

## PROCEDURE

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<b>Series:</b>	<b>OPERATING PROCEDURES</b>	<b>COA: ETH 2, 5</b>
		<b>CFOP:</b>
<b>Procedure Name:</b>	Quality Management, Ethics Committee	
<b>Procedure Number:</b>	OP 1226	
<b>Reviewed Date:</b>		
<b>Revision #/Date:</b>	N/A	
<b>Effective Date:</b>	03/01/2020	
<b>Applicable to:</b>	All Brevard Family Partnership Family of Agencies (BFP FOA) Staff, Board Members and Volunteers	

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**PURPOSE:** The purpose of this operating procedure is to ensure any conflict of issue identified by any BFP FOA employee, board member, or volunteer is addressed by the Ethics Committee thoroughly and that all reasonable steps are taken to avoid conflicts of interest, actual or perceived, between personal interests and official duties.

**PROCEDURE:** It is the policy of all BFP FOA employees, board members, and volunteers (herein referred to as “representative” or “representatives”) will conduct BFP business with integrity, in compliance with applicable laws and without consideration to personal benefit.

### Definitions:

**Conflict of Interest** – A conflict of interest may be considered to exist in those instances where the actions or activities of an individual on behalf of BFP also involve:

- obtaining personal gain or advantage;
- an adverse effect on BFP’s interest or image; or
- obtaining an improper gain or advantage by a third party

**Ethics**- Standards of behavior that determine how people should act in the many situations they may find themselves

**Honorarium** – Payment for a professional speaking event.

**Relative** – With regard to employment of relatives, the term “Relative” refers to parents, in-laws, children, sisters, brothers, aunts, uncles, nieces, nephews or family members residing in the same household

### Procedures:

#### 1. Conflict of Interest

##### A. Conflict

Representatives shall make prompt and full disclosure to his/her supervisor via the Conflict of Interest/Secondary Job Disclosure form of any prospective or actual situation that involves, may involve, or might appear to involve a conflict of interest. Conflict of interest may include but is not limited to:

- Ownership or financial interest by a representative or relative in any business partnership or competitor of BFP FOA;

- Serving as an officer, director, employee, consultant, or agent to any business partner or competitor of BFP FOA;
- Acting as a broker, finder, or any other intermediary for the benefit of a third party in a transaction potentially involving BFP FOA.

#### **B. Gifts to BFP FOA representatives**

BFP FOA representatives shall neither seek nor accept for themselves or others personal gifts, favors, entertainment, loans, unpaid services, or other types of gratuities from any person or entity doing business or in competition with BFP FOA, clients, families of clients or referral sources. However, the acceptance of refreshments served at a meeting/event and plaques/awards which does not create a corrupting influence, is acceptable. The following standards must apply:

- Consistent with customary business practices
- Could not be interpreted as graft or an inducement
- Within the boundaries of legal and ethical standards
- Is not purchased with federal or state funds, unless allowable
- Would not embarrass BFP FOA or their representatives if publicly disclosed

Honorariums may only be received in the name of BFP FOA.

#### **D. Credits/Allowances/Rebates to BFP FOA business partners or their representatives**

Credits, allowances, rebates and discounts may be paid only on accounts where related revenue was originally recorded. They may be paid only to the specific business entity or account with which BFP FOA has a contractual agreement and not their representative. All such transactions shall be fully documented.

#### **E. Outside Activities**

- a. Representatives shall not provide services such as management consultation to any outside concern which does business with or whose activities are adverse to BFP FOA.
- b. All secondary employment must be disclosed using the Conflict of Interest and returned to the Human Resources Manager. These forms will be reviewed by the Ethics Committee, using the following criteria in the summation:
  - Evaluate if a conflict of interest exists;
  - Evaluate if the outside employment interferes with BFP FOA position, and
  - Assess if the employment presents a risk to BFP FOA public image.
- c. Active public campaigning for an elected political office while on duty or while representing BFP FOA, endorsing a candidate for political office on behalf of BFP FOA, or otherwise assisting a candidate in the campaign for office by using BFP FOA resources or reputation is not permitted.

#### **Procedures for Conflict of Interest**

1. It is the responsibility of each BFP FOA employee to report any actual or perceived conflict of interest to Management, and/or Human Resources Manager.
2. Upon new hire and annually, representatives will be asked to complete a Conflict of Interest Disclosure Statement, which must be signed and returned to the Human Resources Manager within 30 days. The purpose of this is two-fold:

- Acknowledgement of understanding BFP FOA policy on ethical behavior, including the responsibility to disclose any actual or perceived conflict of interest, and
  - Disclosure of any conflict or appearance of a conflict between personal interests and the interests of BFP FOA.
3. Failure to comply or falsification of disclosure may result in disciplinary action, including possible dismissal.
  4. All employees disclosing a conflict or potential conflict must have the Conflict of Interest form reviewed by the Ethics Committee for final determination.
  5. Conflict of Interest forms for Executive Management Team will be maintained in Human Resource records.

## 2. Ethics Committee

BFP FOA is committed to the continuous improvement of service delivery and outcomes for children and families entrusted to our care. As part of maintaining this improvement, BFP FOA has developed an Ethics Committee for the purpose of identifying, analyzing and resolving ethical dilemmas as they arise. This committee acts as a consulting body to the BFP FOA Executive Management Team. The BFP FOA Executive Management Team may submit any ethical dilemma to the Ethics Committee for review after it has been brought to their attention and a resolution was not determined.

The committee has a minimum of five members. The Chair is the Director of Quality Assurance, Training, and Development. The co-chair is the Care Center Director. Other committee members include the Director of Licensing, the Director of Intake, Placement and Assessment and the C.A.R.E.S. Director or designee. In the event that a committee member is unable to attend the Ethics Committee meeting, the committee member will appoint a designee. The committee members are of diverse backgrounds forming a multidisciplinary team approach. Meetings are held on an as needed basis.

The committee's purpose is to:

- Provide consultation services;
- Educate and advise;
- Recommend policies as the need arises;
- Enhance decision making skills for ethical issues when faced with difficult situations, and
- Provide feedback in the form of findings.

The following framework will be used by the Ethics Committee when presented with an ethical dilemma:

- Review submissions to determine whether an ethical dilemma exists
- Gather all facts
- Evaluate alternative options
- Determine most appropriate action
- Submit a summary of findings to BFP FOA Executive Management Team

The BFP FOA Executive Management Team reviews the summary of findings submitted by the Ethics Committee and makes the final decision regarding the proposed ethical dilemma that includes agreement or disagreement with the summary. The BFP FOA Executive Team may also



elect to request additional information and/or make specific recommendations of action steps. All records will be maintained by Human Resources in the employee's file.

Should any member of the Ethics Committee have a conflict of interest with any person under review, the said member must be recused from any involvement of the review process. An alternate member may also be sought by the Chair for this purpose. Alternates may also be sought during the absence of any member or other unforeseen circumstances as deemed necessary by the Chair. In addition, if a committee member is unable to fulfill their obligation, they should make a request to the Chair for a replacement.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

A handwritten signature in blue ink that reads "Philip J. Scarpelli".

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PHILIP J. SCARPELLI  
Chief Executive Officer  
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 3/12/2020