

 <p>Policies & Procedures Manual</p>	# Pages: Page 1 of 6	Policy Number: AC-04-03
	Approved by: UCN Learning Council	
Section: ACADEMIC - RESEARCH	Effective Date: April 24, 2018	
Title: CONFLICT OF INTEREST AND COMMITMENT IN RESEARCH AND SCHOLARLY ACTIVITY	Replaces: AC-04-03 Conflict of Interest in Research and Scholarly Activity dated December 14, 2010	

POLICY STATEMENT

University College of the North will establish principles and procedures that promote high standards of ethics and integrity in research and scholarly activity undertaken by and affiliated with the University College.

PURPOSE OF POLICY

University College of the North recognizes that situations may arise that could comprise a real, perceived or potential conflict of interest or commitment for the University College itself, for its researchers and students, and for its Research Ethics Board (REB) and Animal Care Committee (ACC). A perceived conflict of interest is one in which a reasonable person would think that personal and/or institutional judgment and objectivity is likely to be compromised. A potential conflict of interest involves a situation that may develop into an actual conflict of interest. Further, a conflict of commitment can occur where a UCN researcher engages in non-University College activities that are substantial or demanding of the UCN researcher's time and attention and adversely affect the discharge of the UCN researcher's responsibilities to the University College.

The purpose of this policy is to provide direction on identifying, preventing, disclosing and managing conflicts of interest and commitment for the University College, its researchers and students, and its REB members to help ensure all discharge their respective professional and institutional obligations, maintain public confidence and trust, and ensure accountability. Further, this policy is designed to help ensure protection for human participants, animal subjects and the natural environment in research, and to maintain the integrity of the research itself.

Conflicts of interest or commitment and perceived conflicts of interest or commitment can arise naturally from a UCN researcher's engagement inside and outside the University College, and the mere existence of a conflict of interest or commitment, or the perception of a conflict of interest or commitment do not necessarily imply wrongdoing on anyone's part. Nonetheless, conflicts of interest or commitment and situations that give rise to perceptions of such conflict must be recognized, disclosed and assessed.

INTERPRETATION OF POLICY

This policy should be interpreted throughout with the understanding that the term 'research' is inclusive also of scholarly activity as defined below.

This policy should be interpreted with the understanding that research can involve honest error, conflicting data or valid differences in experimental design or in interpretation or judgment of information.

EXEMPTIONS TO POLICY

This policy does not apply to ongoing information-gathering activities deemed to be of minimum risk that are sanctioned by University College of the North, are in accordance with its core mandate, and are related directly to the normal administering, evaluating, or improving of an operation, program, service or activity within University College of the North. Such activities commonly include, but are not limited to, quality assurance studies, performance reviews, or testing within normal educational requirements, and are not considered to be "research" as defined under the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS 2)*.

DEFINITIONS

1. **University College** means University College of the North (including its institutes and research facilities) particularly as relating to the University College of the North's eligibility to receive and manage grant funds and contracts.
2. **Researcher** means, for the purposes of this policy, any University College of the North faculty member, non-instructional staff member, Elder, student, or any other person or organization engaged in conducting research under the auspices of or involving University College of the North. A researcher might, but not necessarily, hold a research grant awarded by the Natural Sciences and Engineering Research Council (NSERC), Social Sciences and Humanities Research Council (SSHRC) or Canadian Institutes of Health Research (CIHR).
3. **Research Personnel** includes undergraduate and graduate students, postdoctoral fellows, research assistants, research associates, technicians, programmers, analysts and others who may contribute to the research activities of a researcher/grant holder.
4. **Scholarly activity** refers to contributing externally to one's discipline, institution or community, and includes but is not limited to '... scholarly teaching, the application of teaching or learning principles to the practice of teaching to enable more effective teaching strategies and learner outcomes; scholarly enquiry, discovery, integration, creativity, professional service and application; research in support of teaching and learning ...'¹

EXAMPLES OF ACTUAL, PERCEIVED OR POTENTIAL CONFLICT OF INTEREST OR COMMITMENT IN RESEARCH

Following are some examples of actual, perceived or potential conflict of interest or commitment situations that may arise in the context of research. For a fuller understanding, all parties to the research process are strongly advised to refer to the chapters/sections specific to conflict of interest in the most current version of the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS).

At the Institutional Level

As noted in TCPS 2, institutions hold trust relationships with research participants, research sponsors, researchers and society. These institutions, however,

“... may have financial or reputational interests including, but not limited to, the provision of education and the promotion of research that conflict with the institution’s obligations to protect and respect human dignity as characterized by the core principles of this Policy [i.e. TCPS 2]. For example, institutions may experience pressures to attract particular research funding or certain types of research activities that are self-sustaining, which may compromise their independence and public trust.”

Activity. Federation of Post-Secondary Educators of B.C. April 30, 2009. http://www.fpse.ca/files/uploads/pdfs/Scholarly_Activity_White_Paper_090430.pdf

An institutional conflict of interest is essentially one involving a conflict between at least two substantial institutional obligations that cannot be adequately fulfilled without compromising one or both obligations. Conflicts may occur when pursuing particular goals, for instance the pursuit of two different ‘goods.’ For example, seeking to expand its donors’ base for the development of the infrastructure of the institution may conflict with the conduct of research. Institutional conflicts of interests may compromise duties of loyalty and lead to biased judgments. Conflicts may also undermine public trust in the ability of the institution to carry out its missions, operations and ethical responsibilities in research involving humans or animals.

