



## POLICY 2.01

### COUNCIL GOVERNANCE

#### *Conflict of Interest and Bias*

---

#### **POLICY INTENT**

To establish basic terms and conditions defining Conflict of Interest and Bias to protect the interests of AUSU, its Councillors, and its employees. Robert's Rules of Order provides a reasonable guideline in recommending that "if a member has a direct personal or pecuniary (monetary) interest in a motion under consideration not common to other members ... [s]he should not vote on such a motion, but ... cannot be compelled to refrain from voting." The intent of this policy is to help Councillors ascertain when a conflict exists, and to establish proper procedure for reporting conflicts.

#### **POLICY RESPONSIBILITY**

Council

#### **POLICY**

##### **Definitions**

- 2.01.01 A Conflict of Interest is a situation in which the personal interests of a Councillor will benefit or be perceived to benefit as a result of the Councillor's exercise of Council duties, and where the advancement of those interests is detrimental to the interests and/or reputation of, or potentially harmful to, AUSU.
- 2.01.02 Bias describes a circumstance or personal belief that may affect a Councillor's views on a person or idea. Biases are not considered Conflicts of Interest but should be understood as an inherent influence on the decision making processes of all Councillors.

##### **Ethical Principles**

- 2.01.03 The effective operation of democratic student government requires that elected or appointed officials be independent, impartial and responsible to the members. To ensure this, the following rules of conduct should be observed:
- Council decisions and policies must be made through the proper channels and with respect to AUSU governance structure and guidelines,
  - public office must not be used for personal gain to the detriment of the membership,
  - councillors' behaviour must inspire confidence in the integrity of the student government.
- 2.01.04 It is expected that Councillors may derive some personal benefits from serving on Council, including, but not limited to:

- a) opportunities for networking,
- b) experience with board governance,
- c) honorariums, paid expenses, and other monetary benefits as approved by Council or outlined elsewhere in policy, and
- d) specific benefits that may be offered by AUSU or Athabasca University for persons serving on Council or the Executive Council.

The receipt of such benefits does not constitute a Conflict of Interest.

- 2.01.05 A Councillor shall not derive benefit for him or herself, or for a friend or family member, from his/her position on AUSU Council to the detriment of AUSU or the AUSU membership.
- 2.01.06 A Councillor shall strictly maintain the confidentiality of council and member information and shall not use confidential information for the personal profit of themselves or any other person.
- 2.01.07 A Councillor shall maintain a respectful manner when dealing with stakeholders, other Councillors and staff at all times

#### **Conflict of Interest and Bias**

- 2.01.08 Conflict of Interest should not be confused with Bias. It is understood that all Councillors may have personal biases which direct their decision making, and that such biases are not to be interpreted as Conflicts of Interest unless the Councillor may derive particular personal benefit through exercising their Council duties. Significant Biases should be declared for information purposes.
- 2.01.09 Councillors must disclose any significant Biases and/or potential Conflicts of Interest to Council at the beginning of their Council term, and as such potentials for Bias and Conflict of Interest arise.
- 2.01.10 A Councillor must disclose any potential Conflict of Interest as soon as the issue or motion fostering the conflict arises. Disclosure must be to the President or to Council. The President shall disclose potential Conflicts to the Executive or to Council.
- 2.01.11 Council or the President may determine whether a valid Conflict of Interest exists, or if the potential conflict constitutes an allowable Bias that may be disclosed for information purposes. The ruling of Council shall supercede the ruling of the President.
- 2.01.12 Pursuant to an agreement between AUSU and Athabasca University, no Councillor may become an employee of Athabasca University while serving on Council. Student research positions are exempt from this agreement.
- 2.01.13 A Councillor may not apply for any paid employment position with AUSU while serving on council, or for three months after ceasing to be a councillor.

#### **Obligation of Councillors and Employees**

- 2.01.14 In the performance of Council duties, the first and foremost obligation of a Councillor is to AUSU.

- 2.01.15 If a situation is believed to be one of Conflict, a Councillor should abstain from voting on that issue though a Councillor cannot be forced to abstain. However, the minutes shall show that a Conflict of Interest was determined to be present.
- 2.01.16 Abstentions due to Conflict shall be noted in the minutes as "Councillor X abstained due to Conflict of Interest."
- 2.01.17 In dealing with the private sector, no favoritism on the part of a Councillor or employee shall be shown to businesses in which an employee or his/her relative/friend has an interest or to any other business. Partnerships with industry should be based solely on merit.

### **Right to private dealings**

- 2.01.18 A Councillor shall enjoy the same right to private dealings as any other individual, unless a restriction of these dealings is essential to the interests and reputation of AUSU.
- 2.01.19 The name and logos of AUSU shall not be used in any outside activity unless agreed, in writing, by the Executive Director, although nothing shall prevent a Councillor from stating the nature of his or her connection to AUSU.

### **Failure to Adhere to Policy**

- 2.01.20 Failure to abide by this policy, any other AUSU policy, or the Guiding Principles may result in dismissal from Council.

## **POLICY HISTORY**

Original Approval Date: January 15, 2007

Updated Date: April 5, 2011

Mandatory Review by Date: April 5, 2013