



Policy on Conflict of Interest in Research

Introduction

Conestoga College Institute of Technology and Advanced Learning is committed to provide a polytechnic environment conducive to the pursuit of currency, scholarship, applied research and creative activity for its faculty, staff and students. Conestoga recognizes that situations may arise that could comprise a conflict of interest. The purpose of this policy is to ensure that the conduct of research is not compromised by a real, perceived, or potential conflict of interest and that the public's confidence in research is maintained. This policy complies with the Tri-Council Policy Statement (2nd Edition).

The Executive Dean of Academic Administration (*or designate assigned by the President*) has responsibility for the interpretation and implementation of this policy.

Definitions

Applied Research includes any original investigation, undertaken to acquire new knowledge, or to apply existing knowledge in a novel way, directed primarily towards a specific practical aim or objective. Ideas are developed into operational form to produce new prototype products, devices, processes, systems, and services or to improve substantially those already produced or installed. With respect to this policy, Conestoga includes clinical research, survey-based research, and experimental development within our definition of applied research.

An *applied research project* shall include any project involving an external company or organization, with or without funding, and/or using Conestoga resources (e.g. people, equipment, space) to conduct the project activities. Applied research projects can be further categorized as student projects (capstone or final year), curriculum based projects (i.e. project occurring within certain courses for academic marks), independent projects (i.e. projects done outside of normal academic activities with signed research agreements), or special event projects (i.e. projects undertaken outside of normal academic activities with specified focus for students and/or faculty).

Institutional Research is a special classification of research that involves the surveys and data analysis of information that is focused on program quality improvement and evaluation. Other classifications of research are experimental, basic, discovery, survey and clinical to name a few. All research at Conestoga, not classified as institutional research, will be referred to as applied research.

The word *research*, referenced by itself within this document, may refer to either institutional or applied research. And, a *research project* may refer either an institutional or applied research project.

A *partner* refers to an external business, institution, research hospital, or organization that is engaged in a research project with Conestoga. The partner may be providing full, partial, or no funding towards the research project. In most situations, there is normally a contractual agreement between Conestoga and the partner to stipulate the roles and responsibilities of the participants.

The phrase *Conestoga staff members* refers to all staff whether employed full-time, part-time, or on contract basis (e.g. faculty, researchers, support staff, administrators). The phrase *Conestoga students* refers to all students working with or without monetary compensation on any project under the direction and control of Conestoga.

Consulting Service activities are similar to the activities within an applied research project but are not normally viewed by Conestoga as applied research. There are two types of consulting services for research purposes; "*internal*", using Conestoga resources, and "*external*", not using Conestoga resources. For both types, an individual wanting to engage in consulting services with a company requires prior written approval from Conestoga; consulting services cannot conflict with the employee's responsibilities to Conestoga, constitute economic competition with Conestoga, or negatively impact the reputation of Conestoga.

External consulting service activities are the sole responsibility of the individual. The individual cannot use Conestoga resources and does not represent Conestoga for the consulting service provided. Legal agreements between the individual, the company, or any other third-party are signed without the involvement, endorsement or warrantee of Conestoga. External consulting service activities by faculty members can potentially be viewed as scholarly activities.

Internal consulting service activities require review and approval by one of Conestoga's Academic Chairs prior to engagement. When a particular internal consulting service activity requires the use of Conestoga resources, the activity must be reviewed to ensure it does not interfere with Conestoga's academic processes and legal obligations (i.e. software license agreements, use of donated hardware, etc.) and does not unnecessarily put Conestoga in a potential liability situation. Upon approval, the individual is responsible for conducting the activities in adherence to all Conestoga policies and procedures. Legal agreements between the individual, the company, and Conestoga may need to be entered into and are at the discretion of Conestoga. Internal consulting service activities by faculty members, with prior approval of the Academic Chair, can be viewed as scholarly activities.

If an internal consulting service requires both Conestoga resources and the participation of Conestoga students, then it will be classified as an applied research project and processed accordingly.

Exclusions

This policy does not cover an *external consulting service* agreement between an individual (not acting in the role of his or her position at Conestoga), a company, or a third-party.

