

**Union of B.C. Indian Chiefs**  
**Conflict of Interest and Ethics Policy**  
**Approved via UBCIC Resolution 2019-43**

**1.0 General**

1.1 This Conflict of Interest and Ethics Policy applies to all U.B.C.I.C.

- (a) Executive Committee Members (President, Vice-President, and Secretary-Treasurer),
- (b) Active Members (Women's Representative, Youth Representative, Elders Representative), and
- (c) Committee Members (persons appointed by the U.B.C.I.C. to represent the organization as a member of a committee or working group).

(collectively, the "EAC Members").

1.2 In exercising their duties, EAC Members will act honestly, in good faith and in the best interests of the U.B.C.I.C. and its Members. Executive Committee members and Active members will take an oath of office in which they pledge to uphold the U.B.C.I.C. Constitution and By-laws, Aboriginal Title and Rights Position Paper, Aboriginal Title, Rights and Treaty Rights Mandate and to uphold and honour this Conflict of Interest and Ethics Policy.

**2.0 Ethical Conduct**

2.1 Consistent with the principles and objectives set out in the U.B.C.I.C. Constitution and By-laws, Aboriginal Title and Rights Position Paper, and Aboriginal Title, Rights and Treaty Rights Mandate, EAC Members shall:

- (a) Conduct themselves with integrity and in an ethical manner that is in keeping with the dignity of their office or appointment with the U.B.C.I.C.;
- (b) Establish and maintain good working relations with U.B.C.I.C. Members and staff based on principles of loyalty, trust and transparency;
- (c) Respect the principles of collective responsibility and confidentiality, including not misrepresenting or making comments which would call into question the reputation or any decision taken by the U.B.C.I.C., or disclose or use to their personal benefit any information obtained in confidence in the exercise of their role with the U.B.C.I.C.;
- (d) Value and respect Indigenous values of diversity and commit to act in ways that are free from discrimination, including on the basis of gender, sexual orientation or gender expression; and
- (e) Neither seek nor take any instruction from any other organization or body which may compromise their duty of loyalty and obligations to the U.B.C.I.C.

**3.0 Conflict of Interest**

3.1 A conflict of interest occurs when any EAC Member exercises their position or influence within or through the U.B.C.I.C. to further their own interests, or to change or interfere with policies, procedures or operations to gain – or appear to gain – personal or financial benefit or advantage for themselves closely related people or to a business interest that they (or a closely related person) is involved in.

3.2 Closely related people include a person's: immediate family, including their spouse, children, parents, grandparents, siblings, aunts, uncles, nieces, nephews, first cousins, and in-laws (mother, father, daughter, son, sister and brother) or other personal and familial relationships (including friendships) which are so close that they are defined by the people involved (or could be reasonably seen) as closely related or intimately involved.

3.3 Examples of conflict of interest include, but are not limited to:

- A member of the Executive being actively involved in considerations about support for the "Resource Industry ABC" when their spouse has a controlling interest in "Resource Industry ABC-Company".
- An Executive member being involved in discussions about whether to hire their family member.
- An EAC Member assumes responsibilities outside of the organization that may, or be perceived to, divide their loyalty.
- An EAC Member uses information they have learned through their position within the U.B.C.I.C. to influence or gain financial or personal benefit from a decision.

#### 4.0 Conflict of Interest Procedure

##### Self-reporting

4.1 EAC Members must declare in writing to the Executive Director and Executive Committee (or remaining members of the Executive Committee if the person making the declaration is a member of the Executive) any real or perceived conflict of interest as soon as they become aware that such a conflict exists or might be reasonably be perceived to exist.

EAC Members will be removed from decisions where a real or perceived conflict of interest exists

4.2 EAC Members who have a conflict of interest (or perceived conflict of interest) will remove (recuse) themselves and not participate in their official capacity in any discussions, activities, or decision-making regarding the matter.

