

CONFLICT OF INTEREST POLICY

PREAMBLE

In accordance with article fourteen of By-law Number 4 of the corporation, the board of trustees may prescribe rules and regulations relating to the management and operation of the corporation.

Guiding Principle

The Canadian Health Services Research Foundation shall ensure that it fulfills its mission with integrity and to a high ethical standard. This requires that, as a general rule, employees, trustees, or agents of the Foundation avoid situations in which their interests are, or are perceived to be, in conflict with the interests of the Foundation. The Foundation and its agents seek to develop and implement its policies and processes with optimal openness and transparency.

Definition

“Conflict of interest” means generally any situation in which an employee, trustee, or agent of the Foundation has or promotes an interest which results in or may be reasonably perceived to result in:

- an interference with the objectivity with which the employee, trustee, or agent is expected to exercise responsibilities and duties to and on behalf of the Foundation; and/or
- an advantage or material gain to the employee, trustee, or agent, and/or to other persons with whom the employee, trustee, or agent does not deal at arm’s length, by virtue of the relationship of the employee, trustee, or agent to the Foundation.

POLICY

Foundation employees

1. All employees of the Foundation shall identify and disclose (see disclosure procedures below) any possible or actual conflict of interest to their managers for evaluation, regardless of whether or not the employees derive a financial benefit from the outside activity or interest.

2. Employees shall not be prohibited from taking supplementary employment, including self employment, unless it interferes with their ability to carry out their employment with the Foundation; involves the use of the Foundation premises, equipment, or supplies; or places the employees in a real or apparent conflict of interest with the Foundation. Examples of conflict of interest include, but are not limited to, an enterprise that seeks to supply goods or services to the Foundation, or an enterprise that competes with the Foundation directly or indirectly.

Trustees of the Foundation

1. In accordance with the by-laws of the Foundation,
 - a) trustees who are in any way, whether directly or indirectly, interested in a contract/ arrangement or proposed contract/arrangement with the Foundation shall declare such interest (see disclosure procedures below). Further, trustees are to refrain from voting in respect of the contract/arrangement or proposed contract/arrangement if and when prohibited by the Canada Corporations Act; and
 - b) no trustee shall be disqualified by his/her office from contracting with the Foundation, nor shall any contract or arrangement entered into by or on behalf of the Foundation with any trustee or in which any trustee is in any way interested be liable to be avoided, nor – subject to the provisions of the act – shall any trustee so contracting or being so interested be liable to account to the Foundation or any of its members for any profit realized by any such contract or arrangement by reason of such trustee holding that office or the fiduciary relationship thereby established, provided said contractual arrangements are approved in advance by the board.
2. Trustees are ineligible to serve on Foundation advisory committees that have the power to make recommendations regarding program design and/or are involved in program evaluation.
3. Trustees are ineligible to serve on the Foundation's merit review panels.
4. Trustees are ineligible for personnel and/or training awards from the Foundation where such awards support their salary in whole or in part.
5. Trustees who are active in research are normally eligible to submit applications to the Foundation's peer reviewed research grant competitions.

Regional Officers

1. Regional officers are ineligible for personnel and/or training awards from the Foundation where such awards support their salary in whole or in part.
2. A regional officer under contract to or employed by an organization which may profit from the Foundation's activities shall disclose such relationships at the time of being appointed to the position of regional officer (see disclosure procedures below). If such relationships are entered into after appointment to the position of regional officer, he or she is required to disclose such relationships within 48 hours of entering the relationships.

3. A regional officer involved in a relationship as described in the above paragraph is disqualified from participating directly in any Foundation decisions pertaining to the organization in question. However, it does not prevent the regional officer from providing information about the organization in response to questions from Foundation staff.

Scientific Officers

1. Scientific officers are ineligible for research funding and for personnel and/or training awards from the Foundation where such awards support their salary in whole or in part.

Other agents of the Foundation (includes merit review panellists)

1. For the purposes of this policy, “other agents of the Foundation” include but are not limited to members of the Foundation’s merit review and selection panels, external members of board committees, members of the Executive Training for Research Application (EXTRA) Program Advisory Council, and members of other bodies that may be established by the Foundation from time to time.
2. Conflict of interest shall be defined in the terms of reference for all Foundation merit review panels. It will stipulate rules of disclosure, exclusion, and oversight provisions through the chief executive officer or delegate requirements and requirements for written records and reports by the panel chair.
3. Following the conclusion of every competition, the chair of a merit review panel shall report to the board of trustees the number of conflict of interest issues which were identified and a summary of how they were dealt with by the panel.

Additional regulations

1. Members of the House of Commons or of the Senate are ineligible for any share or part of the funding under the comprehensive funding agreement between Health Canada and the Canadian Health Services Research Foundation approved by the Board of Trustees on 1 May 2009 (which applies to all grants previously received from the Government of Canada, and other grants which the parties agree to include in this agreement) or to any benefit arising thereof.
2. Former federal public officers who are not in compliance with the federal Conflict of Interest and Post-employment Code for Public Office Holders are ineligible for any share or part of any grant under the comprehensive funding agreement or to any benefit arising thereof.

Implementation/Guidelines

- This policy is currently in effect.
- The eligibility criteria for each Foundation competition shall clearly stipulate the rules regarding eligibility of Foundation employees and agents, in particular the scientific and regional officers.

- Conflicts of interest should be resolved in a manner that most fully gives effect to the preceding principle. This may require that the employee, trustee, or agent of the Foundation desist from certain actions or activities through which the conflict of interest arose or may arise. Resolutions which impair the ability of employees, trustees, or agents to fulfill their duties and responsibilities to the Foundation must be avoided.
- The resolution of conflicts of interest shall be recorded in writing and ratified by the board of trustees or its executive committee.
- The Foundation shall continue to comply with its conflict of interest policy as amended from time to time as a condition of making any disbursements from the EXTRA grant.
- The Foundation shall publish its conflict of interest policy and make it available to the public.

PROCEDURE

Foundation employees

- Where a conflict of interest may arise or has arisen, the employee shall fully disclose the conflict of interest to the chief executive officer of the Foundation. In the case of the chief executive officer, disclosure shall be made to the chair of the board of trustees.
- Where it is believed that an actual or perceived conflict of interest may exist, the employee shall fully disclose any conflict of interest to the chief executive officer of the Foundation. In the case of the chief executive officer, disclosure shall be made to the chair of the board of trustees.
- Regarding outside directorships, employees must – before accepting such a position – obtain approval from their supervisors to ensure that there is no conflict of interest and that the employees' outside duties will not conflict with their jobs.
- Disclosures shall be made in writing.

Trustees of the Foundation

- Where a conflict of interest may arise or has arisen, the trustee shall fully disclose the conflict of interest to the board of trustees.
- Where it is believed that an actual or perceived conflict of interest may exist, the trustee shall fully disclose any conflict of interest to the board of trustees.
- Disclosures shall be made in writing. Disclosures made at a meeting of the board of trustees or to a committee of the board and recorded in the minutes of the meeting shall be deemed to have been made in writing.

Scientific officers, regional officers, and other agents of the Foundation (including merit review panellists)

- Where a conflict of interest may arise or has arisen, the scientific officer, regional officer, or other agent shall fully disclose the conflict of interest to the chief executive officer of the Foundation.

- Where it is believed that an actual or perceived conflict of interest may exist, the scientific officer, regional officer, or other agent shall fully disclose any conflict of interest to the chief executive officer of the Foundation.
- Disclosures shall be made in writing. Disclosures made prior to and/or during a review process and recorded in the report of the competition and project file affected shall be deemed to have been made in writing.

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