



Great Britain Wheelchair Basketball Association

Conflict of Interest & Ethical Behaviour Policy

Version January 2004.

This version replaces any copy dated previously.

Conflict of Interest and Ethical Behavior

The Great Britain Wheelchair Basketball Association (GBWBA) shall require all persons associated with it to conduct themselves with integrity and to maintain a high standard of personal conduct in the affairs of the organization.

The GBWBA expects the members of its Executive Committee, its Officers, its Sub-Committees and its employees to recognize and avoid activities or investments which involve, or might appear to involve, a conflict of interest or which might be cause for embarrassment to the organization. All Persons shall be expected to observe the guidelines described in this policy.

Any exception to the guidelines described in this policy must be reported to the Finance and Management Committee. Any exceptions to these guidelines must be approved before consummating any part of any affected transaction.

A. Conflict of Interest

No Person shall have an undisclosed direct or indirect interest in or relationship with any outside organization or person that might affect (or that might reasonably be understood or misunderstood by others as affecting) the objectivity or independence of his or her judgment or conduct in carrying out the duties and responsibilities he or she has in connection with the GBWBA's activities.

Anything which could constitute a conflict of interest or unethical conduct on the part of any Person is also a conflict of interest if it is knowingly undertaken through a third party such as a spouse, a family member or other persons or organizations.

Circumstances in which a conflict of interest could arise include:

- Material and direct personal involvement with sponsors, suppliers, vendors, contractors, such as, ownership of a material interest in such an entity or acceptance of material payments, services or loans from such an entity.

The following criteria are suggested when deciding whether a particular situation may give rise to a conflict. Persons should avoid any actions which might result in or create the appearance of:

- Using association with the GBWBA for private gain or preferential treatment
- Impeding the GBWBA's efficiency or economy of service
- Loss of independence or impartiality
- Adversely affecting public confidence in the integrity or the reputation of GBWBA
- Endangering life, health or safety

The special nature of GBWBA's business may create situations where potential conflicts exist. Any such conflict must be approved before consummating any part of any affected transaction.

Management is directed to institute a process to help identify potential conflicts so that these may be addressed before any transaction is consummated. Such process includes disclosure of any known conflicts of interest at least annually by all employees, Executive Committee, Sub-Committees and Officers.

The Executive Committee, in consultation with the Finance and Management Committee, shall appoint an Ethics Officer, who shall be supervised by the President. The President of GBWBA may refer to the Ethics Officer for review and decision on any questions that may arise concerning conflict of interest, potential conflict of interest, gifts, extended travel or other potential inducements as well as other issues covered by this Policy. Any Person shall be entitled to rely upon the decision of the Ethics Officer. The Ethics Officer shall be entitled to refer difficult questions and issues to the Finance and Management Committee for its review and recommendation.

Nothing in this policy is intended to imply a conflict of interest when the Person has no actual knowledge of the relationship or involvement which may create a conflict.

B. Improper Use of Assets and Record Keeping

All Persons shall be responsible for preventing the loss, damage, misuse or theft of property, records, funds or other assets belonging to the GBWBA. All assets of the GBWBA, including its facilities, are to be used exclusively for conducting the GBWBA activities outlined in its Constitution and are not otherwise to be sold, given away, used personally or disposed of.

Proper use of the funds of the GBWBA is a fiduciary responsibility. No Person shall make any illegal or unethical payments (including bribes, kickbacks, or unauthorized commissions) from the assets or resources of the GBWBA, or otherwise.

C. Improper Use of Information

No Person shall use for his or her personal gain or disclose outside the GBWBA any confidential or copyright information obtained through his or her association with GBWBA. Confidential information includes the spoken, written and computer-generated data relating to the business of GBWBA. Confidential information also includes the proceedings of non-public meetings of the Executive Committee and other Sub-Committees as well as the advice of the GBWBA's legal counsel given to the GBWBA.

D. Gifts, Gratuities or Entertainment

No person shall seek gifts or gratuities for himself or herself or his or her family or friends from any outside person or organization having, or seeking to have a relationship with the GBWBA. If any Person should receive any unsolicited gifts or gratuities with a value in excess of £50, such gifts shall be construed to be a contribution to the GBWBA and shall be immediately turned over to an officer of the GBWBA as a contribution from the original source. A person may keep unsolicited gifts or gratuities of less than £50; provided, however, that if any Person receives in any fiscal year gifts from one person or entity that aggregate more than £50 that Person shall immediately turn over to the Headquarters of the GBWBA all gifts thereafter received.

No Person shall seek entertainment, non-business travel or other favours (loans, services, unapproved compensation, etc.) in any form for himself or herself, his or her family or friends, from any person or organization having, or seeking to have, a relationship with the GBWBA. Unsolicited entertainment and business courtesies, such as payment for normal meal costs, are permitted when arising from business connected with the activities of the GBWBA. Unsolicited entertainment and business courtesies having a value of more than £50 may be accepted in conjunction with the conduct of appropriate GBWBA business if approved by GBWBA Executive Committee Chairman or the Ethics Officer. A Person accepting such entertainment or other business courtesies with a value in excess of

£50 shall fully disclose the donor, purpose and amount of such courtesy.

