

Yates County Chapter, NYSARC, Inc.

Policy and Procedure

Policy Title: Conflict of Interest Policy for Yates ARC Staff and Vendors	Approval Date:	9/26/2006	Policy # 8.04			
	Last Reviewed:	1/08, 1/09				
Policy Sponsor: Compliance Officer	Policy Revisions:		Pages:	1	of	3
	Procedure Revisions:					
Distribution: Executive Director, Assistant Executive Director, CFO, Compliance Officer and Program Directors						

I. Policy

It is the policy of the Yates ARC that employees and vendors avoid conflicts of interests so that employees and vendors of Yates ARC may represent the organization in a positive and ethical manner.

II. Scope

This policy applies to all employees and vendors of Yates ARC.

III. Procedure

A. Generally

All employees and vendors should avoid situations involving a conflict between their personal interests and the interests of the Yates ARC. Employees should avoid outside business interests that could compromise an employee's commitment to the Yates ARC – either by dividing loyalties or by diverting the energies and attention owed to the Yates ARC in the normal course of an individual's employment at the Yates ARC. Employees shall act in the best interests of the Yates ARC in dealing with clients, other staff members, volunteers, independent contractors, vendors and other agents.

B. Disclosure of Conflict of Interest

Employees and vendors shall disclose to their supervisor possible conflicts of interest upon hire or when a conflict arises by filling out a Conflict of Interest Disclosure Statement, a sample of which is attached as Exhibit A.

Examples of potential conflicts that should be promptly and fully disclosed include:

- ✓ Ownership by an employee or a member of an employee's immediate family of a significant financial interest in a business enterprise that does business with, seeks to do business with, or is a competitor of the Yates ARC. Business interests that adversely affect the quality of a staff person's work or involve the use of agency equipment, supplies, facilities or name are not permitted.

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- ✓ Serving as a director, officer, consultant, or in any other key role in any outside enterprise that does or seeks to do business with, or is a competitor of the Yates ARC.
- ✓ For staff maintaining outside employment, unless such employment does not (a) interfere with scheduled work for the Yates ARC, (b) impair the employee's effectiveness, (c) result in adverse publicity, or (d) conflict or appear to conflict in any way with the interests of the Yates.
- ✓ Any other arrangement or circumstance, including family or other personal relationship, which might prevent the staff person from acting in the best interest of the agency. Any time a family member (up to a 1st cousin, or people who live or have children together) are employed at Yates ARC.

While it is impossible to present an exhaustive list of all outside personal interests, activities or affiliations that might be considered as being in conflict with the best interests of the agency, two basic principles apply to every staff person of the agency:

- (1) in regards to decisions for the agency the interests of the agency and the people served take precedence over private business interests; and
- (2) a business or professional opportunity which belongs to the Yates ARC, or which is based on confidential information not available to the public, shall not be used for personal gain or for any purpose contrary to the Yates ARC interests.

C. Questions Regarding Potential Conflicts

Staff questions and concerns about potential conflicts should be directed to the employee's supervisor and/or to the Corporate Compliance Officer. Supervisors shall consult with the Corporate Compliance Officer in responding to an employee's or vendors questions or concerns. The Compliance Officer should be consulted when hiring a vendor to ensure that the vendor understands agency policy concerning conflict of interest.

D. Investigations

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The Compliance Officer will make a determination and, if necessary, conduct an investigation as to any violation of this Conflict of Interest policy. The Compliance Officer may, when approved by the Executive Director, seek legal counsel. Any action taken and any contingencies to be put in place to resolve the conflict shall be documented.

Exhibits

Exhibit A – Conflict of Interest Disclosure Statement

Exhibit A
Staff and Vendor Conflict of Interest Disclosure Statement

The undersigned hereby acknowledges receipt of the policy adopted by the Board of Directors, which pertains to avoiding conflicts of interests.

I have read the policy, and pledge to conduct my employment and business affairs with integrity, based on sound ethical and moral standards.

I agree that I will promptly report to my supervisor or the Yates ARC Compliance Officer any future situations that might result in a conflict of interest.

Please check all statements that pertain to your disclosure:

- I wish to report that to the best of my knowledge, information and belief, no situation in which I am involved personally or professionally could be construed as a violation of the Conflict of Interest Policy, or as placing me in a position of having a conflict of interest with the Yates ARC.

- I wish to disclose the following circumstance that may possibly violate the Code of Conduct:

(Disclosure does not automatically result in a violation, but will be subject to review.)

- I have a family member who is employed at Yates ARC

Name: _____

Relationship _____

- I am a person with a disability, a parent, family member or blood relative of a person with a disability who receives services from the Yates ARC.

Printed Name: _____

Signed: _____

Title: _____

Date: _____

Policy Draft/Revision Statement

Policy Name: Conflict of Interest Policy for Yates ARC Staff and Vendors

Policy Number: #8.04

Date Presented to Program and Policy Committee: September 21, 2006

Status: Pending Initial Approval Pending Revision

Reason Drafted/Revised:

This newly developed Policy and Procedure provides guidance on ethical principles and conflict of interest specified in the NYSARC Chapter Manual, Yates ARC Chapter Policies and Bylaws and the Yates ARC Corporate Compliance Plan and Code of Conduct. It provides mechanisms to resolve questions and conflict which may arise in the normal course of business.

Summary/Key Points

- ◆ Gives clear direction to staff and vendors regarding potential Conflicts of Interest.
- ◆ Provides examples of potential areas of conflict.
- ◆ Gives clear direction in how to disclose a conflict.
- ◆ Incorporates existing source material into one policy.
- ◆ Standardizes the Disclosure Statement
- ◆ Uses language from the Model NYSARC Policies and Procedures
- ◆ Increases training requirements for staff.