

OFFICE OF THE PROVOST

POLICY: CONFLICT OF INTEREST IN RESEARCH

Date: January 1, 2009

Approval: The Provost

Contact Person: Dr. Elsie Froment, Dean of Academic Research

First Revision: March 2009

1. Preamble

Trinity Western University is committed to integrity and a high ethical standard in research. In order to maintain public confidence and trust in its role of advancing and disseminating knowledge, it aims to ensure that the conduct of research under the auspices of the University is not compromised by real or perceived conflicts of interest.

1.2 Purpose

The purpose of this policy is to protect integrity and high standards in the research enterprise, individuals and the institution and minimize and manage conflict of interest in research, while protecting the rights of the members, by:

- 1) acknowledging the potential for conflict of interest in research;
- 2) clarifying the policy and procedural requirements of the University regarding conflict of interest in research for its members and the public.

1.3 Scope

This policy applies to all members of the University, including faculty, undergraduate students taking part in research, graduate students, postdoctoral fellows, and other personnel involved directly and indirectly in research, including but not limited to, research associates, technical staff, adjunct professors, visiting professors, and institutional administrators and officials representing the institution.

1.4 Definitions

Conflict of Interest: Conflicts of interest may arise when activities or situations place a person or institution in a real, perceived or potential conflict between their duties and responsibilities related to research and their personal, institutional or other interests. Conflict of interest may occur when individuals' or institutions' judgments and actions in relation to research are, or could be, affected by personal, institutional or other interests, including, but not limited to, business, commercial or financial interests, whether of individuals, their family members, their friends, or their former, current, or prospective professional associations – or of the institution itself.

Research: Research for purposes of this policy includes all the processes involved in carrying a research project from hypothesis to dissemination and/or commercialization of results.

Supervisor: The administrative officer to whom the member reports, unless otherwise stated. The supervisor is responsible to consult his/her supervisor as appropriate; for example, in matters concerning terms of employment.

1.5 Examples

It is impossible to list all circumstances in which conflict of interest may or may be perceived to occur. The following are not unusual situations in which conflict of interest could influence the conduct of research.

The member is a member of a board or committee charged with evaluation of his/her own research project; for example, the Research Ethics Board, Biosafety Committee, Animal Care Committee, or internal grant committees.

The member has a financial interest in the outcome of his/her research and may be in a position to make scholarly or financial decisions that benefit him/her personally, while utilizing University resources and sponsored research funds. Financial interest is recognized as an incentive to research. However, the personal benefits are not, and are not to be seen to be, the overriding consideration in decision making.

The investigators involved in technology transfer include a faculty member and a student who have a current academic relationship. If the academic relationship is not terminated, the academic judgments of the faculty member should be seen to be unassailable through use of independent consultation and review.

A member accepts without written authorization, a research grant or contract from any non-university organization from which he/she receives, or may subsequently receive, direct or indirect benefits as an executive officer or shareholder.

University research facilities and equipment are used to advance private interests of the member without University approval.

A member utilizes media, most likely a website, to promote his/her research and/or research institutes, centres, or groups independently of the University and University policy.

2. Administration

The dean of academic research will be responsible to ensure that all members of the University are aware of the conflict of interest policy and appropriately

informed of their obligations and responsibilities under the policy, and to coordinate policy processes, including record keeping and reporting. Normally, conflict of interest will be dealt with cooperatively between the member and his/her immediate supervisor, informing and drawing upon the assistance of the dean as required. If a conflict of interest situation cannot be resolved in this manner, the dean of academic affairs will convene a Conflict of Interest Committee consisting of two faculty members ratified to serve in this capacity by the University Senate, the member's supervisor, and the university legal officer. The dean of academic research will serve *ex officio*, and will chair the committee. The committee will reach a resolution with the member, which will preserve both the intent of the policy and the rights of the member.

3. Policy

The University expects of its members the highest standards of ethical conduct in research.

3.1 Members must comply with the conflict of interest policies of the University and any applicable conflict of interest policies imposed by other organizations, agencies, or institutions.

3.2 Members may not proceed with a research project until any conflict of interest considerations have been disclosed and resolved.

3.3 Member actions and decisions must not be or be seen to be influenced by private interests, including the interests of immediate family members, other persons living in the member's household, or any other person, company or agency with which the member shares a financial interest, either directly or indirectly, to the detriment of the University.

3.4 Members may not use their skills and expertise for personal or material benefit, except under the terms of a user's or other written agreement with the University.

3.5 Members or research institutes, centres, or groups may not promote or conduct research related to their terms of employment independently of the University.

3.6 No member may alone approve payment from University or University administered funds for any services or materials directly related to the proprietary research or enterprise in which he/she has a direct or indirect economic interest.

3.7 The enterprise in which a member has an economic interest may not employ university students. However, such an enterprise may enter into contractual agreements to this effect with the University or be a partner with the university within a program of one of the granting agencies.

3.8 When members acquire an interest in an enterprise set up by their colleagues, they do so as private individuals and may not permit their university positions to be used for publicity, endorsement, or advertising purposes except where required by law.

