



NATIONAL ASSOCIATION OF SOCIAL WORKERS CONFLICT OF INTEREST POLICY

I. INTRODUCTION AND PURPOSE

The National Association of Social Workers (“NASW” or “Association”) serves the good of our entire membership. Our leadership and staff must exercise reasonable care in their oversight of the organization to live up to members’ trust. It is important that NASW avoid any unethical financial, professional, or political gain that will damage the Association and its reputation. NASW board members have a legal fiduciary responsibility to assure the prudent management of the Association’s resources. Additionally, all NASW staff and volunteer leaders are expected to act and make decisions in the best interest of the Association.

If the judgment of an NASW official or employee is influenced by an outside interest, the Association may suffer harm directly from an ill-advised decision. The Association can be equally harmed by the creation of a perception among members and others of inappropriate decision-making. Especially for a membership organization, reputation is an invaluable asset. Therefore, even if an employee or volunteer leader believes that they can exercise independent judgment despite a conflict, and even if the individual in fact does so, the perception by others that another interest or relationship may inappropriately influence their judgment can be injurious to the Association.

The purpose of this *Conflict of Interest Policy* (“Policy”) is to protect the interests of NASW and prevent personal interests from interfering with the best interests of the Association. This Policy is intended to supplement, not replace, any applicable federal, state, or local laws regarding conflicts of interest.

II. DEFINING CONFLICT OF INTEREST

Conflict of interest arises whenever the personal, professional, or business interests of employees and volunteer leaders are potentially or actually at odds with the Association’s best interests. This Policy defines conflict of interest to include any relationship that *might* influence or that *might* be perceived to influence the actions, judgment, or decisions of a Covered Individual. Therefore, even if one believes that a relationship or other circumstance will not affect one’s judgment or conduct, if in theory it could do so, then it should be disclosed.

Conflicts of interest are not necessarily illegal or unethical. Many conflicts fall into a gray area where ethics and public perception are more relevant than statutes or precedents. Conflicts of interest may arise under numerous scenarios. Some examples are:

- Serving as an officer, director or executive employee of another nonprofit organization which operates in the same areas of concentration, program, or significant interest to NASW.
- Receiving gifts, favors, compensation (e.g., consulting fees, speaking or writing honoraria, etc.), or anything of value from a company or other entity offering products or services to NASW or related to the interests of the Association.
- Doing business with NASW or having a relationship with any company or organization doing business or wishing to do business with NASW. This may include ownership – direct or indirect – of a financial or other interest in an organization supplying goods or services to NASW. In addition, it may include a relationship in which the interested person or member of their family serves as an officer, director, employee, partner, trustee or controlling stockholder of an organization that does business with NASW.
- Hiring a relative or friend without advertising the position or involving others in the decision-making process.
- Engaging in outside work or business activities that conflict with NASW work.
- Divulging confidential information with competitors.
- Using NASW property for personal benefit or to support an external business venture.

III. COVERED INDIVIDUALS

The following persons are subject to this Policy:

- NASW Board of Directors
- Chapter Advisory Boards¹
- NASW staff
- NASW National and Chapter Committee members
- Section and Task Force members

When acting in their official capacities, these individuals should act and make decisions based on what they honestly and reasonably believe to be in the best interests of the Association.

IV. PROCEDURES TO DISCLOSE CONFLICTS

A. Duty to Self-Disclose

¹ NASW chapters have advisory boards whose members do not share the same fiduciary duties as the NASW Board of Directors. However, this Policy requires them to act in the best interests of the Association. Thus, Chapter volunteer leaders should avoid and disclose actual and potential conflicts of interest. The Chapter advisory boards are referred to as “chapter boards” in the Chapter Charter.

NASW leadership and staff are likely to be affiliated with many organizations in their communities, both professionally and personally. Actual or potential conflicts of interest are bound to arise. However, the steps NASW takes in managing conflict of interest are critical to its reputation and public confidence.

Covered Individuals subject to this Policy must disclose all actual or potential conflicts of interest and sign a *Conflict of Interest Disclosure Statement* ("Disclosure Statement") upon commencing their term of office, employment, or other relationship with NASW. This *Disclosure Statement* should be submitted annually and as conflict or potential conflict arises. Failure to sign or submit the *Disclosure Statement* does not nullify this Policy.

Members of the NASW Board of Directors (including the NASW Chief Executive Officer), Section and Task Force members, and NASW Committee members should submit their *Disclosure Statement* to the President of the Association, with a copy to the NASW CEO and General Counsel. All other Covered Individuals, including NASW staff, Chapter Advisory Boards, and Chapter Committee members should submit their *Disclosure Statement* to NASW's Human Resources Director, with a copy to the Chapter Executive Director, and General Counsel.

