



# BOARD OF HEALTH POLICY

APPROVALS	DATE APPROVED	INITIALS
BOH:	Res. No.:11-2021	
SMT:		
MCC:		
IF APPLICABLE		
DIRECTOR		
JOHSC:		
PPL:		

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**SECTION:** BOARD OF HEALTH

**POLICY NO.:** BH-02-21

**SUBJECT:** Conflict of Interest

**APPROVED BY:** Board of Health

**POLICY DATE:** January 2021

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## 1. PURPOSE

- 1.1. The purpose of this policy is to assist individual board members in determining whether participation in a board decision/discussion has the potential to be used for personal or private benefit, financial or otherwise; and therefore constitutes a conflict of interest, either actual or perceived.
- 1.2. The consistent application of this policy will protect the integrity of the Board as a whole and of its individual members.

## 2. POLICY

- 2.1. This policy applies to all members of the Board of Health of the Thunder Bay District Health Unit.
- 2.2. Board of Health members shall comply with the conflict of interest provisions of the *Municipal Conflict of Interest Act*, in accordance with Board of Health By-law.
- 2.3. Each member of the Board of Health has the obligation to avoid ethical, legal, financial or other conflicts of interest; either actual or perceived.
- 2.4. A conflict of interest situation arises where a member either on his/her/their own behalf or while acting for, by, with, or through another, has any direct or indirect non-pecuniary or pecuniary interest in any contract or transaction with the Board of Health, or in any contract or transaction that is reasonably likely to be affected by a decision of the Board.

As defined by the *Municipal Conflict of Interest Act*, an indirect pecuniary conflict of interest in any decision of the Board of Health occurs when a Board member:

- a) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public, and that has an interest in the matter;
- b) has a controlling interest in, or is a director or senior officer of, a corporation that offers its securities to the public, and that has an interest in the matter;

- c) is a member of a body that has a pecuniary interest in the matter; or
  - d) the member is a partner of a person, or is in the employment of a person or body that has a pecuniary interest in the matter.
- 2.5 The direct or indirect non-pecuniary or pecuniary interest of a close friend or relative of the member shall, if known to the member, be deemed to be also the interest of the member.
- 2.6 It is the responsibility of the individual to disclose any conflicts of interest to the meeting.
- 2.7 Prior to seeking employment with any programs administered by the Thunder Bay District Health Unit, a Board member shall resign from the Board of Health.

### **3 APPLICABLE PROCEDURES**

- 3.1 Procedure Number BH-02-21 Conflict of Interest applies to this policy.

### **4 DEFINITIONS**

- 4.1 **Actual conflict of interest** means any situation where a board member has a private or personal interest that is sufficiently connected to his/her/their duties and responsibilities as a board member that it influences the exercise of those duties and responsibilities.
- 4.2 **Perceived conflict of interest** means any situation where reasonably well-informed persons could have a logical belief that a board member may have an actual conflict even where that is not the case in fact.
- 4.3 **Pecuniary Interest** means the opportunity, directly or indirectly, to profit or share in any profit derived from a transaction or decision.
- 4.4 **Non-Pecuniary Interest** means a personal or private interest that is non-financial or monetary that would be considered as being likely to influence a transaction or decision. This includes any tendency towards favouritism, bias, or ill-will resulting from relationships, friendships or other personal involvements.

### **5 REFERENCES**

- 5.1 *Municipal Conflict of Interest Act*
- 5.2 Board of Health By-law Number 2021-01
- 5.3 Code of Conduct Policy Number BH-02-20

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## **6 APPENDICES/LINKS AND ATTACHMENTS**

6.1 [Procedure No. BH-02-21 Conflict of Interest](#)