



# Conflict of Interest Policy

## FICS INTERNAL POLICY DOCUMENT

### DOCUMENT CONTROL

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### AMENDMENT RECORD

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V0.1	19Sep2019	Initial Draft Release	Graeme Harrison-Brown
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## A. Introduction

The International Federation of Sports Chiropractic / Fédération Internationale de Chiropratique du Sport (FICS) must meet high ethical standards in order to merit the trust of the chiropractic profession, its stakeholders and the wider public. The integrity of FICS depends on ethical behavior throughout the organisation and, in particular, on fair, informed decision-making. The ability to make a decision is sometimes affected by other interests (personal or professional) of individuals in the organisation. Such conflict of interest situations are a regular part of organisational or personal life and cannot simply be eliminated. The objective of this policy is to permit FICS to manage conflict of interest situations successfully and resolve them fairly.

## B. Scope

This policy applies to all members of the FICS Executive, Council, Commissions and Committees, volunteers, service providers and employed staff. Collectively, these groups shall be referred to throughout this document as 'relevant persons'.

## C. Definition of Conflict of Interest

A conflict of interest is a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties at FICS.

'Private or personal interest' refers to an individual's self-interest (e.g. to achieve financial profit or avoid loss, or to gain another special advantage or avoid a disadvantage); the interests of the individual's immediate family or business partners; or the interests of another organisation in which the individual holds a position (voluntary or paid).

'Objective exercise of duties' refers to an individual's ability to carry out her or his responsibilities in the best interests of FICS.

## D. Types of conflict

A Council or Committee member, service provider, employee or volunteer of FICS may be in a conflict of interest situation that is:

1. Actual or real, where his/her official duties are or will be influenced by his/her private interests;

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2. Perceived or apparent, where his/her official duties appear to be influenced by his/her private interests.
3. Foreseeable or potential, where his/her official duties may be influenced in the future by his/her private interests.

### E. Responsibilities

Members of the FICS Executive and Council, Committee members, staff, service providers and volunteers are responsible for managing conflict of interest situations in order to ensure that workplace behaviour and decision-making throughout FICS are not influenced by conflicting interests.

FICS supports an organisational culture in which people freely take responsibility for both self-declaring possible conflicts of interest and respectfully raising possible conflicts faced by others in the organisation. This culture makes it possible to avoid many such situations arising in the first place. Executive, Council and Committee members, service providers, staff and volunteers have the responsibility to implement practical preventative measures, such as:

1. Providing education about what to do when gifts or hospitality are offered;
2. Providing meeting agendas in advance to enable participants to foresee possible conflicts;
3. Ensuring that people are clearly told when information must be protected from improper use;
4. Declining involvement in an action (such as supporting a questionable outside activity).

### F. Responsibility for managing

Where prevention is not the solution, conflict of interest situations must be managed. Here are the steps to be taken by those involved in such situations, working together and supporting one another's ethical responsibilities.

1. Declare it. Ensure transparency by self-declaration, and by making sure that a record of the declaration is made.
2. Discuss it. In a doubtful situation, take a moment for a quick word with the chair of your meeting, or undertake a full dialogue with the group, if the situation warrants it.
3. Deal with it. Measures to mitigate or eliminate a conflict of interest will depend on what is appropriate to the severity of the situation. Options include:
  - a) Restrict the involvement of the individual. For example, withdraw from decision-

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making. This would not be appropriate if the conflict of interest arises frequently or if the individual cannot be separated from parts of the activity.

- b) Recruit a third party to assist. For example, ask a disinterested party to sit on a hiring board. There will be situations where no appropriate third party is available.
- c) Remove the individual from affected duties. When restrict and recruit are no suitable options, the individual with the conflict may be removed from duties related to the conflict. The individual could transfer to other duties.
- d) Relinquish the private interest. In cases of serious conflict, the individual may choose to drop the private interest, such as membership of the Board or other formal association with another organisation which is causing the conflict.
- e) Resign from official duties. In serious cases where other solutions are not possible, the individual may have to resign from the position creating the conflict.
- f) Document what has been done. Council minutes, correspondence to internal parties, or other documentation will provide a record of steps taken.

### G. Policy Application

This policy must be explained to all new Executive, Council, Commissions and Committee members, volunteers, service providers and staff. All such affected persons must agree in writing at the outset of taking a position or volunteering with FICS that they will abide by this policy.

