

Holland Bloorview Kids Rehabilitation Hospital	Manual Corporate	Cluster Bloorview Research Institute
	Theme Research Conduct	Number 00086
BRI Conflict of Interest		

Preamble

The Bloorview Research Institute (BRI) is committed to objectivity in research and has an obligation to preserve the public trust. Managing conflicts of interest is integral to achieving these aims.

Policy Statement

BRI staff are expected to conduct themselves in a manner to avoid conflicts of interest and to respond appropriately when a conflict of interest arises. BRI staff are responsible for immediate disclosure of all actual, apparent, perceived or potential conflicts of interest. Full disclosure, in a fair and transparent process, is required to manage conflicts of interest and to protect the interests of BRI, Bloorview Kids Rehab (Bloorview), the staff, and the public.

This policy provides guidelines for identifying situations which may give rise to a conflict of interest, and outlines mechanisms by which an actual, apparent, perceived or potential conflict of interest is to be disclosed and managed. This policy is intended to be complementary to other BRI and Bloorview policies governing the conduct of researchers and staff.

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Procedure:

Responsibility of Disclosing Conflicts of Interest

The onus is on the BRI staff to disclose in advance each apparent, perceived or potential conflict of interest to the Vice President of Research. If a conflict of interest is not realized in advance, the BRI staff must disclose the conflict of interest as soon as he/she realizes the conflict of interest.

Commitment to Bloorview

In carrying out their duties at BRI, BRI staff are expected to maintain the highest standards of professional integrity and ethical behaviour. The primary commitment of time, behaviour and intellectual energies must be to the objectives of BRI and Bloorview.

Activities Requiring Prior Approval

To perform any of the following activities, the activity must first be disclosed and approved by the Vice President of Research.

Use of BRI facilities, Supplies or Staff for Privately Undertaken Work

Each BRI staff must obtain prior approval for and reimburse BRI for all costs (including overhead and salary) associated with the use of BRI facilities, supplies, or other staff for privately undertaken work whenever that work entails more than trivial use of those facilities, supplies, or staff. The Vice President of Research shall determine whether the use of BRI facilities are trivial.

Interaction with Family Members

No BRI staff will, in the course of carrying out his/her duties at BRI, hire, supervise, evaluate, purchase from, sell to, or engage in any commercial benefit with a family member or an organization in which the BRI staff or his/her family member has an employment or consulting arrangement and/or a financial interest, or authorize, recommend or influence a decision in that regard, where the funds involved are administered by BRI, without prior approval from the Vice President of Research.

Relationships with External Entities

Prior to the BRI staff entering into any of the following relationships with external entities, the BRI staff must obtain written approval from the Vice President of Research:

- Sponsored projects or research proposals in which any of the BRI staff or his/her family members have employment or consulting arrangements and/or a financial interest in the applicable external organization or individual, or with proposed subcontractors, vendors, or collaborators; or,
- BRI technology licensing arrangements with external organizations or individuals in which the BRI staff or his/her family members have employment or consulting arrangements and/or a financial interest

Use of BRI Facilities for External Colleagues

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Occasionally, because of their particular expertise and the availability of specialized equipment at Bloorview, BRI staff are called upon to perform services for colleagues outside BRI, including, but not limited to, analyses or laboratory tests. While the provision of such services is encouraged in the spirit of collegiality, the request must receive prior approval and remuneration generated from such services cannot be retained personally by staff. All such compensation is to be deposited into a BRI account, and used for BRI activities as approved by the Vice President of Research.

Prohibited Activities

Gifts

No BRI staff will accept gifts of more than nominal value from individuals or business organizations. Luncheons and dinners on an infrequent basis are neither questionable nor unethical provided the BRI staff keeps himself/herself free of obligations. Any BRI staff who is offered or receives a gift of more than nominal value shall refuse it (or return it) advising the giver of BRI's policy prohibiting its acceptance. The Vice President of Research shall determine whether or not a gift is of a nominal value.

Start-up Companies

Start-up companies exploiting or developing intellectual property must be located, and all management and activities of such start-up companies must take place, outside BRI and Bloorview.

Use of BRI or Bloorview Name

BRI and Bloorview do not typically endorse services, organizations or products. BRI or Bloorview's name, photographs or logos cannot be used by other organizations in any way without the permission of the President and Chief Executive Officer or designate.

Conflict of Interest and Other Activities

Conflicts of Interest can arise in other circumstances not specifically described in this policy. It is important that BRI staff err on the side of disclosure and bring any questions or ambiguities to the attention of the Vice President of Research. Any actual, apparent, perceived or potential conflicts of interest whether or not addressed in this policy, or any other Bloorview or BRI policy should be brought promptly to the attention of the Vice President of Research for consideration and management.

Obligations to Funders

All BRI staff are responsible for being aware of and complying with the terms of the funding agencies, government, and private sector companies that support their research activities, including but not limited to conflict of interest provisions. Any conflicts of interest declared by a BRI staff that may affect a decision about a specific application or a request for a grant or award will be disclosed to the relevant funding agency by the Vice President of Research.

Disclosure Process

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Advanced Written Disclosure

Each conflict of interest will be disclosed in advance in writing to the Vice President of Research by completing the [General Conflict of Interest Disclosure Form](#).