3.9 Members may not use the name or insignia of the University, or the names of its offices or organizations, to promote or serve the interests of any non-university organization.

3.10 Members may acknowledge their research sponsors and industrial partners, but may not promote their specific products.

3.11 When an enterprise in which a member has an economic interest has made a grant, gift, or donation to the University, no payment out of such grant, gift or donation may be made to the interested member without prior approval of the President of the University.

3.12 To protect objectivity and avoid creating obligation, members normally may not accept gifts, entertainment, travel, or services for personal use from people or companies that do business with the University. Members who desire to accept a gift of significant value must seek the approval of their supervisor and a report will be made to the dean of academic research. Any potential detriment to the University shall be grounds for denial of the request to accept the gift for personal use. Similarly, members who desire to offer a gift of significant value must seek the approval of their supervisor and a report will be made to the dean of academic research. Tokens of appreciation of insignificant value may be accepted or offered at the discretion of the member. Members also must be aware that gifts may be regarded as taxable income.

4. Disclosure

The goals of disclosure are transparency and resolution of any potential, actual, or perceived conflict of interest, for the confidence and protection of members, the University, funding organizations, and the public. Members are responsible to seek guidance regarding the necessity of disclosure before embarking on activities which might raise questions about conflict of interest.

4.1 Undisclosed conflicts of interest are a serious breach of academic responsibility.

4.2 If a potential, actual or perceived conflict of interest is identified, a member will disclose the conflict of interest situation in writing to his/her supervisor, copied to the dean of academic research, using the disclosure form provided on the Research Office website. The member will complete the disclosure process whenever the conflict of interest situation changes or a new conflict of interest situation arises.

4.3 Members who are in a position to influence a decision about a purchase or a contract must disclose in writing any personal material interest in a prospective vendor to the relevant purchasing administrator, copied to their supervisor and the dean of academic research. Contracts, purchases and industry partnerships should be based solely on merit.

4.4 It is also appropriate to inform interested parties, such as granting agencies, journals, or the Faculty of Graduate Studies, of any conflict that might influence applications for research funding, review of manuscripts, or examination of theses. When publishing the results of any research for which funding was supplied, the member shall name the source or sources of funding in the publication, unless explicit approval to do otherwise has been obtained from the member's supervisor.

4.5 All information disclosed by a member under the conflict of interest policy will be treated as confidential and will only be disclosed to those directly involved in the administration of this policy. Collection, use, disclosure, and retention of personal information will be conducted in compliance with BC's *Freedom of Information and Protection of Privacy Act*.

4.6 If the commitment and activity to be given in relation to an enterprise, such as running for public office, are likely to interfere with academic responsibilities, members will consult their supervisor regarding the advisability of taking a leave of absence or converting to a part-time appointment at the university. Members who have sponsored research in progress should consult the dean of academic research.

4.7 A member who intends to acquire an economic interest in an enterprise must inform all students who may be affected by their actions at the earliest possible date and advise them to seek the advice of the member's supervisor.

4.7.1 The supervisor will inform the dean of the faculty or school of all conflict of interest disclosures involving students.

4.8 Members are expected to express their views and speak out about matters in their fields about which they are expert. When doing so, they are encouraged to identify themselves as members of the University by title. However, such expressions are solely the responsibility of the individual, and the University assumes no responsibility for them, except in statements issued on behalf of the university by those so authorized to act by the university administration.

5. Resolution

5.1 After disclosure, the member's supervisor, in collaboration with the dean of academic research, or the Conflict of Interest Committee will determine if the

conflict of interest situation is allowable as disclosed with no further action, allowable if a protocol is implemented to ensure that the conflict of interest is appropriately managed, or not allowable. The supervisor or committee will report their decision to the member and the dean of academic research in writing, using the forms posted on the Research Office website.

5.1.1 A conflict is to be allowed only when it can be managed in a way that protects and serves the interests, integrity, and reputation of the University, as well as its legal and contractual obligations, and will stand the test of reasonable and independent scrutiny.

5.2 If a conflict of interest situation that is not allowable is identified by the member's supervisor and the dean of academic research or the Conflict of Interest Committee, the member will withdraw from any responsibilities, discussion, or voting through which conflict of interest may arise, if that is deemed appropriate. Exemptions from participation in discussion or voting on the basis of conflict of interest shall be noted in the minutes of the meeting.

5.3 If the investigators involved in technology transfer include a faculty member and a student who have a current academic relationship, the academic relationship either will be terminated or the academic judgments of the faculty member should be seen to be unassailable through use of independent consultation and review.

5.4 If a conflict of interest situation is not disclosed and the member's supervisor and the dean of academic research determine that a conflict of interest may exist, they will initiate the conflict of interest process. Sanctions will be commensurate with the extent of the violation and may include termination of funding. The University reserves the right to recover any profit or financial benefit achieved by a member as a result of non-compliance. Any penalties arising from the undisclosed conflict of interest situation will be recommended by the Conflict of Interest Committee to the Provost.

Forms:

Disclosure

Disallowed conflict report

Allowed conflict memorandum of agreement