

Conflict of Interest – Annual Declaration

Source: Governance Policy Manual #4.11

Note: The Conflict of Interest Policy can be referenced on pages 4-6 of this document.

Each Board Member (Board Director and Community Member of the Board Committees) and Executive shall complete and sign this form and deliver it to the Board's Secretary (the Chief Executive Officer) in respect of each fiscal year of the St. Thomas Elgin General Hospital ("STEGH") by no later than April 30 in each year. For any questions concerning the Conflict of Interest Policy¹, please contact the Secretary.

I am (check the appropriate box(es)):

- a member of the Board of Directors
- a Community Member on a Board Committee
- an Executive

I declare that:

- (a) I have read and am bound by the Conflict of Interest Policy.
 - (b) At the present time, and at all times during the past fiscal year (April 1 to March 31) of STEGH: (check the appropriate box)
 - Neither I nor any Associate² (as defined in the By-Law) are, or have been, in a conflict of interest situation nor am I aware of any fact situation which could give rise to a conflict of interest.
- or
- I am, or an Associate is, or have been, in a conflict of interest situation or a potential or perceived conflict of interest situation and I have notified the Chief Executive Officer and have listed the actual or perceived conflicts on Appendix A below.
- (c) I understand and acknowledge that my failure to comply with Conflict of Interest Policy will be considered a breach of my obligations to STEGH and may result in discipline up to, and including termination of employment, privileges or office.

Signature

Name (Print Please)

Date

¹ Reference is made to STEGH's Conflict of Interest Policy set out in the Governance Policy Manual as may be amended from time to time.

² "Associate" is defined in the By-Law as follows: "Associates" in relation to an individual means children living in the individual's household, or the individual's parents, siblings, spouse, or common law partner, and includes any organization, agency, company or individual (such as a business partner) with a formal relationship to the individual.



Board Chair / Chief Executive Officer to Complete

Declaration is Acceptable/ Unacceptable (check the appropriate box(es)).

Comments:

Signature

Name (Print Please)

Date



4.11 CONFLICT OF INTEREST POLICY

4.11.1 Purpose

The purpose of this policy is to:

- (a) promote integrity and public trust;
- (b) define principles and behaviours that instill a high level of ethical conduct for the members of the Corporation (collectively the 'Members');
- (c) provide guidelines for identifying situations that may give rise to conflicts of interest; and
- (d) establish the process for eliminating potential conflicts of interest.

4.11.2 Policy

- (a) A Conflict of Interest occurs when a person's private affairs or financial interests are in an actual or perceived conflict with their duties to the Corporation. Each Member owes a duty to the Corporation to advance its legitimate interests when the opportunity to do so arises and to refrain from activities which could hinder their ability to act in the Corporation's best interest, have the potential to do so or could be perceived as doing so.
- (b) Members must avoid all situations in which their personal interests conflict or might conflict with their duties to the Corporation. Members are free to engage in outside employment, business, and community activities; however, in doing so individuals should seek to avoid acquiring any interests or participating in any activities that would tend to deprive the Corporation of the time or attention required to perform their duties properly, or create an obligation or distraction which would affect their judgement or ability to act solely in the Corporation's best interest.
- (c) Under no circumstances is a Member to use the Corporation's resources of any kind (including but not limited to mobile technology, telecommunications, equipment, computers, work time, email communications and devices, etc.) in conducting their outside employment, business, community activities or personal affairs.
- (d) Members shall not use their status or position with the Corporation or misuse information of the Corporation for personal gain.
- (e) Members are required to disclose in writing all clinical, research, business, commercial or financial interests or activities that might reasonably be regarded as creating an actual or potential conflict with their duties.



4.11.3 Rules

The rules and examples that follow do not exhaust the possibilities for Conflict of Interests, but they identify situations covered by this policy.

(a) Special Treatment

Members are not allowed to use their positions to give anyone special treatment that would advance their own interests or that of any member of their family, their friends or business associates.

(b) External Activities

An external activity is defined as any outside work, employment, occupation or business activity that is not part of that Member's normal duties and does not involve them acting for or on behalf of the Corporation.

Members may not engage in any external work or business activities that:

- (i) uses their position or information that they gain through their relationship with the Corporation for private or personal gain;
- (ii) impedes or negatively influences their ability to carry out their duties; and
- (iii) adversely affects the reputation of the Corporation in any way.

(c) Using the Corporation Property

Members may not use, or permit the use of the Corporation property, facilities, equipment, supplies or other resources for activities not associated with their duties.

(d) Confidential Information

Members may not disclose confidential or privileged information about the Corporation property, business or financial activities, or use confidential information to advance personal or others' interests.

(e) Financial Interest

Members who knowingly, or could be perceived to have, have financial interests in a Corporation contract, sale or other business transaction, or have family members or business associates with such interests, must not represent or advise the Corporation in such transactions.



4.11.4 The Process

(a) Annual Responsibilities

Board Members (i.e., Board Directors and Community Members on Board Committees) and Executives shall complete an annual disclosure and attestation in the form appended as Schedule A below.

(b) Requirement to Report Conflict of Interest

(i) Members must disclose in writing to the Board Chair and Chief Executive Officer any potential or perceived Conflict of Interest situation. If a potential Conflict of Interest develops where one did not previously exist, they are responsible for advising the Board Chair and Chief Executive Officer immediately.

(ii) A Member who has declared a potential or actual Conflict of Interest will receive written response from the Board Chair and/or Chief Executive Officer on how to avoid/resolve the conflict.

(iii) The final method of resolution will be documented and retained in the file of the person who made the declaration.

(c) Refrainment from Engaging

In the event that a potential Conflict of Interest has been declared in writing to the Board Chair and Chief Executive Officer, the Member will, to the extent possible, refrain from engaging in any activity to which the Conflict of Interest relates until such time as the Board Chair and/or Chief Executive Officer has ruled on the matter.

(d) Deemed to be Eliminated

Provided that the steps set out in this policy to identify and resolve a Conflict of Interest have been taken and provided that the appropriate level of authority, as set out above, has authorized a course of action, and the Member has adhered to such course of action, then a Conflict of Interest shall be deemed to have been eliminated.

(e) Failure to Comply

Members who fail to comply with this policy by not declaring a Conflict of Interest and/or following the procedures set out will be considered to be in breach of their obligations to the Corporation. Such a breach may result in discipline up to and including termination of employment, privileges or office.