##### Process for reporting a conflict of interest by Full or Active Members

4.3 Any Full or Active Member in good standing who believes that a conflict of interest (or perceived conflict of interest) exists regarding an EAC Member can report the alleged conflict in writing (stating the nature of the alleged conflict) to the Executive Director.

(a) The Executive Director and Executive will communicate with the parties involved and make a decision about whether a real, or perceived, conflict exists and give direction about appropriate steps to avoid the conflict of interest, which could include referring it to a Conflict Committee. This initial decision will be made within two weeks (fourteen days) of receipt of the complaint, and will be communicated to the party(ies) raising the complaint.

(b) If the Full or Active Members are satisfied that the resolution proposed by the Executive Director and Executive has resolved the issue, it will be considered settled. The Executive Director will make a report to the U.B.C.I.C. Membership at the next regularly scheduled Chiefs Council or Annual General Assembly about the complaint and its resolution.

(c) If the Full or Active Members who raised the complaint are not satisfied with the proposed resolution, or if the recommendation is that it be referred to a Conflict Committee, at the next regularly scheduled U.B.C.I.C. Chiefs Council or Annual General meeting which occurs after the complaint is received (or at the meeting where the complaint is received, if time reasonably permits, and if the Executive Director makes an immediate decision to refer the matter to a Conflict Committee) a Conflict Committee will be struck which includes at least three Full or Active Members in good standing who represent three separate Indigenous Nations, not involved in the complaint.

4.4 The Conflict Committee will inquire into the complaint and determine what, if any, action (including legal action) should be taken. The Conflict Committee will provide the EAC Member against whom the complaint has been brought with the opportunity to respond to the allegation(s) before they make a decision.

4.5 Factors that the Conflict Committee will take into account include:

- (a) The EAC Member's responsibilities and obligations to the U.B.C.I.C.;
- (b) The seriousness of the real or perceived conflict;
- (c) Value and type of assets or benefits involved;
- (d) Perception of the U.B.C.I.C. members and the public and impact on the U.B.C.I.C.; and
- (e) Other factors the Conflict Committee deems relevant.

4.6 Where the Conflict Committee determines that an EAC Member has breached this Policy, they may:

- (a) Decide that the complaint does not warrant taking any action;
- (b) Provide a written warning or recommendations for specific actions to remedy the real or perceived conflict of interest to the EAC Member, copied to the Executive Committee and Executive Director; and/or
- (c) Suggest other actions as they deem necessary to remedy the situation to the Executive Committee, including recommending any decisions for consideration of the U.B.C.I.C. Membership.

4.7 The Conflict Committee will report on the status of their consideration to the U.B.C.I.C. Membership at the next regularly scheduled Chiefs' Council or Annual General Meeting.

## **5.0 Conduct of U.B.C.I.C. Incumbents During Elections**

5.1 The purpose of this part of the Policy is to ensure the proper conduct of sitting Executive Committee and Active Members of the U.B.C.I.C. during elections, and to ensure that U.B.C.I.C. resources are not used for the benefit of any candidate standing for election to the U.B.C.I.C.

5.2 Where an incumbent Executive Committee Member or Active Member is nominated and decides to stand for re-election to the position which they currently hold within the U.B.C.I.C., or decides to seek the nomination and election to any other political office external to the U.B.C.I.C. they must take a leave of absence from their position as a member of the Executive or Active Member of the U.B.C.I.C. from the date they file their nomination papers until the election ends.

5.3 An incumbent running for election within the U.B.C.I.C. or election to any other political office, shall not use U.B.C.I.C. resources to support or further their election campaign. This includes not using any membership or confidential information, finances, office, equipment, personnel, or any other property or resource of the U.B.C.I.C.

5.4 The Chiefs' Council or remaining members of the Executive Committee may ask that Executive Committee Members or Active Members continue any of their duties necessary for the proper functioning of the U.B.C.I.C. during the campaign period.