



## POLICY AND PROCEDURES

### CONFLICTS OF INTEREST AND MANDATORY DISCLOSURE FOR RESEARCH

Code: 5.24

Category: Personnel

Effective Date: July 1, 2008

**SUBJECT: CONFLICTS OF INTEREST AND MANDATORY DISCLOSURE FOR RESEARCH**

**POLICY:** This policy sets out guidelines regarding conflict of interest and disclosure which will serve to safeguard the interests of Lethbridge College, the public, and the employee by providing clear standards of employee conduct. These guidelines and their application are intended to manage conflicts of interest arising from employees using, or appearing to use, their employment for personal gain.

Lethbridge College employees are encouraged to seek and participate in research, to consult widely, and to engage in non-college activities so long as such activities do not interfere with their obligations to Lethbridge College. While Lethbridge College recognizes that such activities may benefit the participants, Lethbridge College, and the public at large, it is committed to ensuring that those activities are conducted in a manner consistent with the interests and mission of Lethbridge College and in a way that maintains the community's trust and confidence.

#### **PREAMBLE:**

Lethbridge College expects its members to disclose immediately on discovery, and to resolve subsequently with Lethbridge College, any apparent or actual or potential conflicts of interest arising from activities in which they are engaged. All full time employees are required to make their responsibilities at Lethbridge College their prime obligation and any outside activity should be conducted without encroachment upon or conflict with those responsibilities.

#### **DEFINITIONS:**

**College:** Lethbridge College.

**Member:** A member of the College community and includes all members of the Academic Staff, Support Staff, Students, Fellows of the College, and Trust Employees.

**Academic staff:** Includes both teaching and non-teaching Board appointees, part time or full time, with or without definite term appointments. Academic Staff also includes Adjunct, Professor Emeritus and other honorary appointees when carrying out their professorial duties.

**Support staff:** Persons covered by the College / AUPE Collective Agreement and persons designated as "exempt" by virtue of their management or supervisory status.

**Student:** A person registered in course-work or in a College program while working for academic credit.

**Fellow:** A person, admitted to work within the College, who enjoys privileges of access to and use of College facilities and services for independent study.

**Trust employee:** Persons paid from funds held in trust or administered by the College on behalf of an outside organization.

## **GUIDELINES:**

### 1. General

The College encourages members to use their skills and expertise in support of the community at large. This may lead to positions of conflict of interest. Guidance in avoiding such conflicts can be obtained through the office of the appropriate Vice-President.

### 2. Restrictions

Members may not use for personal financial or material benefit, except under the terms of a User's or other written agreement with the College.

- a. The College premises and facilities to promote or serve the interest of any non-college organization; or
- b. The name or insignia of the College, or the names of its offices or organizations, to promote or serve the interests of any non-college organization.

### 3. Conflicts of Interest

Conflict of Interest typically occurs when the interest of the member and the interests of the College are in conflict. While it is impossible to document all situations in which conflict of interest may occur, the following are some examples.

- a. When members accept material or financial benefit from a non-college organization for favoring or promoting that organization by virtue of their College position.
- b. When members accept an executive appointment, employment or shares in any non-college organization which might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their College appointments.
- c. Accept without written authorization, a research grant or contract from any non-College organization from which they receive, or may subsequently receive, direct or indirect benefits as an Executive Officer or major shareholder.

- d. Undertake to direct, manage or participate in any non-college activities where such activity would conflict with the full-time employment effort they would otherwise be expected to dedicate to College activities.
- e. Employ their students in any commercial venture or commercialize the results of a students' work.
- f. Undertake to influence College business to advantage the interests of a family member or friend.

#### 4. Disclosure

- a. The onus is upon the member to disclose all actual and potential conflicts of interest. Such disclosure should be in writing and directed to the College official to whom the member ordinarily reports, with a copy to the appropriate Dean / Director and Vice-President.
- b. Conflicts of interest relating to students should also be disclosed to the appropriate Dean / Director.
- c. Failure to disclose actual conflicts of interest may result in disciplinary action by the College official to whom the member ordinarily reports.

#### 5. Resolution

- a. If conflict of interest is identified following disclosure, the member, in consultation with the College official to whom he or she normally reports, should try to develop a plan to manage the conflict.
- b. In the event that a member is dissatisfied with the position taken by the College with respect to the proposed arrangements for management of the conflict of interest, the matter will be adjudicated by the appropriate Vice-President in consultation with the appropriate Dean / Director.
- c. In the case of an academic staff member, the appeal procedures contained in the Lethbridge College Faculty Association Collective Agreement will be used.
- d. In the case of a support staff member, the appeal procedures outlined in the College / AUPE Collective Agreement will be used.
- e. Others can appeal to the President and CEO.

#### **REFERENCE:**

<b>SAT:</b>	2008 05 20
<b>Academic Council</b>	2008 05 20
<b>SLT:</b>	2008 06 18
<b>Cross Reference:</b>	Purchasing Policy: Policy 4.1 Conflict of Interest: Policy 5.13