

Approval Date: June 26, 2009

Conflict Policy – Conflict of Interest and Commitment and Institutional Conflict

Office of Accountability:	Provost and Vice-President (Academic)
Office of Administrative Responsibility:	Faculty Relations
Approver:	Board of Governors
Scope:	Compliance with University policy extends to all members of the University community.

Overview

The University is committed to academic freedom and excellence in teaching and research. In pursuit of this mission, the University and members of the University community frequently engage in activities or situations where actual or perceived **conflicts** will exist, or which raises the potential of actual or perceived conflicts. Rather than disallow all conflicts, the University assesses conflict considerations and, when appropriate, permits certain managed conflict.

However, conflict is permitted only if it can be managed in a way that:

- a. Is compliant with legislation;
- b. Considers, protects and serves the interests, integrity and reputation of the University; and,
- c. Withstands the test of reasonable and independent scrutiny.

To maintain public trust and confidence, the University manages conflict in a fair, open, consistent, and practical manner. All members of the University share in the responsibility to appropriately address conflict.

Assessing conflict requires the collection of personal information as defined in the *Freedom of Information and Protection of Privacy Act*. The University will conduct this and other conflict-related activities with the utmost discretion and in compliance with legislation.

Purpose

To reduce the incidence of conflict or potential conflict (**conflict of interest** or **conflict of commitment** or **institutional conflict**) and appropriately manage any permitted conflict.

POLICY

The University will be vigilant and pro-active concerning conflict.

A **person** engaging in an activity or a situation that involves either existing (actual or perceived) or potential (actual or perceived) conflict shall report the conflict so that it may be assessed and, where appropriate, managed in accordance with the associated procedures. A person shall not engage in, or continue, the activity or situation until the University has assessed whether the conflict is permitted and, if so, how the conflict will be managed.

The University determines whether or not a situation or activity involves conflict. Therefore, all existing or potential conflict must be reported.

Non-compliance with this policy constitutes misconduct and may be pursued under the applicable collective agreement, University policy, or law. The University reserves the right to recover any profit or financial benefit achieved by a person as a result of non-compliance.

The **Board of Governors** will review this policy at least every five years.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [\[▲Top\]](#)

Conflict(s)	Conflict of interest, conflict of commitment, or institutional conflict.
Conflict of Interest	A situation in which there is or may be perceived to be a divergence between the private financial benefit or financial interest or personal benefit of a person, family member , or an outside party , and that person's obligations to the University, such that an impartial observer might reasonably question whether related actions to be taken or decisions made by the person would be influenced by consideration of the person's own interests.
Conflict of Commitment	A situation whereby the external or personal activities, undertakings or relationships of a person are so demanding or organized in such a manner or are otherwise such that they may interfere with the person's obligations to the University or to others or institutions that are separate from the University but to whom the person owes an obligation because of their relationship to the University.
Institutional Conflict	A situation in which the University, or an institution , has an existing relationship with a party with which the University or the institution proposes to enter into an activity such that an impartial observer might reasonably question whether the existing relationship might prejudice decisions of the University or an institution with respect to the activity.
Person	Includes academic staff, support staff, other staff, students , post-doctoral fellows, members of the Board of Governors , a person's corporation , and any other individual who has a contractual or fiduciary relationship with the University or an institution.
Board of Governors	The Governors of the University of Alberta as defined in the <i>Post-Secondary Learning Act P-19.5 2003</i> .
Financial Benefit	The receipt or expectation of anything of monetary value, including pay or salary or other payments for services (e.g. consulting fees or honoraria), equity (shares, options or the like) security or other ownership interests, and intellectual property rights (e.g. patents, copyrights, royalties or carried interests or options related to such rights)
Financial Interest	(A) Ownership in the form of shares in a privately held company or (B) ownership in a publicly traded company in the form of shares with a market value of greater than \$50,000.00 or representing more than 10% of the company's outstanding shares or (C) where the person is a member of a board of either a privately held or publicly traded company.
Personal Benefit	The receipt or expectation of any personal (workplace or otherwise) benefit of a non-monetary value.
Family Member	Includes a person's spouse or adult interdependent partner or another individual to whom the person is related by blood, marriage or adoption.
Outside Party	Includes any corporation, partnership, sole proprietorship or other legal

	entity organized for the furtherance of a non-University interest (for profit or otherwise) and clients or patients to whom the person or the University provides individual professional services.
Institution	The University or any corporation, partnership, or other legal entity owned, controlled or subject to the direction of the University.
Academic Staff	An employee of the Board of Governors who, as a member of a category of employees or individually, has been designated as an academic staff member by the Board of Governors.
Support Staff	An employee of the University who is a member of, and pays dues to, the Non-Academic Staff Association (NASA).
Other Staff	Those individuals employed by the University on a part or full-time basis, who are not academic staff or support staff, and whether or not they are part of a bargaining unit.
Students	Includes undergraduate and graduate students.
Person's Corporation	Any professional corporation or corporation beneficially owned or controlled by a person.

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[Consensual Personal Relationships Info Doc](#)

PUBLISHED PROCEDURES OF THIS POLICY

[Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure](#)

[Financial Conflict of Interest for National Institutes of Health \(NIH\) and Other Applicable Research Funding Sources Reporting and Assessment Procedure](#)

[Managing Conflict of Interest in Employment Procedure](#)