

TITLE: MUNICIPAL CONFLICT OF INTEREST	SECTION:	ORGANIZATION
DATE: August 16, 2007	POLICY NO.:	KDSB-ORG-I-03
APPROVED BY: Resolution No. 2007-87	REVISED:	

1. POLICY STATEMENT

Under the Municipal Conflict of Interest Act (MCIA) members of local boards must declare a conflict of interest when potential personal gain may interfere with their ability to make objective decisions. Under the Act a district social services administration board is defined as a local board.

2. PROCEDURE

Definition

A conflict of interest refers to a situation in which private interests or personal considerations may affect a Board member's judgement in acting in the best interests of the KDSB. Board members may not use their position or confidential information for private gain or the expectation of private gain or advancement.

- (1) Board members may not accept indirect or direct gifts, money, discounts, or favors including a benefit to family members, friends or business associates for doing work that they are paid for or otherwise empowered to do already. Benefits can arise from any situation in which a Board member:
 - is a shareholder, director or senior officer of a private corporation;
 - has a controlling interest in or is a director or senior officer of a publicly traded corporation;
 - is a member of a body that has a financial interest in the matter; or
 - is a partner or employee of a person or body that has a financial interest in the matter.
- (2) Each Board meeting or Board committee meeting must publish an agenda with the first item being declarations of conflict of interest.
- (3) Board members must state those agenda items for which they have a conflict and refrain from participating in any discussion, voting on, or attempting to influence decision making on those items.

Note:

If a conflict of interest reduces the number of voting members below quorum, a minimum of two (2) members constitutes a quorum [Section 7(1) of MCIA].

Where in the circumstances the remaining number of members who are not disabled from participating in the meeting is less than two, the Board may apply to a judge without notice for an order authorizing the Board to give consideration to, discuss and vote on the matter out of which the interest arises [Section 7(2) of MCIA].

Where there are less than two (2) members of a Board committee the matter(s) which cause the interest to arise will be referred to the Board of Directors for disposition.

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- (4) Every declaration of interest must be recorded in meeting minutes. Where it is a public meeting, the nature of the conflict of interest must be noted. If it is not a public meeting, the member(s) with a conflict must leave the meeting room when the issue giving rise to the conflict is being discussed and the conflict of interest must be noted in the minutes of the next meeting which is open to the public.
- (5) Board members shall confirm in writing that they have received and read this policy and procedure at the first meeting of the Board of Directors that they attend following their appointment or election to the Board.

Appendix I: Acknowledgement and Undertaking (page 3)

**Acknowledgement and Undertaking
Municipal Conflict of Interest Act, RSO 1990**

Appendix I

I, _____, an appointed / elected member of the Board of Directors for the Kenora District Services Board, hereby acknowledge having received and reviewed a copy of the KDSB Policy No. ORG-I-03, and I hereby promise and declare that I will disclose any pecuniary interests, direct or indirect as required by the Municipal Conflict of Interest Act, RSO 1990 and that I undertake to abide by all other requirements of the said Act and the KDSB Municipal Conflict of Interest policy.

Signature

Witness

Date