

Category: BOARD POLICY	
Subject/Title: Research Conflict of Interest Policy	Reference Number: AB 207
Approved by: PHSA Board of Directors	Effective Date: April 23, 2009

1. PURPOSE

PHSA is responsible for the operations of a number of hospitals, health centres, provincial agencies and their affiliated research institutes. PHSA recognizes the importance of research undertaken within these organizations and the potential for improvement in patient care through the translation of such research into clinical applications. It also recognizes the risks inherent when researchers have financial or other personal interests in research and the need to avoid arrangements that might compromise, or seem to compromise, the intellectual principles, independence and responsibility to the public that underlie the ethical conduct of research. Therefore while encouraging and supporting such research, PHSA has adopted this policy for identifying and managing conflicts of interest that may arise in research to ensure the integrity, objectivity and freedom of enquiry of its researchers.

The purpose of this policy is to identify and address potential, actual and apparent conflicts of interest and to provide procedures whereby conflicts are disclosed and either avoided or appropriately managed. Researchers and staff members are expected to diligently guard against and to disclose and address any such conflicts promptly.

2. SCOPE

This policy applies to all researchers and members of staff (“researchers and staff members”) who conduct research at or under the auspices of any of PHSA’s hospitals, health centres, agencies or their affiliated research institutes and includes individuals with academic appointments at UBC or other universities or institutions affiliated with PHSA, or scientific appointments at PHSA affiliated research institutes, members of the medical, dental, midwifery, nursing or professional staff, research associates, research assistants, research nurses, technologists and students at PHSA hospitals, health centres, agencies or affiliated research institutes. This policy supplements University of British Columbia Conflict of Interest and Conflict of Commitment Policy No. 97 and conflict of interest and conflict of commitment policies at other universities and institutions affiliated with PHSA. Where researchers already disclose conflicts under such policies, every effort will be made to utilize these existing disclosures to support implementation of this policy and to avoid duplicative work processes. This policy also supplements other PHSA policies intended to maintain and enhance the public’s trust and confidence, including the following policies: Standards of Business Conduct; Code of Ethics; Theft, Fraud, Corruption and Non-Compliant Activities; and Whistle Blower.

3. POLICY

I. Conflict of Interest

A conflict of interest exists in any situation where there is a potential divergence between a person's private interests and his or her obligations to PHSA or its hospitals, health centres, agencies or affiliated research institutes such that an independent observer would reasonably question whether the persons behavior and/or decisions are in any way motivated by considerations of personal or financial gain. In the research context, conflict of interest includes a situation where financial or other personal considerations may compromise, or have the appearance of compromising, an investigators professional judgment in conducting or reporting research. A conflict of interest may be potential, actual or apparent. A conflict of interest does not necessarily imply wrongdoing as a conflict of interest depends upon the circumstances, and not on the character of the researcher or staff member.

Individual Conflicts

All researchers and staff members are expected to maintain the highest standards of professional integrity and ethical behaviour. The primary commitment of time, behaviour and intellectual energies must be devoted to the objectives of each researcher and staff member's department(s) or organization(s) and of PHSA as a whole. Where researchers and staff members have personal relationships, other interests and/or involvement with other organizations or interactions with external individuals that may lead to situations which create or have the potential to create a conflict of interest, the researcher and staff member must promptly disclose such conflict of interest in accordance with the provisions of this policy.

Disclosure

Each researcher and staff member is required to disclose in advance each potential, actual or apparent conflict of interest to his or her supervisor. Disclosure forms are to be filed on an annual basis or more frequently as new interests are obtained or if the researcher or staff members' situation with respect to a potential conflict of interest otherwise changes since the original disclosure, each researcher or staff member shall be responsible for completing a new disclosure form and submitting it in accordance with the provisions of this policy. The supervisor is required, together with the researcher or staff member (if appropriate), to document and submit to the PHSA Conflict of Interest Committee (COIC) all conflicts of interest that have been disclosed or are apparent to him or her, and take such steps to mitigate potential adverse implications of the conflict of interest as may be appropriate in the circumstances, pending a decision by the COIC.

Relationship with Related Persons

No researcher or staff member will in the course of carrying out his or her research or other duties at a PHSA hospital, health centre, agency or research institute, hire, supervise, evaluate, purchase from, sell to or engage in any commercial activity with a spouse, child, parent or sibling ("related person") of such researcher or staff member, or an individual or organization in which the researcher or staff member or a related person has a financial interest or from which the researcher or staff member or a related person receives or will receive a financial benefit, or authorize, recommend or influence a

decision in that regard, without completing and submitting the conflict of interest disclosure form in accordance with the provisions of this policy.

