



**SIMON FRASER UNIVERSITY**  
**Policies and Procedures**

**Date**  
June 27, 2007  
**Revision**  
June 17, 2013

**Number**  
GP 37 **PROCEDURE**

## Procedures for Disclosing and Assessing Conflicts of Interest

### 1. Disclosing Conflicts of Interest -- Research

**1.1** Members applying for research funding must complete a [Research Funding Application Signature Sheet](#). As part of that application process, the applicant must disclose any real or potential conflicts of interest [see University Policy GP 37 ([html](#) or [pdf](#)) and R10.01 ([html](#) or [pdf](#))] on the Signature Sheet, indicating that a Conflict of Interest Review is required.

**1.2** The Member will disclose the conflict to his/her Supervisor using the [Conflict of Interest \(COI\) Disclosure Form](#). The Supervisor shall consider the particulars of the situation and decide whether a conflict of interest exists; whether it will be allowed to continue or must be discontinued; and, if it is to be allowed, if conditions should apply. Where the Supervisor shares in the same conflict of interest, both parties shall disclose this to the next most senior supervisor.

**1.3** The Supervisor shall determine the course of action that is in the best interests of the University. In making this determination, the Supervisor may take into account the following factors:

- 1.3.1** any possible harm to the University or its employees, officers or others acting on its behalf if the conflict is allowed;
- 1.3.2** any possible harm to the interests of students, clients of University services, or others served by the University, if the conflict is allowed;
- 1.3.3** whether reasonable alternative arrangements are possible which do not create a conflict of interest;
- 1.3.4** the consequences to the University, its reputation and future activities if the conflict of interest is not allowed;
- 1.3.5** the consequences to the University and its reputation and future activities if the conflict of interest is permitted to continue;
- 1.3.6** the educational, research, economic and other interests of the University; and
- 1.3.7** the rights and interests of the University Member.

**1.4** The Supervisor may request from the Member additional information that relates directly to and is necessary to assess and decide the real or potential conflict. The Supervisor may consult with others before making a decision relating to a real or potential conflict of interest.

**1.5** The Supervisor will impose terms and conditions before permitting a conflict of interest to continue.

**1.6** In all research-related cases, the Supervisor will issue an assessment on the COI Disclosure Form, setting out the issues assessed during the review, the decision made, and the reasons for the decision. Where the decision is to manage the conflict, a process for doing so will be set out. The Supervisor will forward the COI Disclosure form containing his/her decision to the Dean for approval. The COI Disclosure form will be subsequently forwarded to the Office of Research Ethics (ORE).

**1.7** Where the research involves the use of human participants (as defined by [Policy R20.01](#)), ORE will forward the disclosure to the Research Ethics Board (REB). The REB will review the real or

potential conflict of interest and determine whether a conflict of interest exists and, if so, whether it may be managed or must be disallowed.

**1.8** Where research funds are used to employ or otherwise compensate a family member (as defined by [Policy R10.01](#)), ORE will forward the disclosure to the Vice-President, Research to review the real or potential conflict of interest and determine whether a conflict of interest exists and, if so, whether it may be managed or must be disallowed.

**1.9** In all research-related cases, ORE will forward the written decision to the Member who has declared the real or potential conflict of interest, with a copy to the Supervisor, Dean, and Office of Research Services (ORS), setting out the issues assessed during the review and the reasons for the decision. Where the decision is to manage the conflict, a process for doing so will be implemented.

**1.10** Wherever a real or potential conflict arises while carrying out a research project, and subsequent to the filing of a Research Funding Application form, the Member must disclose the Conflict to his/her Supervisor, who will review and report as per sections 1.2 to 1.6 above.

**1.11** A decision concerning an ongoing conflict of interest may be reviewed by the Supervisor at appropriate intervals. The original decision may be reversed or varied, subject to the same approval levels as the original disclosure decision.

## **2. Disclosing Conflicts of Interest – Non-Research**

**2.1** Each Member shall disclose to his or her Supervisor any real or potential conflict of interest that exists or might reasonably be perceived to exist using the COI Disclosure form. Minor conflicts, such as those that may arise in a committee meeting, may be disclosed verbally to the chair.

