

Policy Name: Conflict of Interest
Approving Authority: President

Policy # HR-001
Approval Date: 6/23/2023
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Statement

The Conflict of Interest Policy of Beal University Canada (“BUC” or the “University”) provides the obligations regarding confidential information and prevention of conflicts of interests. The President has responsibility for implementing and monitoring and review of the Conflict of Interest policy. The President will review the policy annually.

Conflicts of interest may arise when activities or situations place a person in a real, perceived or potential conflict between their duties or responsibilities related to research, teaching, administrative decisions or other activities in which they participate in the University and their private interests.

Purpose

The purpose of the Conflict of Interest Policy is to promote transparency, reduce the incidence and impact of conflicts of interest and provide for visibility and consistent application of measures to prevent and deal with conflicts of interest. The Policy also states obligations regarding confidential information. In the case of violations, the policy provides an appeals process under the principles of natural justice.

Roles and Responsibilities

This Policy applies to all students and employees of the University, and to all persons carrying on teaching, research, administrative or service activities under the auspices of the University. All of these are considered members of the University.

Policy

No University member may participate in any University activity if the University member would reasonably be perceived to be acting in a conflict of interest unless the University member has adopted measures determined in accordance with this Policy for the appropriate management of the conflict. Every University member must disclose, in accordance with this Policy, any conflict of interest that would, may or may reasonably be perceived to affect their participation in University activities. Every University member must use confidential information acquired in the course of University activities only for the purpose for which it was disclosed.

Any University member who becomes aware that they have an actual or potential conflict of interest that would, may or may reasonably be perceived to affect the University member’s participation in any University activity must, as soon as practical, disclose in writing the existence, nature and scope of the conflict to the University President.

Determination and Resolution of Conflicts

Where an actual or potential conflict of interest has been disclosed to the President, the latter shall determine whether a conflict of interest exists and appropriate measures will be

implemented to deal with that conflict of interest, including whether the conflict of interest prevents the University member from carrying out the activity giving rise to the conflict or whether it can be carried out with appropriate safeguards.

In determining the appropriate measures to deal with a conflict of interest, the President shall consider any relevant factors, including, but not limited to:

- a) Any possible harm to the University or its employees, officers or others acting on its behalf if the conflict is allowed.
- b) Any possible harm to the interests of students, clients of the University services or others served by the University, if the conflict is allowed.
- c) Whether reasonable alternative arrangements are possible which do not create a conflict of interest or whether conditions may be imposed that would eliminate the conflict of interest.
- d) The consequences to the University, its reputation and future activities if the conflict of interest is or is not allowed.
- e) The educational, research, economic and other interest of the University.
- f) The degree to which the conflict, where arising in the context of research, might compromise the researcher's professional judgment in conducting or reporting research; and
- g) The rights and interests of the University member.

The President may request additional information relating to the conflict of interest, consult with others in assessing the conflict, impose terms upon the University member as a condition of allowing the University member to participate in the University activity in which a conflict of interest has arisen, or require the University member to abstain from participation in the activity.

Where the President has made a determination that a conflict of interest exists and what the appropriate measures for dealing with it are, the President will notify the University member in writing and will include any terms and conditions that must be followed. Subject to the provisions of any collective agreement or employment contract, where the University member wishes to dispute the decision of the President, the University member may appeal the decision to the Appeals Committee. The appeal will be conducted under the principles of natural justice. Refer to the Corrective Action Policy for the University's process for allegations, review and inquiry of an appeal related to the resolution of conflicts in this policy. Additionally, the Corrective Action Policy provides the required steps for complainant's appeal process.

Existence of a Conflict of Interest

When a University member has been informed of a decision, the University member must comply with the decision of the President, unless and until that decision is altered through the exercise of any rights under any collective agreement, employment contract or appeal. The appeal will be conducted under the principles of natural justice.

Failure to disclose a material conflict of interest or abide by the provisions of this Policy may result in disciplinary action under the relevant collective agreement, contract or, in the case of students, the academic integrity provisions of the Calendar or in the denial by the University of further privileges and support where disciplinary action is not applicable.

A University member who, in good faith, follows the requirements of this Policy and participates in any University activity after receiving approval from their President, or on any appeal, and carries out those activities in accordance with any plan for managing any conflict of interest decided upon, will be deemed not to be acting in a conflict of interest.

Confidential Information

University members, who receive confidential information in the course of University activities, must not use the confidential information for any purposes other than those for which it is disclosed and must comply with the instructions of their supervisor regarding the confidentiality, protection and disclosure of such information.

Reporting and Confidentiality

To the extent permitted by law and by this Policy, a University member's disclosure of a conflict of interest will be kept confidential. This does not apply to limit the ability of the President to consult other University administrators in the process of making a decision nor does it limit disclosure reasonably necessary for the enforcement of this Policy.

The President will be required to report annually a summary of the conflict of issue matters they have dealt with and their resolution, edited so as to be anonymous, to the Board of Governors.

Related Policies and Documents:

AA-002 Academic Integrity and Honesty Policy
AA-003 Acceptable Use of Electronic Information Resources Policy
AA-004 Corrective Action Policy
HR-002 Employee Code of Conduct Policy
RE-001 Ethical Research Policy
HR-003 Harassment and Discrimination Policy
HR-004 Human Rights, Equity and Fairness Policy
SA-001 Student Code of Conduct Policy