



City of Dawson

COMMITTEE AND BOARD

CONFLICT OF INTEREST POLICY

#14-01

POLICY STATEMENT

The City of Dawson utilizes committees to enhance its abilities to conduct the business of governance. Committees will often be comprised of members of the public appointed by Council. The Council for the City of Dawson deems it appropriate to provide committee members with guidance as to how conflict of interest shall be handled in carrying out the members' duties.

POLICY

Purpose:

1. The purpose of this policy is to provide guidance to members of committees of the City of Dawson in determining and resolving conflict of interest and real or apparent bias. The guidelines contained herein will assist members to fulfil their duties in a manner that is fair and unbiased and, that clearly appears to be fair and unbiased.

Application:

2. This policy shall apply equally to all Boards or Committees having a role which is adjudicative or reasonably perceived to be adjudicative in nature. This policy shall not apply to "ad hoc" committees or working groups.
3. Notwithstanding the above, it is an expectation that all appointees to City boards or commissions shall at all times conduct themselves in a manner which promotes the principles of transparency and due process.

Principles:

4. All members of City of Dawson boards and committees shall take all reasonable steps to avoid any real or perceived conflict of interest or bias.
5. The test to determine whether there is a real or apparent conflict of interest or bias shall be whether a reasonably informed and rational person would reasonably conclude that a member, whether consciously or unconsciously, may not decide a question fairly.

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6. A determination of real or perceived conflict of interest or bias is not a negative statement about a member; rather, it is a recognition of the board or committee's diligence in maintaining the highest level of both real and perceived impartiality.
 7. It is not possible to predict with any degree of certainty whether a particular situation will constitute a real or perceived conflict of interest or bias. Members shall take a precautionary approach when evaluating any particular situation.

Restrictions:

8. Members of City of Dawson boards and committees shall not accept gifts from any party appearing before the board or committee on any matter.
9. A Member shall not materially assist any party in their dealings with the board or committee.
10. Members shall not knowingly take advantage of information obtained in the course of their duties as a Member, if that information is not available to the general public.
11. Members shall not participate in any decision where the member has a direct or indirect private interest in the outcome of that decision.
12. Any member who is employed by, or working for a party will not participate in discussion of that party's application or presentation, regardless of the nature, location, or level of influence of the member's employment or work circumstances, and shall not discuss the matter with any other member of the board or committee.
13. A member who is also a board member or executive of any association, partnership, society, board, committee, council, or organization that is a party to a matter before the board or committee shall not participate in the discussion, and shall not discuss the matter with any other committee member.

Procedures:

14. A member who believes that they have a real, perceived or potential conflict of interest or bias will immediately advise the Chairperson and the Chairperson will accept this declaration without further consideration. The member shall not participate any further in the deliberations on that matter.
15. A member who is unsure about whether they may have a real, perceived, or potential conflict of interest or bias must disclose that to the Chairperson at the first opportunity. The Chairperson will determine whether a real or perceived conflict of interest or bias exists or is likely to exist. In making this determination the Chairperson shall give every consideration to the applicant.
16. Where the Chairperson determines that further advice as to whether a real or perceived conflict of interest exists or is likely to exist they may seek the recommendation of the City's Chief Administrative Officer.

17. Where the board or committee determines under this policy that there has been a wilful failure by a member to disclose a material conflict of interest, the board or committee may, by resolution, recommend to Council that the member be removed for cause.

POLICY TITLE: Conflict of Interest Policy
POLICY #: 14-01
EFFECTIVE DATE: June 10, 2014
ADOPTED BY COUNCIL ON: June 10, 2014
RESOLUTION #: C14-23-21

Originals signed by:
Wayne Potoroka, Mayor

Jeff Renaud, CAO