

CONFLICT OF INTEREST

Policy

This policy applies to all committees, task groups and commissions accountable to the Board of Elders which serves as the decision-making body for Metropolitan United Church. Within this policy, all committees, task groups and commissions are hereinafter referred to as a “Committee.”

Responsibilities

Members of a Committee:

1. **must avoid** situations where their duty to Metropolitan is in conflict with the duty they owe to another organization. That could happen where a member of the Committee serves another organization (e.g., charitable group, church-affiliated corporation) as an employee, contractor or in an elected leadership role;
2. **must not participate** in any decision by that Committee which could result in direct or indirect benefit to them;
3. **must not give**, in the performance of their duties for that Committee, preferential treatment to relatives or friends or any other organization in which they have an interest;
4. **must not benefit** from the use of information acquired during the course of their participation on that Committee, if that information is not generally available to the wider church;
5. **must not use** any property provided for the use of that Committee for any kind of activities other than the work of the Committee;
6. **must not accept** or offer, or agree to accept from a person who has dealings with that Committee, any reward, advantage or benefit of any kind, either directly or indirectly; and
7. **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 Committee.

Exceptions

There are exceptions to situations that might otherwise be considered a conflict of interest.

1. **Monetary conflicts** – A monetary conflict arises where the Committee is considering a decision that may have a monetary effect, either positive or negative, on a member of the Committee or a person close to the member (relative or friend). It is not a conflict of interest, if, in the opinion of the Board of Elders, the member’s monetary interest is substantially the same as the monetary interest of all other members of the Committee.
2. **Non-monetary conflicts** – A non-monetary conflict arises in any circumstance where a member of the Committee is constrained in any way from acting in the best interest of Metropolitan United Church. That could occur where a member of the Committee or person close to the member stands to gain a benefit in some non-monetary way from a decision that the Committee is considering (e.g., appointment to a particular elected/named position). It is not a conflict of interest if, in the opinion of the Board of Elders, the member’s conflict is so remote that it is not likely to affect the member’s decision.
3. **Membership in a Committee through intentional representation from other organizations** – It is not a conflict of interest when a member who represents another organization on the Committee brings the perspective of the other organization to the decision-making of the Committee. 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 Committee is considering a decision that affects the other organization.

4. **Waiver of conflicts** – In any situation where a member has an apparent conflict of interest, the Committee may waive the conflict of interest and allow the member to participate in the decision-making. The Committee must be satisfied that waiving the conflict will not negatively impact on the transparency and integrity of the Committee’s decision-making.

Practice

1. **Knowledge/awareness of conflicts** – Members of a Committee must be constantly aware of the need to avoid situations that might result in a conflict of interest. Orientation and education of members is important.
2. **Identifying conflicts** – As a member participates in the work of the Committee, they must consider whether any particular item of business presents a conflict situation for them. If unsure, the member may seek advice in discerning whether a conflict exists.
3. **Disclosing conflicts** – A member informs the Committee of the conflict at the earliest opportunity once the member becomes aware of the conflict.
4. **Refrain from all participation** – The conflict of interest may involve a situation where the member stands to gain personally, or where the member’s relatives or close 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, as well as abstaining from the actual vote.
5. **Refrain from voting (but not discussion)** – The conflict of interest may involve a situation where the member’s duty to the Committee is in conflict with the duty the member owes to another body. In such case, the member may participate in the Committee’s discussions on any matters to which the conflict of interest relates. The member must, however, abstain from the actual vote.
6. **Responsibility of other members** – If the member fails to notice, or to declare, a conflict of interest, any other member may raise the matter with the Committee. Once the issue has been raised by another member, the member with the potential conflict may acknowledge the conflict and withdraw from participation and/or voting.
7. **Decision by Committee** – If the member with the potential conflict disagrees that a conflict exists and/or does not withdraw from participation in the decision-making to the extent required, it is up to the Committee to determine the issue before proceeding with the item of business. If the Committee decides that a conflict exists, and makes no decision to waive it, the member is excluded from participation in the decision-making; the member may be required to leave the room while the matter is under discussion and/or to abstain from voting.
8. **Documenting** – The minutes of the meeting record all disclosures of conflicts of interest, all abstentions in voting based on a conflict of interest, and all decisions by the Committee with respect to conflicts of interest, including the determination of any exceptions that apply.

Related Metropolitan Policies

Committee Membership

Related Documents/External Resources

United Church of Canada’s General Council Policy

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