B. Disclosure of Conflicts of Others

Covered Individuals are obligated to report any conflict or perceived conflict of any other Association staff or volunteer leader also subject to this Policy in accordance with the requirements above.

The Executive Committee of NASW's Board of Directors or NASW's Compliance Review Team,² will review disclosures and follow up with the interested individuals to resolve any conflict. Covered Individuals will have the burden of defending any decision not to disclose and, therefore, should err on the side of disclosure.

V. PROCEDURES FOR ADDRESSING A CONFLICT OF INTEREST

NASW adopts the below steps to avoid any appearance of impropriety:

- 1) Adoption of an Association-wide *Conflict of Interest Policy* that limits business transactions with organizational leadership and staff and requires persons to disclose potential conflicts.

² The Compliance Review Team is comprised of staff from Human Resources, Chapter Operations, and the Office of General Counsel.

- 2) Disclosure of conflicts when they occur so that decision makers are aware that another person's interests are being affected. Each board director, officer, employee, volunteer leader, and any other interested persons are obligated to disclose the existence or potential existence of a conflict of interest.
- 3) Covered Individuals and any other interested persons will be required to complete, sign and submit a *Disclosure Statement* upon their term of office, employment, or other relationship with NASW, annually thereafter, and as a conflict arises.
- 4) Once a conflict of interest arises, in addition to disclosure, prior to a resolution on the conflict, the individual with the conflict should abstain from deliberations, voting, decision making, and other participation with respect to the matter at issue and any related activities.
- 5) Investigating actual or potential conflicts of interests.
 - *For conflicts relating to NASW Board of Directors, Section and Task Force members, and NASW Committee members:*
 - a) The Executive Committee of the NASW Board of Directors shall review the *Disclosure Statement* in Executive Session at a regular or special meeting in person, by telephone or virtually. The Executive Committee will collect all pertinent information and question the involved parties. In reviewing the *Disclosure Statement*, the Executive Committee shall consider the best interests of the Association as the sole criteria. The Executive Committee may request additional information in its deliberations.
 - b) After full review, if the Executive Committee determines that no conflict exists, the inquiry will be documented but no further action will be taken.
 - c) After full review, if the Executive Committee determines that the individual has an actual or perceived conflict, with a majority of Executive Committee members present and voting, the Executive Committee shall take steps to address the conflict of interest, including, but not limited to: (a) prohibiting any interested parties from voting on any matter related to an actual or potential conflict of interest; (b) requiring individuals to withdraw from decisions that present a potential or actual conflict; and (c) terminating NASW employment or office from the conflicting position or relationship.

- d) If the interested individual is an NASW board member, when their vote or participation in discussion on future matters is restricted, meeting minutes shall reflect that the conflicted board member disclosed a conflict, recused themselves from discussion relating to the matter, and abstained from voting and deliberations on a matter in which there might be a conflict.
 - e) Conflicts of interest shall be reviewed on a case-by-case basis. The Executive Committee has full discretion to decide what disciplinary action is appropriate and necessary for disclosed conflicts of interest.
- *For conflicts relating to staff, Chapter Advisory Boards, and Chapter Committee members:*
 - a) The Compliance Review Team shall review the Disclosure Statement, collect all pertinent information and question the involved parties. In reviewing the *Disclosure Statement*, the Compliance Review Team shall consider the best interests of the Association as the sole criteria. The Compliance Review Team may request additional information in its deliberations.
 - b) After full review, if the Compliance Review Team determines that no conflict exists, the inquiry will be documented but no further action will be taken.
 - c) After full review, if the Compliance Review Team determines that the individual has an actual or perceived conflict, the Compliance Review Team shall make recommendations to the CEO or their designee for corrective action, which may include, but is not limited to (a) prohibiting interested parties from voting on any matter related to an actual or potential conflict of interest; (b) requiring interested individuals to withdraw from decisions that present a potential or actual conflict; and/or (c) terminating NASW employment from the conflicting position or relationship.
 - d) If the interested individual is a volunteer leader, when their vote or participation in discussion on future matters is restricted, meeting minutes shall reflect that the conflicted individual disclosed a conflict, recused themselves from discussion relating to the matter, and abstained from voting on a matter in which there might be a conflict.
 - e) Conflicts of interest shall be reviewed on a case-by-case basis. The CEO or their designee will take corrective action in accordance with NASW policies and procedures.

VI. VIOLATION OF THIS POLICY

A failure to disclose an actual or potential conflict of interest or to follow the recommendations provided under this *Policy* shall constitute a violation of this *Policy* and may warrant corrective action.

Signature

Name (Print)

Position / Office

Date