



Conflicts of Interest

Resource Guide and Best Practices

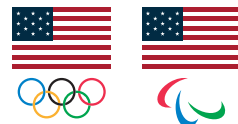
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INTRODUCTION

Conflicts of interest aren't always black and white, and they aren't always easy to identify, especially when the conflict involves your own activities, interests, or relationships. Managing conflicts across an organization can be even more difficult, which is why organizations must provide resources to help their team members navigate this important area.

This Resource Guide is meant to help you understand conflicts and provide best practices for collecting conflict disclosures and managing conflicts. Because organizations have different procedures for managing conflicts and because this Resource Guide does not cover every possible conflict scenario, you should familiarize yourself with your organization's conflicts of interest policies and procedures.



WHAT IS A CONFLICT OF INTEREST?

A conflict of interest exists where your activities, interests, or relationships interfere with, influence, or may appear to interfere with or influence your ability to be impartial and make decisions in the best interests of your organization.

WHY DO CONFLICTS OF INTEREST MATTER?

Identifying, disclosing, and managing conflicts of interest are critical to protecting your organization's reputation and ensuring that your organization's activities are conducted with fairness and integrity.

The United States Olympic and Paralympic Committee's Compliance Standards require all National Governing Bodies (NGB) to maintain and enforce a Conflicts of Interest Policy, including having a process to manage conflicts of interest once they are disclosed. You can learn more about these requirements in the USOPC's Implementation Guide for NGBs, which your NGB or the USOPC can share upon request.

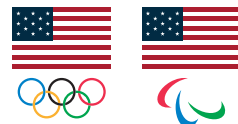
ARE THERE DIFFERENT TYPES OF CONFLICTS OF INTEREST?

Yes, there are three different types of conflicts defined below. It is important to disclose all three types of conflicts so your organization can help you avoid or manage them.

Actual: An actual conflict of interest exists when you have a relationship with a person or organization that may interfere with or influence your decision making in your role with your organization.

Potential: A potential conflict of interest exists when there's a reason to believe that a future event may create an actual conflict of interest. For example, you might have a relationship with a person or organization that may be considered as a vendor for your organization. You might have a conflict, but not until the vendor pursues business with your organization.

Perceived: A perceived conflict of interest exists when you have a relationship with a person or organization that may appear to others as interfering with or influencing your decision making.



WHAT DO I DO IF I HAVE A CONFLICT OF INTEREST?

IDENTIFY, DISCLOSE, MANAGE



1. IDENTIFY

It is important to identify and disclose conflicts of interest so someone at your organization, for example, an Ethics Committee or a staff member, can help you avoid situations where your involvement might lead someone to question the reasons a decision was made. Take a broad view of your personal and financial relationships and interests. If you aren't sure whether a relationship creates a conflict of interest, ask your organization who you can discuss the relationship with to determine whether there is a conflict. If it's a close call, don't rely on your judgment alone.



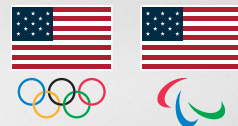
2. DISCLOSE

Once you've determined that you might have an actual, potential, or perceived conflict, NGB conflicts of interest policies require that you disclose the relevant relationship or interest to your organization. You are required to follow your organization's applicable policy, which should explain to whom you should report and how to report. Some organizations require annual conflict disclosures while others require them every other year, and most organizations require that you disclose any new conflicts on an ongoing basis. You should check your organization's policy so you are familiar with your organization's rules.



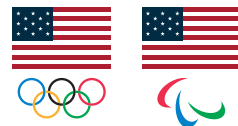
3. MANAGE

Once you disclose a conflict of interest, your organization's Ethics Committee or the person responsible for overseeing the conflicts of interest disclosure process must review the disclosure and provide guidance on navigating the conflict. For example, if you're responsible for choosing a venue for your next competition but your best friend runs one of the competition venues that is being considered, an Ethics Committee might tell you that you cannot be involved in that decision-making process.



IF I HAVE A CONFLICT OF INTEREST, DOES THAT MEAN I CAN'T PARTICIPATE IN MY ORGANIZATION'S ACTIVITIES?

Not necessarily. If you have a conflict of interest, there might be specific meetings or decisions you can't participate in, but it usually doesn't mean you can't otherwise be involved in your organization's activities.

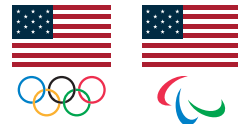


CAN SOMEONE HAVE TOO MANY CONFLICTS?

There is no magic number of conflicts that would prevent you or someone else from participating in your organization's activities. Depending on the circumstances, even one conflict may be too much.

Example: A member of a board of directors has multiple conflicts that prevent her from meaningfully participating in board meetings because she is required to recuse herself from about half of the board meetings. If a constituent group elected this board member, they may be asked to consider whether she can participate enough to meaningfully represent her constituency.

