

POLICY # 203

CONFLICT OF INTEREST

Preamble: Employees and board members of the Yukon Montessori School must, in the performance of their duties, conduct themselves honestly, with personal integrity and avoiding any conflict of interest. Employees and board members shall avoid any situation or activity that compromises, or may be perceived as compromising their judgment or ability to act fairly, without bias and in the best interests of the Yukon Montessori School.

Purpose:

This policy aims to ensure employees and board members understand situations that could constitute a conflict of interest or perceived conflict of interest, to minimize the occurrence of conflicts of interest and to manage them when they do arise. It does not necessarily prohibit activities which involve a conflict of interest, but rather requires full disclosure and transparency. The intent is for employees and board members to conduct themselves in a manner that ensures the best interests of the Yukon Montessori School.

Scope: This policy applies to all employees and members of the board of directors of the Yukon Montessori School.

Definition:

A direct conflict of interest can occur when an employee or board member may, as a result of their role, duties or responsibilities to the Yukon Montessori School, derive, or be seen to derive, financial or personal benefit or an opportunity to avoid financial or personal loss.

An indirect conflict of interest arises when a third party who has a relationship with an employee or board member may derive or be seen to derive, through the employee's or board member's role in the School, financial or personal benefit or opportunity to avoid financial or personal loss.

While the benefits, losses, interest and relationships giving rise to a conflict of interest are generally financial in nature, they are not limited to such. Any behavior giving rise to a conflict or a perception of a conflict of interest requires a declaration.

Approved by Board on: February 2024

Date for next review: February 2026

For the purposes of this policy, real and perceived conflicts of interest are considered.

Policy:

Employees or board members who have a conflict or may be perceived as having a conflict must disclose this conflict in writing to the Executive Director and/ the President of the Board. Board members must abstain from voting on any matters in which there is an actual conflict or perceived conflict of interest.

Procedures:

Requirement to Report a Conflict of Interest

For Employees

- Employees must promptly disclose in writing to the Executive Director any information regarding their involvement in any activity or situation giving rise to an actual or perceived conflict of interest.
- If an employee is unsure whether they may have a conflict of interest, the employee should discuss this matter with their supervisor.
- An employee who alleges conflict of interest on the part of another employee, should report this to their direct management supervisor, in writing. The executive director who receives a written report of an alleged conflict of interest may seek guidance from the President of the board.
- In a situation where a conflict of interest, as deemed by the Executive Director, is not reported by an employee and therefore violates this policy, the course of action for the individual includes, but not limited to, mandatory training, possible termination and legal action if required.
- The Executive Director will keep a record of all alleged and declared conflicts of interest.

For Members of the Board of Directors

- Board members must promptly disclose in writing to the President any information regarding their involvement in any activity or situation giving rise to an actual or perceived conflict of interest.
- If a member of the Board is unsure whether or not a situation constitutes an actual or perceived conflict of interest, they should discuss the matter with the President of the Board.
- Board members shall abstain from voting on decisions that are of actual or perceived conflict of interest.

- A board member who alleges conflict of interest on the part of another board member, should report this to the President of the board in writing.
- In a situation where a conflict of interest, as deemed by the President of the board, not be reported by a board member and therefore violate this policy, the course of action for the individual includes, but not limited to, mandatory training, possible termination as a board member and legal action if required.

Authority

The Executive Director, working with the Board President, will determine, in accordance with this policy, whether a conflict of interest exists.

Some examples of conflict of interests include but not limited to:

- A Board member is related to another board member or staff member by blood, marriage, or domestic partnership.
- A Board member or their organization stands to benefit from a transaction or employee of such organization receives payment from the Yukon Montessori School for any subcontract, goods, or services other than as part of his/her regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
- Anyone in a position to make decisions about spending the Yukon Montessori School's resources (i.e. transactions such as purchase contracts)--who also stands to benefit from that decision--has a duty to disclose that conflict as soon as it arises or becomes apparent. He/she should not participate in any final decisions.

Sign off of this policy:

- A copy of this policy shall be given to all board members and employees upon commencement of such person's relationship with the Yukon Montessori School.
- Each board member and employee shall review this policy and sign the declaration form at the beginning of his/her term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