No Person shall give from the assets of the GBWBA any gifts, gratuities or entertainment to outside persons or organizations unless approved by the Chairman. The Chairman may approve policies or programmes pursuant to which gifts, gratuities or entertainment may be made. All such gifts, gratuities and entertainment shall be fully disclosed as to the parties, purpose and amount. However, minor business courtesies such as payment of normal meal costs, are permitted without the approval of the Chairman when arising from business connected with the activities of GBWBA. Entertainment with an individual value in excess of £25 shall be fully disclosed as to the parties, purpose and amount.

E. Accounting Records and Reports

All accounting shall conform to applicable GBWBA accepted accounting principles as well as to applicable laws and regulations. The accounting procedure shall make and keep books, records and accounts, which, in reasonable detail, accurately and fairly reflect all, assets, liabilities, transactions and dispositions of the assets of the GBWBA.

All transactions of the GBWBA (including petty cash transactions) shall be so recorded, and no false, deceptive or off-book entries shall be made.

F. Disclosure

It is the responsibility of each Person, upon knowledge of any violation of the guidelines stated above or situation which could potentially be in violation of the guidelines, to report all material facts on the subject to the Ethics Officer or the Executive Committee or its designee.

G. Conduct of Executives, Officers, Committees and Key Employees

In addition to the disclosure and other requirements outlined in Section A hereof, all Executive Committee Members, Officers, Sub-Committee Members and Key Employees shall comply with the provisions of this Section G.

1. Definitions:

- (a) "Economic Interest" shall mean any direct monetary benefit accruing to an Executive, an Officer, a Sub-Committee Member or a Key Employee, or an Immediate Family Member of such person, as a result of a contract or transaction to which GBWBA is a party or is contemplated to become a party, or any direct or indirect ownership by an Executive Committee Member, an Executive, an Officer, a Sub-Committee Member or a Key Employee, or an Immediate Family Member of such person, as a result of a contract or transaction to which GBWBA is a party or is contemplated to become a party, or any direct or indirect ownership by an Executive Committee Member, an Officer, a Sub-Committee Member, a Key Employee, or an Immediate Family Member of such person, in a business or other entity which is a party or is contemplated to become a party to a contract or transaction to which GBWBA is also a party or is contemplated to become a party.
- (b) "Key Employee" shall mean any person holding a position by appointment or employment in the service of GBWBA for pay (including an agent or consultant for GBWBA), who exercises significant management discretion or has supervisory control or an audit function with respect to GBWBA activities.
- (c) "Immediate Family Members" shall mean the spouse, parents, grandparents, children, brothers, sisters, brothers-in-law and sisters-in-law of an Executive Committee Member, an Officer, a Sub-Committee Member or a Key Employee, as the case may be.
- (d) "Officers" shall mean the Officers of GBWBA as outlined in the Constitution of GBWBA, as amended from time to time.

2. Duty of Loyalty:

Each Executive Committee Member owes fiduciary duties of loyalty and care to GBWBA. If an Executive Committee Member has a conflict of interest that makes it difficult or impossible to reconcile the duty he or she owes to GBWBA and the duty owed to another person or entity, the Executive Committee Member should disclose the conflict and act in accordance with the provisions of this Section G.

1. Disclosure Required:
An Executive Committee Member, an Officer, a Sub-Committee Member and a Key Employee shall make full disclosure of a potential Economic Interest (including a potential Economic Interest of an immediate Family Member) or a relationship which is required to be disclosed as soon as he or she becomes aware of such potential Economic Interest or becomes aware of the need to disclose a relationship. Disclosure shall be made by a written statement to the Finance and Management Committee submitted to the Ethics Officer or the President.
2. Disqualification:
In addition to making full disclosure an Executive Committee Member, a Sub-Committee Member, an Officer and a Key Employee shall disqualify himself or herself from participating in any official act or action which directly or indirectly affects a business or activity in which he or she or any Immediate Family Member has an Economic Interest or a potential Economic Interest.

H. Ethics Commission.

- (a) Membership:
The Finance and Management Committee shall serve as the Ethics Commission.
- (b) Duties:
The Ethics Commission shall have the following duties:
 - (a) to establish procedures, rules and regulations governing its internal organization and conduct of its affairs;
 - (b) to supervise and advise the Ethics Officer and determine the scope of the Ethics Officer's authority;
 - (c) to submit advisory opinions to the Executive Committee with respect to the interpretation and application of this Policy as to whether a particular course of conduct would constitute a violation of the standards imposed herein;
 - (d) to receive and hear complaints of violations of the standards required by this Policy;

- (e) to hold such hearings and make such investigations and inquiries as it deems necessary for it properly to carry out its functions and powers;
- (f) to recommend to the GBWBA any disciplinary action deemed appropriate to violation of this Policy; and
- (g) to make proposals and recommendations to the Executive Committee for the adoption of any revisions or amendments to this Policy.

I. Violation of this Policy.

Violation of this Policy may result in disciplinary action against the offender. Such action may include termination of employment, if the offender is an employee, removal of office, if the offender is an officer, or removal from the Executive Committee or other Committee, if the offender is a member.