Example: There is an opening at a sport organization for a Sport Coordinator that reports to a Sport Manager. The Sport Coordinator and Sport Manager are part of the Sport Department, which is led by the High Performance Director. The High Performance Director's nephew applied for the Sport Coordinator role, but the sport organization cannot hire him for this role since his uncle oversees the entire department. Hiring the nephew may discourage the Sport Manager from providing an accurate performance review for fear of upsetting the High Performance Director, and there may be perceptions that the nephew receives more favorable treatment than others because of his uncle's position with the organization. However, it may be okay for the sport organization to hire the nephew for a role in a different department where he is not in his uncle's reporting line.



BEST PRACTICES FOR MANAGING CONFLICTS OF INTEREST DISCLOSURES

There are many steps your organization can take to ensure that your athletes, staff, members, and volunteers understand how to manage their conflicts.

First, your organization should have a conflicts of interest or an ethics policy that clearly defines conflicts of interest, how and when conflicts of interest must be reported, and the person or committee responsible for reviewing conflict disclosures.

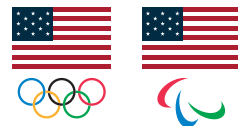
Second, when asking for conflict disclosures, provide a date by which they must be disclosed and sent to the committee or individual who is responsible for reviewing them and providing directions on managing the conflict, if applicable.

Third, the person or persons responsible for reviewing conflict disclosures must review them and determine whether an actual, potential, or perceived conflict exists.

Fourth, if a conflict exists, the person or persons who reviewed the disclosures should provide directions in writing explaining how to manage the conflict. Even if there is a phone call or video conversation to discuss the conflict, the person or persons who reviewed the disclosure should follow up in writing to summarize that conversation and any direction provided.

If you are interested in learning about the requirements for NGB conflicts of interest policies, you can reach out to your NGB or the USOPC for more details.





WHAT IS AN ETHICS COMMITTEE AND WHAT IF MY ORGANIZATION DOESN'T HAVE ONE?

There have been several references to Ethics Committees in this Resource Guide because most NGBs have an Ethics Committee or another committee with the same responsibilities that oversees ethics-related policies, such as conflicts of interest, gifts and entertainment, and code of conduct policies. Ethics Committees may also review conflicts of interest disclosures for board and committee members, and employees, and provide direction on how to manage conflicts.

Ethics Committees often include independent committee members, meaning they have no connection with the sport and can therefore provide an unbiased perspective that someone close to the sport or the organization might not see. Independent committee members are also important because they may be more willing to confront a difficult issue since they do not have the same relationships with people in your organization or within your sport.

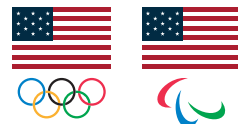
If your organization does not have an Ethics Committee, there is likely a staff member who is responsible for reviewing conflicts of interest disclosures and helping you navigate conflicts.



BEST PRACTICES FOR MANAGING CONFLICTS IN REAL TIME

There may be times when a topic comes up during a meeting where you have a conflict but you aren't sure what to do. If that happens, you can:

- Take the conservative approach and recuse yourself from the discussion and any related decisions by leaving the room or leaving a phone or video call.
- If there is someone in the meeting who can help you navigate the situation, ask to pause the meeting or ask to move the topic to later in the meeting so you have time to ask for advice on managing the conflict.



WHAT ARE SOME OPTIONS FOR MANAGING CONFLICTS OF INTEREST?

SHARE YOUR CONFLICT WITH THE DECISION MAKER AND FULLY PARTICIPATE IN DISCUSSIONS AND DECISIONS

There are conflicts of interest that may allow you to participate fully in discussions and decision making.

Example: A friend from a previous job works at a venue that has submitted a bid to host a state competition, and you are invited to sit in on a meeting where bids will be discussed but you have not reviewed the bids, and you have no input or decision-making authority. In addition, your former co-worker is a bookkeeper at the venue and is not involved in any way with the bid process.

FULLY PARTICIPATE IN DISCUSSIONS BUT RECUSE FROM DECISIONS

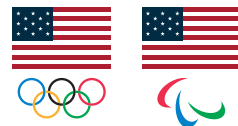
You may have a conflict where you cannot participate in the decision making or voting, but you may have valuable input for a discussion.

Example: An elite athlete who is currently competing sits on an NGB's High Performance Committee, which approves criteria used to decide which elite athletes receive funding. The athlete may participate in the discussion because he is the only athlete on the committee and can provide athlete perspective, but he should not vote to approve the criteria because he may benefit from the decision.

RECUSAL FROM DISCUSSIONS AND DECISIONS

There may be instances where a conflict prevents you from being involved in a discussion and a decision because your involvement might lead someone to question the reasons for the decision, particularly if there's a perception you would benefit from a decision or you would actually benefit from a decision.

Example: The spouse of an NGB CEO wants to participate in a formal request for proposal to serve as the NGB's public relations firm. The NGB CEO's spouse should be disqualified from consideration because staff members who are involved in selecting the public relations firm may be biased in choosing her firm to please the CEO and if the firm performs poorly, staff may be reluctant to provide an honest assessment of the firm's performance.



QUESTIONS?

If you have questions about conflicts of interest or managing the process for reviewing conflict disclosures, you should reach out to the person responsible for your organization's ethics or compliance program.

You can also learn more about the USOPC's Conflicts of Interest Policy and other ethics-related policies at <https://www.usopc.org/ethics-and-compliance>.