

Policy Regarding Conflicts Of Interest In Research And Scholarship

Responsibility	Vice-President Academic	Review Period	10 Years
Approving Body	Senate	Initial Approval Date	December 11, 2009
Advisory Body	TBD	Latest Approval Date	December 11, 2009
Status	In effect	Next Review Due Date	June 16, 2019

1. Reason for Policy

- 1.1. To acknowledge that Conflicts of Interest arise.
- 1.2. To assist Persons in recognizing Conflicts of Interest in research and to establish principles to ensure that Conflicts of Interest in research are properly disclosed, and consistently assessed and managed.

2. Policy Statement

2.1. Introduction

The University has a mandate to engage in research and scholarship. Canadian Mennonite University strives to carry out this mandate in accordance with the highest ethical standards and in a manner that promotes public confidence in its activities.

Conflicts of Interest may arise naturally from a Person's engagement inside the University and a Person's activities outside the University.

In order to ensure the maintenance of the public trust in the University and to protect the integrity of its Persons, the University has created this Policy to address Conflicts of Interest in Research and Scholarship.

2.2. Definitions

- 2.2.1. "Conflict of Interest" means a situation in which the private interests (Financial Interests or Personal Interests) of a Person or Related Party compromise or have the appearance of compromising the Person's independence and objectivity of judgment in the performance of his or her obligations to the University, including teaching, Research and service activities. Conflicts of Interest can be potential, actual or perceived.
- 2.2.2. "Executive Position" means any position responsible for the operation or management of a business or organization.
- 2.2.3. "External Activities" means any activity outside a Person's scope of work with the University.
- 2.2.4. "Financial Interest" means the receipt or expectation of receipt of anything of monetary value, including pay or salary or other payments for services (for example, consulting fees or honoraria), equity (for example, shares or options), security or other ownership interests, and intellectual property rights (for example, patents, copyrights, royalties or options related to such rights).
- 2.2.5. "Initial Reviewer" means the individual responsible for initially reviewing a Person's disclosure of Conflicts of Interest, and is normally the person to whom the Person reports (e.g. department coordinator or Dean).
- 2.2.6. "Person" means:
 - (a) an individual who falls into one of the categories defined in the University's Personnel Policy Handbook; or,
 - (b) a post-doctoral fellow, a full time or a part time student, a graduate or undergraduate student, a visiting student, or a visiting scholar; or,
 - (c) any other individual involved in any activity under the auspices, that is, under the control of the University.
- 2.2.7. "Personal Interest" means the receipt or expectation of receipt of any personal benefit (workplace or otherwise) of a non-monetary value.

- 2.2.8. "Related Party" means a Person's family member (e.g. spouse, child, parent, sibling, grandparent, aunt or uncle), or other person living in the same household, or any other person with whom the Person shares a financial interest or personal interest, either directly or indirectly.
- 2.2.9. "Research" means funded or self-funded research, including scholarly and other creative activities, conducted under the auspices, that is, under the authority or control of the University.
- 2.2.10. "Secondary Reviewer" means the individual responsible for making a decision based on the Initial Reviewer's recommendation, and is normally the person to whom the Initial Reviewer reports (e.g. Dean/Director).
- 2.2.11. "University" means the Canadian Mennonite University.

2.3. Examples of Conflicts of Interest

As each situation depends on its specific facts, the University has not developed an exhaustive list of Conflicts of Interest. However, Conflicts of Interest will arise in the following situations:

- 2.3.1. where a Person, or a Related Party has a Financial Interest or Personal Interest in the outcome of his or her Research;
- 2.3.2. where a Person conducts Research for a business or organization in which the Person or Related Party has a Financial Interest, Personal Interest or holds an Executive Position;
- 2.3.3. where a Person undertakes Research to evaluate a drug or device when the Person or Related Party has a Financial Interest, Personal Interest or holds an Executive Position in the business or organization producing the drug or device under evaluation;
- 2.3.4. where a Person directs Research to serve the needs of a business or organization in which the Person has a Financial Interest, Personal Interest or holds an Executive Position;
- 2.3.5. where a Person uses research trainees (i.e. students, post-doctoral fellows) or support staff of the University to perform services, for a business or organization in which the Person has a Financial Interest, Personal Interest or holds an Executive Position; and,
- 2.3.6. where a Person influences the purchase of equipment or services from a business or organization in which the Person or Related Party has a Financial Interest, Personal Interest or holds an Executive Position.