At the Researcher/Student Level

Conflict of interest or commitment in research can arise in the following circumstances (this list is not exhaustive):

- a. When the personal or business interests of the researcher, including the interests of his/her family or associates, conflicts with the researcher’s obligations to:
 - i. the University College, including respect for the University College’s policies;
 - ii. Student researchers, students and other research personnel, under his/her supervision.

- b. When, without prior agreement, use is made of University College resources, including administrative staff, office services, technical services, laboratories, assistants, premises, logo, insignia, for the personal gain or benefit of the researcher or for the gain or benefit of others related to or associated with the researcher.

- c. When the work of students is directed with a view to benefiting the personal or business purposes of the researcher, his/her associates or relations, to the detriment of the student’s progress of scholarly academic endeavors.

- d. When the personal or business interests of the researcher, his/her associates or relations compromise the independence and impartiality necessary to perform his/her duties.
- e. When a researcher uses confidential information that is gathered in the course of his/her duties for personal or business gain or for the gain of his/her associates or relations.
- f. If, in the course of his/her duties, a researcher incurs an obligation to an individual or business that is likely to benefit from special treatment or favors granted by the researcher or the University College.
- g. When a researcher influences or seeks to influence a decision made by the University College or an outside agency for personal or business benefit.
- h. When a researcher accepts an executive appointment, employment, or shares in any non-University College organization which might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their University College appointments.
- i. When a researcher accepts, without written authorization of the University College, a research grant or contract from any external non-University College organization from which they receive or may subsequently receive direct or indirect benefits as an executive officer or shareholder.
- j. When a researcher employs students in any commercial venture related to the student's study or research or proceeds to commercialize the student's work in such a way as to restrict the student's ability to complete their academic program or their ability to communicate their findings.

At the Research Ethics Board (REB) or Animal Care Committee (ACC) Level

To maintain the independence and integrity of review of research involving human participants or animals, REB/ACC members must avoid, disclose and/or manage real, perceived or potential conflicts of interest or commitment. For example, REB/ACC members are in a conflict of interests when their own research projects are under review by their REB/ACC, when they are the co-investigator, or when they are in a supervisory or mentoring relationship with a student applicant. REB/ACC members may also be in a conflict of interest/commitment situation when they have interpersonal relationships or personal or financial interests in a company, labour union or not-for-profit organization that may be the sponsor of the research study, or may be substantially affected by the research. They may also, or have been, in direct conflict with researchers on academic or scientific issues, or when they have engaged in research collaborations and/or commercial transactions with the researcher whose proposal is under review.

OTHER TYPES OF CONFLICT OF INTEREST OR COMMITMENT

There are additionally other types of conflicts of interest that can compromise objectivity and lead to conflicts of interest or commitment in research, such as:

- a. Simultaneously undertaking research projects funded by different sponsors / agencies that have conflicting goals.
- b. [See deleted text on conflict of commitment/obligation in right-hand column. This is now redundant, since we are re-framing the whole policy to capture both conflict of interest and conflict of commitment]
- c. Inappropriate use of information, for example unreasonable delay of publication of research results or premature announcement of research results for personal gain, either tangible (financial, promotion) or intangible (prestige).
- d. A conflict of conscience occurs when personal beliefs, not shared by other participants in the research, influence the conduct of research activities.

A conflict of interest or commitment is considered to fall within the context of inappropriate conduct in research.

PREVENTION, DISCLOSURE, MANAGEMENT AND REPORTING OF CONFLICTS OF INTEREST

Since the possibilities for conflict of interest or commitment and its resolution are almost limitless, members of the University College community are expected to conduct themselves at all times according to the highest ethical standards, in a manner which shall bear the closest scrutiny. This includes the obligation to seek guidance from the appropriate source, including TCPS 2, before embarking on activities that might raise questions about conflict of interest or commitment.

The University College views unresolved conflicts of interest or commitment in the conduct of research to be a serious breach of academic responsibility, and subject to disciplinary measures. Such alleged breaches are investigated under policy AC-04-02 *Integrity in Research and Scholarly Activity*.

The University College will seek to eliminate or manage any conflicts of interest or commitment related to research activities. The University College will disclose in an appropriate manner and form to the relevant concerned audiences all conflicts of interest or commitment related to research activities.

While each instance will be dealt with on a case-by-case basis, prevention of actual, perceived or potential conflict of interest or commitment is to be striven for in the first instance. All parties to the research process are strongly advised to have working knowledge of and use the most current TCPS 2 as their guide, as this document outlines a range of scenarios in which conflict of interest can arise.

If human participant research is involved, the University College will take particular care with respect to management of any potential conflict of interest or commitment to ensure that the welfare of human participants and the integrity of the research are not compromised.

Procedures for disclosure, management and reporting of conflicts of interest or commitment are outlined in the companion document to this policy titled [Document Name].

Related Policies:

AC-04-02 Integrity in Research and Scholarly Activity

AN-01-01 Use of Animals in Teaching, Research and Testing

UCN Policy and Procedures Governing Ethical Conduct of Research Involving Humans