**2.2** Disclosure shall be made in each of the following circumstances, where appropriate:

- 2.2.1** As soon as any situation arises that creates, or may be perceived to create, a conflict of interest for a Member, or as soon as the Member becomes aware of such a situation;
- 2.2.2** As required in any annual report of a Member's activities or plans or both;
- 2.2.3** Prior to the appointment of the Member;
- 2.2.4** Where required by a particular grant or contract;
- 2.2.5** Where otherwise required in accordance with Policy GP 37.

**2.3** The Supervisor shall consider the particulars of the situation and decide whether a conflict of interest exists; whether it will be allowed to continue or must be discontinued; and, if it is to be allowed, if conditions should apply. Where the Supervisor shares in the same conflict of interest, both parties shall disclose this to the next most senior supervisor.

**2.4** The Supervisor shall determine the course of action that is in the best interests of the University. In making this determination, the Supervisor may take into account the following factors:

- 2.4.1** any possible harm to the University or its employees, officers or others acting on its behalf if the conflict is allowed;
- 2.4.2** any possible harm to the interests of students, clients of University services, or others served by the University, if the conflict is allowed;
- 2.4.3** whether reasonable alternative arrangements are possible which do not create a conflict of interest;
- 2.4.4** the consequences to the University, its reputation and future activities if the conflict of interest is not allowed;
- 2.4.5** the consequences to the University and its reputation and future activities if the conflict of interest is permitted to continue;
- 2.4.6** the educational, research, economic and other interests of the University; and
- 2.4.7** the rights and interests of the University Member.

**2.5** The Supervisor may request from the Member additional information that relates directly to and is necessary to assess and decide the real or potential conflict. The Supervisor may consult with others before making a decision relating to a real or potential conflict of interest.

**2.6** The Supervisor will impose terms and conditions before permitting a conflict of interest to

continue.

**2.7** In all non-research-related cases, the Supervisor will issue an assessment on the COI Disclosure Form, setting out the issues assessed during the review, the decision made and the reasons for the decision. Where the decision is to manage the conflict, a process for doing so will be set out. The signed COI Disclosure form will be forwarded to ORE. ORE will forward the written decision to the Member who has declared the real or potential conflict of interest, with a copy to the Supervisor.

**2.8** A decision concerning an ongoing conflict of interest may be reviewed by the Supervisor at appropriate intervals. The original decision may be reversed or varied, subject to the same approval levels as the original disclosure decision.

### **3. Assessing and Managing Conflicts of Interest (Research and Non-Research)**

**3.1.** Without limiting the discretion of a person assessing a disclosure to consider all relevant factors, the Supervisor must consider the following factors in assessing a disclosure:

**3.1.1** the impact on the Member's ability to satisfy his or her obligations to the University;

**3.1.2** the degree to which the proposed action will be detrimental to the interests of the University, or in the research context;

**3.1.3** the degree to which it may compromise an investigator's professional judgment in conducting or reporting research; and

**3.1.4** the extent to which the proposed action or activity may be managed through an appropriate protocol.

**3.2.** Where a Supervisor is unable to determine an appropriate course of action, the disclosure will be referred to the next level of review with a copy of the disclosure report and any related documents.

**3.3** When submitting payment requests, in instances where a decision has been made to manage the conflict, the disclosing Member must forward a copy of the approved COI disclosure, the management plan, and Supervisor's approval of payment requests to Finance.

**3.4** If a Member is uncertain whether a conflict of interest exists or is likely to exist, clarification should be sought in a preliminary discussion with the Supervisor, ORS, or ORE.

### **4. Access to Disclosures**

**4.1** Disclosures made under Policy GP 37 (Conflict of Interest) will normally be treated as confidential. However, in order to meet the objectives of the Policy it will sometimes be necessary for the University to permit persons within the University and, in some circumstances, persons outside the University, access to information about such disclosures and the terms and conditions imposed. Information will be disclosed only as permitted or required by law.

### **5. Records Management**

**5.1** Records created as a result of actions under this policy will be managed in accordance with a Records Retention Schedule and Disposal Authority (RRSDA). RRSDAs delineate records retention requirements, timeframes, and final dispositions based on an appraisal of the value of the records. The University Archivist is responsible for approving all RRSDAs.