.0 Agreement with the Conflict of Interest Policy**

4.1 Upon appointment or election of a member and annually at the AGM, the member shall acknowledge that they have read, and are in agreement with, the PEI College of Occupational Therapists Conflict of Interest Policy, by signing and submitting a Conflict of Interest form, Schedule A of this policy.



# PEI College of Occupational Therapists

## **Schedule A Conflict of Interest Policy Declaration**

The Prince Edward Island College of Occupational Therapists takes seriously the responsibility with which it has been entrusted and preserving its mandate. To maintain this position of trust, the College has established a conflict of interest policy to prevent situations of actual or perceived conflict which would diminish the College's ability to fulfill its mission.

For the purpose of protecting the mission and reputation of the College while members participate in activities and affairs of the College, please acknowledge your understanding of and commitment to abide by intent of the conflict of interest policy by signing the statement below:

I, \_\_\_\_\_, acknowledge that I have read and understand the Conflict of Interest Policy adopted by the PEI College of Occupational Therapists and will abide by the policy during my term with the College.

\_\_\_\_\_  
Member signature

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Date