

Conflict of Interest Policy

This policy applies to all members of Council and all non-council members of committees of Council (collectively referred to as “members”) and mirrors the policy which applies to College employees.

A conflict of interest exists where a reasonable person would conclude that a member’s personal or financial interest may affect their judgment or the discharge of their duties to the College. A conflict of interest may be real or perceived, actual, or potential, direct, or indirect.

Commitment

Members must avoid or resolve conflicts of interest while performing their duties for the College. Even if there is no actual conflict of interest, members must make best efforts to avoid situations which might be perceived as a conflict of interest.

Members must disclose any real or perceived conflict of interest in which they may be involved at the earliest opportunity. Members must remove themselves from discussion on issues with which they have a conflict.

In the absence of expressed approval from Council, all members ***must not***, either directly or indirectly (through families, friends or otherwise):

- place themselves in a position where any benefit or interest other than ordinary remuneration as a member could be derived from a transaction with the College;
- participate in activities that compete with the College or that interfere or appear to interfere their duties and responsibilities to the College;
- appropriate to themselves any business opportunity in which College may be interested;
- convey material information to others or take material Information for their own use or benefit;
- have a financial or other interest in any entity doing business with the College;
- fail to disclose information that is relevant to a vital aspect of the affairs of the College; or
- have competing fiduciary obligations and roles in other organizations that may, or may be perceived to, conflict with or be inconsistent with the interests or mandate of the College.

Gifts, Payment, and Entertainment

No gift or benefit of any kind shall be given or received by a member where it might be perceived that an obligation is created or a favour expected of the recipient. The giving of gifts or promotional items of modest value in the context of appropriate business conduct is permissible.

Receipt of excessive entertainment is prohibited, however it is permitted to accept hospitality or entertainment, provided it is within the limits of responsible and generally accepted business practice.

In circumstances where doubt arises as to the propriety of accepting a gift, direction from Council Chair should be sought as to the gift's acceptance and disposition.

Professional Conduct

Members are expected to avoid reasonable apprehension of bias in the College's Complaints and Discipline process.

If an allegation is filed with the College against a physician member, the CEO and Registrar and the Chair of the Council, in consultation with Corporate Counsel for the College, will review the allegation to consider whether there is a potential reasonable apprehension of bias if the member continues to serve as a member of Council or a committee of Council. If concerns are noted, the member must withdraw from Council and committees of Council until a final decision has been rendered on the allegation by the Complaints Authorization Committee.

If an allegation is referred as a complaint to the Discipline Panel, the affected member must either withdraw or resign from Council and committees of Council. If the member is found guilty and a suspension of licensure is ordered by the Adjudication Tribunal, the member will not be permitted to return to College duties until the period of suspension has been served. If the member is not found guilty, or a suspension of licence is not ordered by the Adjudication Tribunal, a member who has withdrawn will be permitted to return to College duties.

Process for Resolution of Conflicts of Interest

Acting in a conflict of interest is a breach of Council policy and may be the basis for removal from Council and/or a Council committee. If Council is not satisfied that a conflict is resolvable, they may ask the member to resign.

If a conflict of interest is unavoidable, the Council member must:

- make full, frank, and timely disclosure of the conflict of interest to Council; and
- work towards resolving this conflict so that it is in the best interests of the Council and/or College;

Simple disclosure of a conflict to the Council and/or College **does not** resolve the member's conflict of interest. Where an allegation of conflict of interest is made, the onus remains on the member to adhere to proper protocol and justify their actions.