

CIHR Policy on Conflict of Interest Prevention and Management for Scientific Directors, Members of Governing Council and Advisory Bodies

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Enquiries	COI Officer: declaration@cihr-irsc.gc.ca
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1. Goals and objectives

1.1. Goals

This policy seeks to instill confidence in the impartiality and integrity of CIHR's decision-making as it relates to the work of the CIHR institute Scientific Directors, members of Governing Council and advisory bodies (CIHR members). It intends to achieve this by promoting a culture of high ethical standards, transparency and cooperation in identifying and resolving conflicts of interest (COI).



1.2. Objectives

This policy is designed to:

- minimize the risk of actual, potential or perceived conflicts between the external interests and the public duties of CIHR members that could undermine the integrity or otherwise affect the work of the CIHR members, the bodies on which they serve, the activities they are involved in, or CIHR as a whole,
- establish clear expectations, guidelines and procedures for recognizing, declaring and managing situations of COI, should they arise, and
- achieve effective and efficient management of COI.

2. Effective date and application

2.1. Effective date

This Policy comes into effect on the day of its approval by the Governing Council. It replaces the *CIHR Conflict of Interest Policy (2000)* as it relates to CIHR members and applies prospectively.

2.2. Application

This policy applies to the CIHR institute Scientific Directors, members of Governing Council and its Standing Committees, Institute Advisory Boards and other advisory bodies.

This policy applies to the CIHR institute personnel, in relation to their work for and on behalf of CIHR. Scientific Directors are responsible for implementing this policy and preventing and managing COI at their respective institutes.

This policy does not apply to CIHR employees or to participants in CIHR peer review process. CIHR employees and participants in peer review process are subject to separate policies related to COI, namely [CIHR Conflict of Interest Policy](#) and the [Conflict of Interest and Confidentiality Policy of the Federal Research Funding Organizations](#) respectively.

As public office holders, members of Governing Council are subject to the [Conflict of Interest Act](#), which establishes the rules of conduct for them, but does not require disclosure of their COI. The present policy, being consistent with the Act, requires that members of Governing Council disclose their external interests and manage COI situations based on the principles specified hereafter.



3. Definitions

In the context of CIHR and for the purposes of this policy, the following notions will be defined as follows:

advisory body(ies) – Institute Advisory Boards, Standing Committees of the Governing Council, and other committees or *ad hoc* groups established by CIHR with the intent of inviting external expertise to inform CIHR programs and initiatives.

conflict of interest (COI) – a situation in which external interests or engagements of CIHR members compete or conflict with their official responsibilities to CIHR, and could be seen as furthering their interests or the interests of others, or giving an unfair advantage to others in their dealings with CIHR or with the government in general.

A conflict in this context should be interpreted broadly to include any circumstances that could reasonably be perceived as giving rise to COI situations and can be actual, potential or perceived in nature.

COI Officer – a CIHR senior executive delegated by the President to be the responsible authority for COI matters under this policy. The COI Officer is responsible for interpreting and implementing this policy, and ensuring compliance with it. As such, the COI Officer is the ultimate CIHR authority for determining the existence of COI in relation to a Member and the appropriate measures for its resolution.

external interests – include personal interests (such as financial, intellectual, professional, familial), as well as external duties and responsibilities acquired by virtue of employment, membership or other affiliations. The latter may create situations of conflicts of commitments (competing responsibilities) which, if not resolved, may lead to conflict of interest situations.

Not all external interests and associations need to be disclosed by a member, but only those related to the [mandate of CIHR](#) or to the CIHR activities in which the Member is involved.

CIHR members – CIHR institute Scientific Directors, members of Governing Council and of advisory bodies.

Office of the COI Officer – CIHR staff who supports the COI Officer in relation to this policy.

responsible CIHR staff – Governance Secretariat, CIHR employees or other individuals responsible for the functioning of Governing Council, Science Council or advisory bodies, including meeting organization, liaison with CIHR and supporting the work of the chairs. Normally, such staff attend meetings of the council or advisory body for which they are responsible.



4. Guiding principles

Ethical standards

CIHR members have a duty to bring an independent judgment to bear on all CIHR issues they are asked to consider. They are expected to act with integrity in performing their official responsibilities, ensuring that their conduct withstands the highest standard of public scrutiny, an obligation that may not be fully discharged by simply acting within the law.

Public interest

Prior to becoming a CIHR member, individuals must arrange their external affairs in such a manner as to prevent their external interests from appearing to conflict, or actually conflicting with their performance of CIHR responsibilities. If such a conflict arises, it should be declared and resolved in the interests of CIHR and for the public good.

Disclosure as the first response to COI

COI situations are circumstance-specific. It is therefore, impossible for the organization to foresee every situation that could lead to a COI, and to prescribe a comprehensive set of rules for them. To minimize the risk of COI, CIHR instead requires that CIHR members proactively disclose their relevant external interests, and facilitates their effective resolution. When in doubt about the need or the extent of the required disclosure, CIHR members should seek advice of the chair of council or advisory body of which they are members. In addition, members of Governing Council, Scientific Directors, as well as chairs of the Governing Council, Science Council and of advisory bodies can consult the CIHR COI Officer.

