

Conflict of Interest – B-G-003

Board of Health Policy

1.0 Policy Statement

The Board of Health for the North Bay Parry Sound District Health Unit (Health Unit) commits itself and the members of its Committees to ethical conduct. Members are expected to act, and perceived to act, with integrity and impartiality on all issues under consideration by the Board of Health and its Committees.

Members bring a perspective based on their skills and experiences in order to act in the best interest of the Health Unit in their capacity as members of the Board of Health and in compliance with their duties and obligations under the *Health Protection and Promotion Act*. Members cannot act in their own personal interest or as a representative of any professional, political, socio-economic, cultural, geographic, or other organization or group.

The members of the Board of Health are subject to the current conflict of interest legislation in the Province of Ontario.

2.0 Purpose

This policy describes how to recognize and declare a conflict of interest.

3.0 Scope / Responsibility

This policy covers the obligations of Board of Health members resulting from their required duties while acting in the capacity of members of the Board of Health for the Health Unit.

Each individual member of the Board of Health is responsible to ensure that they are in compliance at all times with the *Municipal Conflict of Interest Act*.

Each member of the Board of Health has the responsibility to follow this policy.

4.0 Definitions

“Conflict of Interest” exists when a member has a direct or indirect pecuniary interest in any matter in which the Board is concerned, including any matter in which:

- a) he/she/they or their nominee:
 - i) is a shareholder in, a director or senior officer of, a corporation that does not offer its securities to the public, or

- ii) has a controlling interest in, or is a director or senior officer of, a corporation that offers its securities to the public
 - iii) is a member of a body that has a pecuniary interest in the matter; or
- b) they are a partner in the employment of a person or body that has a pecuniary interest in the matter.

For the purpose of this definition the pecuniary interests, direct or indirect, of a parent or spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.

“Pecuniary Interest” includes any matter in which the member has a financial interest or in which the financial interests of the member may be affected and save and except for interests which the member may have which is an interest in common with electors generally or their honorarium arising from membership on the Board or as a user of services of the Board in like manner and subject to the like conditions as are applicable to persons who are not members.

5.0 Procedure

Each member of the Board of Health is made aware of how to access the most recent version of the *Municipal Conflict of Interest Act*.

Based on the significance of recommendations made by Committees of the Board of Health, conflict of interest policies and procedures also apply to Committees of the Board of Health.

At the beginning of each calendar year Board of Health members are required to complete the Annual Conflict of Interest Declaration form ([BF-G-003-01](#)). All completed forms are submitted to the Recording Secretary for tracking purposes.

In addition to completing the Annual Conflict of Interest Declaration form ([BF-G-003-01](#)), at the beginning of each Board of Health meeting or Committee meeting, the Chairperson asks Members if they have any conflicts of interest to declare.

Any member of the Board of Health/Committee who has reasonable grounds to believe that they have a conflict of interest in a matter that is before the Board of Health/Committee declares the conflict of interest and the general nature of the conflict of interest prior to any consideration of the matter at the meeting. At the time of the meeting, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature, **if not already declared in the Annual Conflict of Interest Declaration form ([BF-G-003-01](#))**, with the Recording Secretary using the Subsequent Conflict of Interest Declaration form ([BF-G-003-02](#)).

- **Public Meeting**

Once a conflict of interest is identified, the member(s) with the conflict of interest cannot participate in the discussion or vote. The member(s) is not to attempt, in any way, to influence the voting on the issue under consideration.

- **In Camera Meeting**

Where the meeting is not open to the public, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

- **Disclosure To Be Recorded in Minutes**

Where the meeting is open to the public, the declaration of interest and the general nature are recorded in the minutes of the meeting.

Where the meeting is not open to the public, every declaration, but not the general nature of that interest, are recorded in the minutes of the next meeting that is open to the public.

- **When Absent from Meeting at Which Matter Considered**

Where the interest of a member has not been disclosed by reason of the member's absence from the meeting, the member shall disclose the interest at the first meeting of the Board/Committee, as the case may be, attended by the member after the meeting where the matter was considered.

- **Registry**

All declaration forms shall be maintained in a registry. The registry shall be available for public inspection in the manner and during the time that the Board of Health may determine.

Members of the Board of Health/Committees shall not accept any financial or other endorsements for fulfilling their duties and obligations as members of the Board of Health other than provided for by Board of Health policy.

6.0 Records Retention

All records relating to this Policy are retained in accordance with the Records Retention and Management work instruction ([WI-HU-108](#)).

7.0 References

Internal References

- a) North Bay Parry Sound District Health Unit, [Board of Health Bylaws](#).
- b) Records Retention and Management – [WI-HU-108](#)
- c) Annual Conflict of Interest Declaration – [BF-G-003-01](#)
- d) Subsequent Conflict of Interest Declaration – [BF-G-003-02](#)

External References

- a) *Health Protection and Promotion Act*, R.S.O., 1990, c H.7. [Ontario E-Laws Website](#)
- b) *Municipal Act*, 2001, S.O. 2001, c. 25. [Ontario E-Laws Website](#)
- c) *Municipal Conflict of Interest Act*. R.S.O. 1990. Chapter M.50. [Ontario E-Laws Website](#)

8.0 Summary of Revisions

2020-02-10 – Letterhead update and scheduled review with minor revisions to section 1.0, 3.0, 4.0, and 5.0.

9.0 Board Policy Development Details

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Reviewed by: **Dr. Jim Chirico, Medical Officer of Health/Executive Officer**

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