Policy Elaboration

A *conflict of interest* in research may arise in the following circumstances:

1. When activities or situations place a person or Conestoga 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 the Institution itself.
2. When the personal, Institutional or other interests of the person (*Conestoga staff member or student*), including the interests of his or her family or associates, conflicts with the person's obligations to:
 - a. Conestoga, including respect for all of Conestoga's policies,
 - b. Conestoga students or staff members, under his or her supervision.
3. When, without prior agreement, use is made of Conestoga resources, including secretarial, office and administrative services, technical services, laboratories, assistants, premises, logo, insignia, for the personal gain or benefit of the person (*Conestoga staff member or student*) or for the gain or benefit of others related to or associated with the person.
4. When the work of students is directed with a view to benefiting the personal or business purposes of the person (*Conestoga staff member*), his or her associates or relations, to the detriment of the student's progress of scholarly academic endeavours.
5. When the personal or business interests of the person (*Conestoga staff member or student*), his or her associates or relations compromise the independence and impartiality necessary to perform his or her duties.
6. When the person (*Conestoga staff member or student*) used confidential information that is gathered in the course of his or her duties for personal or business gain or for the gain of his or her associates or relations.
7. If, in the course of his or her duties, the person (*Conestoga staff member or student*) incurs an obligation to an individual or business that is likely to benefit from special treatment or favours granted by the research or Conestoga.
8. When the person (*Conestoga staff member or student*) influences or seeks to influence a decision made by Conestoga or an outside agency for personal or business benefit.

9. When the person (*Conestoga staff member or student*) accepts an executive appointment, employment, or shares in any non-Conestoga organization which might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their Conestoga appointments.
10. When the person (*Conestoga staff member or student*) accepts, without written authorization of Conestoga, a research grant or contract from any outside non-Conestoga organization from which they receive or may subsequently receive direct or indirect benefits as an executive officer or shareholder.
11. When the person (*Conestoga staff member*) 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.
12. All purchases for an applied research project must follow the rules of the funder, the agency and Conestoga's policies and procedures. When a purchase of an item must be made from the partner (that is currently working on an applied research project with Conestoga) for the purpose of the project, a financial conflict of interest can exist. In these situations, written approval must be obtained from the funder, the agency (if applicable), and Conestoga before any purchase can be processed.

Since the possibilities for conflict of interest and its resolution are almost limitless and cannot all be covered in procedures, Conestoga staff members and students are expected to conduct themselves at all times according to the highest ethical standards, in a manner which shall bear the closest scrutiny, and they are responsible for seeking guidance from the appropriate source before embarking on activities which might raise questions about conflict of interest.

Conestoga views unresolved conflicts of interest in the conduct of research to be a serious breach of academic responsibility. Such alleged breaches are investigated under the *Policy on Research Integrity*.

Conestoga's *Conflict of Interest / Use of College Resources* policy (#HR-B36(88)) and procedure (#HR20-22(88)) applies in all circumstances involving research.

Related Documents

- Policy on Applied Research
- Policy on Research Integrity
- Policy on Intellectual Property
- Policy on Student Rights in Research
- Policy on Research Involving Animals
- Policy on Research Involving Chemical, Biological, or Radioactive Hazards
- Policy on Research in the Yukon, Northwest Territories, or Nunavut
- Policy on Confidentiality of Information in Research
- Policy on Financial Management of Research Projects
- Policy on the Protection of the Environment within Research
- Ethical Conduct in Research Involving Humans
- Procedure for Applied Research Activities
- Procedure for Reporting Concerns within Research

Revision Log

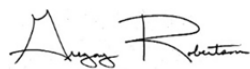
Version Number	Release Date	Notes
AR2 V3	September 2014	Minor updates to text and additions for clarification to definitions.
AR2 V2	March 2013	First release of a completely updated policy.
NA	January 2009	Updated
NA	December 2008	Updated
NA	August 2007	Updated
NA	March 2006	Initial release.

Acknowledgements

This policy has been developed based upon policies and documentation from the Tri-Council of Canada and previous Conestoga documents.

Review Log

As Policy Owners, we certify that the Policy on Applied Research is appropriate and provides an up-to-date framework in which decisions can be made and implemented



Greg Robertson, Director Applied Research

2014-09-04

Date