At that time, all Executive, Council, Commission, Committee members, volunteers, service providers and staff must disclose possible conflict situations to the Secretary-General in confidence. Subsequent material changes must be disclosed when they first emerge.

The Secretary-General will indicate to each individual whether any further action is necessary to manage the possible conflicts of interest disclosed. Actions might include the following, depending on the severity of the conflict:

1. Declaring the conflict to all concerned before discussion or decision-making
2. Withdrawing from final decision-making only
3. Withdrawing from all aspects of discussion and decision-making.

The Secretary-General is also the final authority on resolving disputes, for example when an individual does not agree with the perception that he or she is facing a conflict of interest.

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The Secretary-General is the authority on dealing with real conflicts of interests which are discovered 'after the fact'. A variety of serious measures, such as cancelling a contract or post appointment, may have to be considered, case by case, in such situations. An independent legal opinion may be involved in the final disposition.

For the purposes of this policy, the President is the appropriate authority in all matters relating to the affairs of the Executive and Council and to any issues involving the Secretary-General's own affairs. Any issues involving the President's own affairs will be dealt with by the FICS First Vice- President and the Executive. The Secretary-General is the authority in all other matters.

### H. Transparency

The application of this policy involves two types of transparency:

1. Confidential disclosure: Affected persons must provide information on possible conflicts of interest and related matters to the Secretary-General (or President if appropriate). This information will be kept strictly confidential.
2. Declaration to concerned parties: If the Secretary-General (or President if appropriate) deems that a particular element of information on a possible conflict of interest must be provided to a wider audience of concerned parties (such as the members of a commission, committee or the Executive/Council, or the public) then a declaration of the conflict interest situation will be made and recorded. The person involved should be consulted prior to the wider declaration.

### I. Good judgement

The application of this policy relies heavily on the good judgement and common sense of those affected, following the ethical principles outlined in FICS' Code of Ethics.

### J. Accountability

Every Executive, Council, Commission and Committee member, volunteer and staff member is responsible for his or her own conflict of interest situation:

1. Awareness of the policy;
2. Self-declaring potential problems to superior;
3. Respectfully identifying potential problems of other people;
4. Undertaking follow-up action determined by Secretary-General; and

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5. Making disclosures when circumstances change significantly.

The Secretary-General is responsible for the ongoing application of the policy and procedures to staff. The Secretary-General will:

1. Provide a point of contact for advice about conflict of interest matters;
2. Determine the actions required as a result of confidential disclosures by staff;
3. Receive complaints about possible breaches of the policy;
4. Determine the actions required by breaches of the policy; and
5. Make annual reports on the overall situation of conflict of interest of all FICS personnel.

The Secretary-General's own conflict of interest situation is the responsibility of the President.

The President is the key person to establish the ethical climate of FICS, its Executive, Council and its Commissions. The President is also responsible for the resolution of conflict of interest situations and related disputes among the members of the FICS Executive, Council and Commissions.

The FICS First Vice-President will, together with the Executive, deal with the President's own conflict of interest situation.

The FICS Executive Council bears great responsibility for the good name of the organisation and as such has a special responsibility for ethical matters. The FICS Executive Council is ultimately responsible for policy and should review the conflict of interest policy every 3 years or when the nature of the organisation changes significantly.

## APPENDIX I: Categories of conflict-of-interest situations

- Self-interested funding, contracting or hiring when an affected person uses a position in FICS to influence a decision to provide funding or contracts to another organisation in which he or she has an interest, or to go outside normal hiring processes to give a job to a friend or family member.
- Improper influence: when an affected person solicits or accepts some form of benefit in return for influencing FICS' activities or promoting someone else's interests in FICS.
- Misuse of information or property: when an affected person uses information or property to which the person has access at work, and to which others would not have access, for some personal benefit.
- Inappropriate outside activity: when an affected person's activities outside FICS are in conflict with the interests of FICS.
- Accepting undue benefits such as significant gifts which place an affected person under obligation to the donor.

### **Related Policies which can be located on the FICS website.**

- *FICSQP003-V1.2-FICS\_Ethics\_Policy\_20210526*
- *FICSQP017-V1.2\_20210519\_WebsitePrivacyPolicyGDPR\_Complaint*