

# ST. MARK PRESBYTERIAN CHURCH

## Conflict of Interest Policy

This Conflict of Interest Policy applies to all ordained clergy, paid office staff (Director of Christian Education, Financial Administrator, Office Administrator), session members and trustees (herein referred to as 'staff members') who are working for or volunteering for St. Mark Presbyterian Church in matters relating to the performance of their duties and responsibilities for St. Mark. All funds and property received and administered by St. Mark are entrusted to the organization by God through the faithful financial support of St. Mark members and friends. The highest degree of stewardship and fiduciary responsibility is expected of all 'staff members'. The duty of loyalty and care, as well as the obligation of good stewardship, **requires all 'staff members' to act in the best interests of St. Mark** rather than their own interests or the interests of another entity or person. Responsibilities related to this policy are set forth below.

**Conflicts of Interest.** All 'staff members' shall avoid conflicts of interest, potential conflicts of interest, and situations that give even the appearance of a conflict of interest. "Conflict of interest" means any situation in which a 'staff member' may be influenced or appear to be influenced in church-related decision-making or business dealings by any motive or desire for personal advantage other than the success and interest of St. Mark. Personal advantage means a financial or personal interest, whether present or potential, whether direct or indirect. This standard applies to both actual and contemplated transactions. When in doubt, the 'staff member' is to assume there might be a conflict and should raise the question to the Personnel Committee Chair and the Pastor.

**Paid Staff.** Paid staff members working for St. Mark are not allowed to become members of the following because of the potential for or the appearance of a conflict of interest:

- Session
- Board of Trustees
- Board of Deacons
- Representative Nominating Committee
- Pastor Nominating Committee

No session member shall be involved with a ministry supported by a paid staff person who is a spouse or immediate family member. Spouses and immediate family members of session elders should not serve on session at the same time.

**Disclosure.** As they become known to 'staff members', **all present or potential conflicts of interest must be disclosed in writing using the attached form.** 'Staff members' are to disclose relationships that have the potential for giving rise to the appearance of a conflict. Dealings with a 'staff member's' friends and family are particularly sensitive and are to be disclosed and carefully evaluated because of the potential for inferences of personal advantage and the appearance of impropriety. If a conflict is known in advance of any meeting, business transaction or other activity at which issues may be discussed or on which the issues may have a bearing on the 'staff member's' approach, whether directly or indirectly, it shall be disclosed ahead of time and **the 'staff member' shall abstain from any participation in the discussion or decision.** Minutes of meetings should reflect when a 'staff member' discloses that they have a conflict of interest and how the conflict was managed. For example, minutes may say: "there was a discussion on a matter without the conflicted 'staff member' in the room and/or a vote was taken with the conflicted 'staff member' abstaining." If the conflict is not known in advance, it shall be disclosed when the conflict becomes apparent.

All disclosures are to be made promptly, in writing using the attached form, to the Personnel Committee Chair and the Pastor.

**Gifts and Relationship Building.** To avoid appearances of impropriety, any gifts, gratuities, or special favors to individual 'staff member' shall not be accepted from any person or organization that sells to, delivers to or receives any goods or services to or from St. Mark. This prohibition includes those persons or organizations that desire to enter into such a transactional relationship with St. Mark. ***'Staff members' shall not accept monetary gifts of any amount from such persons or organizations.*** Occasional unsolicited small gifts (less than \$50 in value), such as flowers or food, which are shared within the work area, are not deemed to be to an individual 'staff' member and are acceptable. Meals and relationship-building activities with persons or organizations in connection with St. Mark business may be accepted up to a limit of \$50. If a gift, meal or activity exceeds \$50, the 'staff member' shall promptly provide a written report to the Personnel Committee Chair and the Pastor containing a description of the gift or activity, the dollar value, the name of the person/organization providing it and their reason for providing the gift or activity.

**Outside Employment.** Outside employment by paid staff is permitted as long as it does not interfere with the performance of work duties for St. Mark or result in a conflict of interest situation.

**Confidentiality of Information.** 'Staff members' shall not disclose to those without a need to know business, financial or operational information about St. Mark that is not known outside St. Mark, or is not known by public means, without permission of the Pastor and Session. This includes safeguarding all physical, financial, informational and other St. Mark assets and records.

**Duty to Disclose.** 'Staff members' have a duty to report violations of the policy, whether the violation is by themselves or by another. Likewise, concerns about the appearance or the possibility of violations should be reported. Violations shall be reported confidentially, in writing, to the Personnel Committee Chair and the Pastor and may be reported anonymously. Care must be taken to be factual and objective. An anonymous report must include sufficient corroborating evidence to justify initiating an investigation. There shall be no reprisal for sincere or good faith reports, regardless of whether the information provided proves to be true, untrue or unfounded. However, filing a false report will result in discipline.

**Process and Resolution.** All conflict of interest disclosures and reports are to be made promptly and in writing to the Personnel Committee Chair and the Pastor. After investigation, if warranted, the Personnel Committee Chair and the Pastor will provide the final decision. Reports and investigations will be treated as confidential, with disclosures made on a need-to-know basis only to those involved in the investigation. To the extent possible with the limits of law, policy and the need to conduct a competent investigation, confidentiality will be maintained. Violation or noncompliance with this policy may result in discipline, including termination of employment or volunteer service.

**Training.** Training to familiarize 'staff members' with this Conflict of Interest policy shall be conducted annually. Meeting minutes are to note that this training has taken place if applicable.

