

Conflict of Interest Policy

The Southwest Florida Community Foundation, Inc. (“Foundation”) as a funder, leader, convener and decision maker in the community is a publicly supported charitable foundation which operates within the public trust and strives to maintain the highest code of conduct in all of its operations.

The Foundation recognizes that it can best accomplish its mission when the Foundation trustees, senior advisors, committee members, employees, volunteers, and others doing work on behalf of the Foundation (e.g., consultants, fiduciaries, outside contractors and member of their firms), hereinafter referred to as “Foundation workers”, represent the diverse interests, cultures, occupations and expertise of the community. Thus, the Foundation recognizes that Foundation workers will from time to time face possible conflicts of interest or situations in which the appearance of conflict of interest could be detrimental to the Foundation and the communities it serves.

This Conflict of Interest Policy applies to all Foundation workers holding positions of responsibility and trust on behalf of the Foundation, This Policy shall be provided to each member at the time that he or she is asked to serve the Foundation.

General Policies and Expectations

Foundation workers are expected to commit themselves to ethical and professional conduct. This includes the proper use of authority and appropriate decorum.

Foundation workers must represent unconflicted loyalty to the interest of the Foundation. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups, business interests, personal interests or paid or volunteer service to other organizations.

It is the policy of the Foundation that no Foundation worker shall derive any personal profit or gain (excluding the fair market value compensation for employees and others performing services, e.g., consultants, contractors), directly or indirectly, by reason of his or her service to the Foundation. There may be no self-dealing or any conduct of private business or personal services between any Foundation Worker and the Foundation except those conducted in an open and objective manner to ensure equal competitive opportunity and equal access to information.

Trustees, senior advisors, or committee members must not use their positions to obtain employment in the Foundation for themselves, family Foundation workers or close associates. Should a board or volunteer committee member desire employment, he or she must first resign.

Trustees, senior advisors, and committee members may not attempt to exercise individual authority over the policies and operations of the Foundation except through their roles as

voting board and committee members. Employees may not attempt to exercise individual authority over the policies and operations of the Foundation except through their specific job responsibilities and established supervisory structure.

Policies on Conflict of Interest

In conducting the affairs of the Foundation, duality or conflict of interest shall be presumed when a Foundation worker to whom this policy applies or a member of his/her immediate family serves as a trustee, officer, employee member or holder of more than 10% of corporate stock of an affected organization or firm; has a formal affiliation or interest in an affected organization or firm; or could expect financial gain or loss from a particular decision.

Annually trustees, senior advisors, committee members, volunteers, employees, and consultants shall file with the President and Chief Executive of the Foundation a list of Foundation workers' business activities, as well as involvement with other charitable and business organizations, vendors or business interests, or with any other associations that might produce a conflict of interest.

In addition to the disclosure required by the previous paragraph, each Foundation worker is under an obligation to the Foundation, to his or her fellow Foundation workers, and to the community served by the Foundation, to inform the Foundation of any position he or she holds or of any business or a vocational activity that may result in a possible conflict of interest or bias for or against a particular grantee, action or policy, at the time such grant, action or policy is under consideration by the board or any committee of the Foundation. Any duality or possible conflict of interest on the part of any Foundation worker shall be disclosed to the chair of the board (in the case of trustees or committee members) or the president (in the case of employees) and made a matter of record as soon as the issue in question is raised and a possible conflict is known.

When the trustee, senior advisor, committee member or employee is to decide upon an issue about which a he or she has an unavoidable conflict of interest, he or she shall physically absent herself or himself without comment from not only the vote, but also from the deliberation, unless directly requested by the chair of the board or relevant committee to provide factual information or answer factual questions that may assist the board or committee in making a wise decision. In no case shall he or she vote on such matter or attempt to exert personal influence in connection therewith.

Disclosure and abstention shall be recorded in the minutes of the meeting(s) at which the issue is discussed and decided.

In any situation not specifically covered by the previous sections of this policy, Foundation workers shall consider carefully any potential conflict of their personal interests with the interests of the Foundation and refrain from any action that might be perceived as an actual or apparent conflict of interest.

Duties of Foundation workers

Each trustee, senior advisor, and committee member has the responsibility to report to the board chair (in the case of concerns related to board or committees or the President & Chief Executive Officer) or to the President & Chief Executive Officer (in the case of concerns related to employees) any and all knowledge of any action or conduct that appears to be contrary to this Policy.

Duties of the Board Chair and the President

The chair of the board shall be responsible for the application and interpretation of these policies as they relate to trustees, senior advisors, committee members or the President & Chief Executive Officer. The President & Chief Executive Officer shall be responsible for the application and interpretation of the above policies as they relate to employees.

Disclosure

I have listed below my principal business activities and those of my immediate family and those charitable organizations that employ me or a member of my family or for which one of us serves as a member of the board.

Name of Organization	Nature of Affiliation

I hereby certify that I have read, understood, and agree to the Foundation’s Conflict of Interest Policy and that the information given above is complete and accurate to the best of my knowledge.

Signed: _____ Date: _____

Printed Name: _____

Please check as appropriate:

_____ Trustee _____ Senior advisor _____ Committee member
_____ Employee _____ Volunteer _____ Consultant/Contractor
_____ Fiduciary _____ Other (please describe):

Examples of Appropriate Actions Under This Policy

- 1.** An officer or other paid employee of a bank or other financial institution who is also a board or finance committee member of the Foundation should inform the chair of the board of his or her potential conflict of interest and abstain from discussing or voting on the retaining, employing or dismissing of his or her financial institution as an investment manager of the foundation.
- 2.** A board or distributions committee member who is also a board, employee or committee member of a proposed grantee should inform the chair of his or her conflict of interest and abstain from voting on or discussing any motion for or against the proposed grant, except as expressly requested by the chair to provide factual information or answer factual questions that would be useful to the board or committee in making its decisions. If several grants are being voted upon concurrently, the Board or committee member must voice his or her conflict of interest to the chair before the vote so that a vote on the grant with which there is a conflict may be taken separately.
- 3.** A Board or Committee member whose personal financial interests could be positively or adversely affected by the Foundation's accepting, holding or disposing of a particular gift from a donor or by knowledge of the gift should inform the chair of his or her potential conflict of interest; refrain from seeking, obtaining or reviewing non-public information about the gift; and abstain from discussing or voting on acceptance of the gift.