Declaration as a dialogue

CIHR promotes open lines of communications for the ongoing disclosure and for the effective resolution of COI situations. To that end, it strives to ensure that CIHR members and chairs have access to advice and assistance regarding COI situations, as well as an opportunity to update their declarations when necessary. Following the review of a potential COI situation, a member involved will be informed of the recommended COI management measures. Where necessary, a member will be consulted in order to achieve the most appropriate resolution of the COI-related situation.

Recognizing and declaring COI



When declaring their external interests and assessing the risk of COI, CIHR members should consider the following factors:

- a. whether they have a particular interest in an external entity or activity which may subject them to demands that are incompatible with their role within CIHR and may impair, or be seen as impairing their ability to perform their duties for CIHR in an impartial manner;
- b. whether their external commitments could make, or be seen as making them:
 - a. knowingly taking advantage of, or benefiting from the position they hold or the information that they obtained in the course of their official duties for CIHR and that is not generally available to the public,
 - b. assisting private entities or individuals in their dealings with CIHR or the federal government where this would result in preferential treatment of the entities or persons, or interfering in the dealings between the two as to inappropriately influence the outcome.

When in doubt about the existence of a conflict, a declaration is required.

COI resolution measures

Full disclosure will often be sufficient to mitigate the risk of COI. However, depending on the nature of the conflict (actual, potential or perceived) and the degree of risk involved, other measures to manage or eliminate the conflict may be required. The most common of them involve the member having to abstain from discussion and/or decision-making on the issue in question; to divest himself/herself from the interest that is in conflict with the official responsibility, or to step down from a position held. A proportionate approach should be employed for determining the appropriate COI management measures: the greater the likelihood of COI situations to arise in a specific context, or the greater the risk of the revealed COI to undermine the integrity of the CIHR process, the more rigorous measures should be applied.

5. Responsibilities

5.1. COI Officer

Under this policy, the COI Officer is appointed by the President to oversee the administration of this policy and related COI procedures. Namely, he/she should:

5.1.1. Facilitate CIHR members' declaration of external interests and the appropriate and effective resolution of the identified COI situations by implementing and maintaining the system of policies, supporting procedures, guidelines, forms, educational and communications tools;



5.1.2. Ensure confidentiality of declaration process. Thus, information in declaration forms will be accessed only by the Office of the COI Officer, chairs of Governing Council and advisory bodies, and other authorized individuals on a need-to-know basis;

5.1.3. Interpret this policy and provide CIHR members, management and other stakeholders with sound advice regarding required standard of conduct and the appropriate COI resolution measures to apply to CIHR members;

5.1.4. Monitor compliance with the policy, and respond to cases of non-compliance. The COI Officer will render the final decision on the matters of COI brought to his/her attention;

5.1.5. Promote and facilitate appropriate record-keeping practices of the COI declaration process;

5.1.6. Issue directives, guidelines, procedures and other tools to support a consistent and effective implementation of this policy. Without limiting the generality of those sections of the policy applicable to all CIHR members, documents issued by the COI Officer may contain considerations and requirements for specific groups of CIHR members.

5.2. CIHR members must:

5.2.1. Declare their external interests in writing by using an approved declaration form, unless an alternative form of declaration is provided for by the COI Officer;

5.2.2. Declare their external interests at the time of their initial appointment, annually thereafter by an established date, and if a change in their circumstances may give rise to COI, as soon as reasonably possible after becoming aware of a change;

5.2.3. Proactively declare their external interests which may come in conflict with their official responsibilities for CIHR during meetings of the council or the advisory body of which they are members, and abstain from participating in the discussion and/or decision-making on the issues in question as advised by the chair;

5.2.4. Seek advice of the COI Officer or their advisory body chair, as appropriate, where there is no explicit guidance on the matter in question, or when in doubt about the nature or extent of the required disclosure, and to cooperate in the appropriate resolution of the conflict, if such has been deemed to exist;

5.2.5. Comply with additional requirements as outlined in the documents issued by the COI Officer, as well as in the terms of reference of a council or an advisory body, and in the individual letters of appointment.



5.3. Chairs of Governing Council, Science Council and advisory bodies (Chairs)

Chairs, supported by the Responsible CIHR Staff, should ensure that COI declaration and management procedures are consistently followed at the level of a council or an advisory body over which they preside, including:

5.3.1. Ensuring that written or verbal declarations of CIHR members are received, as required or necessary;

5.3.2. Ensuring that members are properly informed of their responsibilities regarding COI declaration;

5.3.3. Interpreting and applying this policy for the appropriate resolution of COI situations revealed in declarations of external interests or which become apparent at meetings, and ensuring CIHR members' compliance. In the event of uncertainty or unresolvable disagreement between the chair and the member, the chair should seek advice of the COI Officer;

5.3.4. Ensuring that CIHR members' declarations, as well as decisions about COI resolution, are properly recorded in the meeting proceedings and communicated to the Office of the COI Officer.

6. Consequences

Failure to comply with this policy and the requirements of the Office of the COI Officer may lead to the removal of the member in question from the position he/she holds with CIHR, as well as to CIHR seeking other appropriate remedies.

7. Review and Revision

To ensure its optimal efficacy, the policy will be reviewed and revised as necessary.

8. Enquiries

All enquiries related to COI and this policy, including communications with the COI Officer should be directed to the Office of the COI Officer at declaration@cihr-irsc.gc.ca.