Gifts

No researcher or staff member will accept gifts of more than nominal value (such as lunch or a box of chocolates) from individuals or business organizations doing business with a PHSA hospital, health centre, agency or research institute. Luncheons, dinners or business organization meetings with supplier representatives on an infrequent basis are helpful in establishing better business understanding and are neither questionable nor unethical provided the researcher or staff member keeps himself or herself free of obligations. Any researcher or staff member who is offered or receives a gift of more than nominal value shall decline the gift and return it to the giver in a tactful and dignified manner advising the giver of the PHSA policy prohibiting its acceptance.

Consulting

Prior to a researcher or staff member providing consulting services to organizations which may have an interest in or be affected by research undertaken by such researcher or staff member, such as pharmaceutical, biotechnology or medical device manufacturing companies, the researcher or staff member must complete and submit the conflict of interest disclosure form in accordance with the provisions of this policy.

II. Procedures for Disclosing and Managing Conflicts of Interest Conflicts of Interest Committee

The PHSA Board of Directors Research Committee shall strike a standing COIC consisting of such members as the Research Committee may from time to time determine, with a mandate to evaluate conflicts of interest and determine what steps, if any, should be taken to mitigate potential adverse implications of each situation and where appropriate to manage the same. Where a researcher or staff member is a member of the faculty of UBC or another affiliated university or institution, the COIC may in its discretion delegate in whole or in part assessment and management of conflicts of interest in respect of such faculty member to UBC or such other affiliated university or institution as the case may be on such terms and conditions as may be determined from time to time by the COIC. The COIC reports to the Research Committee of the PHSA Board of Directors.

Disclosure Form

Each conflict of interest must be disclosed by the researcher or staff member to the appropriate supervisor(s), and reported in writing to the COIC. Where the researcher or staff member is subject to a conflict of interest or conflict of commitment policy at UBC or another affiliated university or institution, such conflict of interest shall either be disclosed to UBC or such other affiliated university or institution and COIC using the conflict of interest/conflict of commitment declaration form established by UBC or such other affiliated university or institution as the case may be, or at the option of COIC such conflict of interest shall be disclosed using such other conflict of interest disclosure form as the COIC may from time to time require researchers and staff members to use for reporting conflicts of interest under this policy. Where the researcher or staff member is not a member of the faculty of UBC or another affiliated university or institution, any conflict of interest shall be disclosed to COIC using such disclosure form as may be required from time to time by the COIC.

Consent to Disclosure of Information

Each researcher and staff member will be required as a condition of undertaking research activities at a PHSA hospital, health centre, agency or affiliated research institute to consent to UBC or other affiliated university or institution disclosing to COIC any conflict of interest/conflict of commitment declaration filed by such researcher or staff member with UBC or such other affiliated university or institution together with any resultant disclosure report, committee report or management protocol prepared by or established pursuant to the conflict of interest/conflict of commitment policies of UBC or such other affiliated university or institution as the case may be.

Assessment of Conflict

The COIC may assess disclosures of conflict of interest to determine whether (a) the proposed research project or activity is permissible as disclosed with no further action; or (b) the proposed research project or activity is permissible only if a protocol is implemented to ensure that the conflict of interest is appropriately managed; or (c) the proposed research project or activity is not permissible.

Management Protocol

Where conflicts of interest are being reported both to UBC or another affiliated university or institution and COIC, the COIC may elect to accept any decision of UBC or such other affiliated university or institution, or any management protocol established by UBC or such other affiliated university or institution with respect to a reported conflict of interest or if the COIC is not satisfied with such decision or management protocol, it may establish its own management protocol or determine that the proposed research project or activity is not permissible. Where the COIC determines a proposed research project or activity is permissible only if a protocol is implemented to ensure that the conflict of interest is appropriately managed, the researcher or staff member may only proceed with the proposed research project or activity in accordance with the protocol. Where the COIC determines that a proposed research project or activity is not permissible, the researcher or staff member must not proceed with the proposed research project or activity.

Privacy

Assessing conflict requires the collection, use, disclosure and retention of personal information as defined in the *Freedom of Information and Protection of Privacy Act* RSBC 1996 Ch. 165. PHSA will conduct conflict of interest activities in compliance with such Act.

III. Best Practices

Where concerns arise regarding the disclosure of conflict(s) pursuant to this policy, such concern(s) should be raised through the normal organizational reporting structure and policies. If such processes are not available, please refer to the PHSA Whistle Blower policy located on the PHSA website (www.phsa.ca).