2.4. Principles

The University's Policy for addressing Conflicts of Interest in Research and Scholarship is based on the principles of Recognition, Disclosure and Management:

- 2.4.1. Recognition: Conflicts of Interest must be defined and identified to permit appropriate disclosure and management. Conflicts of Interest reflect the situation, not the character of the Person.
- 2.4.2. Disclosure: Persons must take initiative in disclosing Conflicts of Interest to their Initial Reviewer. Full and complete disclosure of Conflicts of Interest is a key element in protecting the integrity and reputation of the Person and the University.
- 2.4.3. Management: Only Conflicts of Interest that can be managed in a manner that considers, protects and serves the interests, integrity and reputation of the Persons and of the University, and that will withstand the test of reasonable and independent scrutiny will be allowed. Without limiting the generality of the foregoing, in order to allow such management, the following conditions or restrictions may be imposed:
- (a) public disclosure of the Financial Interest, Personal Interest or Executive Position;
 - (b) monitoring of the University activity by an independent reviewer(s);
 - (c) disqualification from, or modification to, participation in all or a portion of the University activity or, in certain cases, the External Activities;
 - (d) divestiture of the Financial Interest, Personal Interest or resignation from the Executive Position; and,
 - (e) appointing an impartial person to monitor the use of research trainees or support staff.

Conflicts of Interest that cannot be managed will not be allowed.

2.5. Disclosure of Conflicts of Interest

- 2.5.1. As soon as a Person is aware that a Conflict of Interest exists, the Person must disclose the Conflict of Interest to the Initial Reviewer in writing. For Conflicts of Interest involving a graduate student, a copy of the disclosure must also be sent to the Director of Graduate Studies.
- 2.5.2. If the Initial Reviewer also has a Conflict of Interest in the matter to be discussed, disclosure shall be made to the Secondary Reviewer who will then assume the role of Initial Reviewer.
- 2.5.3. Failure to disclose a Conflict of Interest will result in disciplinary action by the University official to whom the Person ordinarily reports.

2.6. Procedure Upon Disclosure to the Initial Reviewer

- 2.6.1. When a Conflict of Interest is disclosed to the Initial Reviewer, he or she will assess the situation, in consultation with the Person. The Initial Reviewer shall, in consultation with the Person, either:
 - (a) recommend that no action be required to address the Conflict of Interest;
 - (b) recommend that some action ought to be taken to address the Conflict of Interest; or,
 - (c) recommend that the proposed Research or other University activity is not permissible given the Conflict of Interest.
- 2.6.2. The Initial Reviewer, having firstly consulted with the Person, shall submit a written recommendation based on
- 2.6.3. (a), (b) or (c) above, together with reasons, to the Secondary Reviewer. In the case of a recommendation under (b), the Initial Reviewer's recommendation shall include a plan to manage the Conflict of Interest.

2.7. Role of Secondary Reviewer in Assessing and Managing the Conflict of Interest

- 2.7.1. Upon receipt of the Initial Reviewer's written recommendation under 2.6.2, the Secondary Reviewer shall consider the Initial Reviewer's recommendation and either:
 - (a) determine that the proposed Research or other University activity is permissible as disclosed with no further action;
 - (b) implement the Initial Reviewer's plan submitted under 2.6.1 (b), with such modifications as the Secondary Reviewer may reasonably determine and the Person may then proceed with the proposed Research or other University activity provided that he or she complies with the plan; or,
 - (c) where the Conflict of Interest cannot be managed, determine that the Person must not proceed with the proposed Research or other University activity, or require that the Person's participation in the External Activity be modified or terminated.
- 2.7.2. The Secondary Reviewer will record all determinations in writing and provide a copy to the Person and to the Vice President Academic.
- 2.7.3. Once annually, the Secondary Reviewer shall submit a report to the Vice-President Academic summarizing each of the cases referred to him/her and the disposition of the cases.

3. Appeal

In the event that the Person is dissatisfied with the position taken by the University with respect to the proposed arrangements for avoidance of conflict of interest, the Vice President Academic in consultation with the Deans Committee will adjudicate the matter.

4. Accountability

- 4.1. The Vice-President Academic is responsible for the communication, administration and interpretation of this Policy.

5. Review

- 5.1. Formal Policy reviews will be conducted every ten (10) years. The next scheduled review date for this Policy is June 16, 2019.
- 5.2. In the interim, this Policy may be revised or rescinded if the Board of Governors deems necessary.
- 5.3. If this Policy is revised or rescinded, all secondary documents will be reviewed as soon as reasonably possible in order to ensure that they:
 - (a) comply with the revised Policy; or
 - (b) are in turn rescinded.

6. Acknowledgements

This policy is based on relevant policies developed by the University of Manitoba and the University of Calgary

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