Contents of Written Disclosure

The written disclosure must set out the particulars of the conflict of interest and shall include, where applicable, the following information:

- The individuals, companies or organizations involved;
- The nature and extent of the relationship between the BRI staff (and/or family member) and other individuals, companies or organizations
- The financial interest or other benefit to the BRI staff (and/or family member);
- The expected time commitment (hours/days);
- The role, if any, of the individual/company/organization sponsoring BRI activities of the BRI staff (including applicable fund or cost centre numbers), the extent of the relationship between the BRI staff and/or his/her family member(s) and the sponsoring individual/company/organization, or any entity that could benefit from the results of the activity;
- Where the BRI staff wishes to use BRI facilities for privately undertaken work, the nature of the use of BRI facilities, supplies, or other staff and the proposed reimbursement rate, including overhead and salary;
- Where the BRI staff plans to hire a family member(s) for BRI activities, the name(s) of family member(s), and the relationship to the BRI staff, the activity to be carried out and why it is desirable for the activity to be carried out despite the apparent conflict of interest;
- Where the BRI staff proposes that BRI conducts business with a family member or an organization in which the BRI staff or his/her family member has an employment or consulting arrangement and/or a financial interest, the request must describe the activity to be carried out and indicate why it is desirable for the activity to be carried out despite the apparent conflict of interest.
- Actions taken or to be taken to reduce or eliminate the conflict of interest


Annual Disclosure

In addition to providing advanced written disclosure, BRI staff are to complete and sign the [Annual Conflicts of Interest Disclosure Form](#) and submit it to the Vice President of Research.

Disclosure of Funding Source

When publishing the results of research, BRI staff must disclose the source or sources of funding.

Disclosure to the Research Ethics Board

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BRI staff must disclose any relevant actual, apparent, perceived or potential conflict of interest in all Research Ethics Board application forms and in all informed consent forms as required by the Research Ethics Board.

Conflict of Interest Involving the Vice President of Research

If the Vice President of Research has a conflict of interest, or has a conflict of interest in a matter to be disclosed by a BRI staff, such conflicts are referred in writing to the President and Chief Executive Officer of Bloorview.

Approval Process

Consideration of Impact on BRI staff's Ability to meet Obligations to BRI

The Vice President of Research shall evaluate the information disclosed in light of the extent to which the conflict of interest may affect the ability of the BRI staff to meet his/her duties, responsibilities and commitments to BRI, and enhance, as relevant, the research, clinical, teaching, and/or service responsibilities of the BRI staff.

Consideration of Potential Harm

The Vice President of Research will also consider the seriousness of the potential harm or wrong that could result from the conflict of interest, for example, the effect on public perception of the activities taking place at BRI, or on the practices of other BRI staff within BRI, Bloorview and other hospitals.

Consideration of How Activity could be Accommodated

Where relevant, the Vice President of Research will consider the request in light of the extent to which the activity can be accommodated without interfering with work being carried out by others at BRI. Special procedures that could be instituted which would ameliorate the effects of a conflict of interest will also be examined. For example, where a BRI staff is seeking permission to undertake activities that would affect his/her ability to meet primary obligations and responsibilities to BRI, the Vice President of Research, at his/her discretion, may refuse the request or may require that the BRI staff take full or partial release time without pay in order to undertake these activities. Moreover, if a BRI staff wishes to continue such activity indefinitely, the BRI staff may be required to relinquish his/her status at BRI.

Timing of Decision

The Vice President of Research shall consider all written requests about conflicts of interest and shall render a decision in writing within 10 working days.

Documentation and Monitoring of Approved Activity

If permission to proceed with a conflict of interest is granted, the Vice President of Research is responsible for ensuring that the BRI staff complies with this policy and all other Bloorview policies, including but not limited to ensuring that the conflict of interest does not adversely impact Bloorview or BRI's goals or objectives, or where relevant subject Bloorview to any liabilities. The Vice President of Research may attach further conditions to and restrictions on the approval as necessary in his/her discretion to fulfill this responsibility, for example requesting periodic written reports.

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The basis of the permission, the written approval, and the content of any reports shall be maintained by the Vice President of Research, and copies shall be filed in the BRI staff's file. All records shall at all times be subject to the review of the Vice-President of Research and the President and Chief Executive Officer of Bloorview.

Changes to Situation

Once approval is received, the BRI staff must disclose to the Vice President of Research in advance and in writing any changes to the information originally provided as continued approval is subject to review as the circumstances change.

Permission Denied

If approval to proceed with a conflict of interest is denied, the BRI staff shall be provided in writing with the reasons for the denial.

Appeal

The BRI staff may appeal the decision of the Vice President of Research. This appeal must be made within 5 working days of the receipt of the written decision. The BRI staff must forward the initial disclosure information, the written decision provided by the Vice President of Research, and a letter outlining why the BRI staff is submitting the appeal/disagrees with the decision of the Vice President of Research to the President and Chief Executive Officer of Bloorview. The President and Chief Executive Officer of Bloorview will review the information and provide a written decision to both the BRI staff and Vice President of Research within 10 working days. The BRI staff may not appeal the decision of the President and Chief Executive Officer of Bloorview.

Deliberate Violation of this Policy

A deliberate violation of this policy may result in disciplinary sanctions by BRI against the BRI staff up to and including termination of employment.

Interpretation of this Policy

Any BRI staff having any doubt regarding the applicability or interpretation of this policy should consult the Vice President of Research.

DEFINITIONS:

BRI Staff

BRI Staff is defined as any individual who conducts or supports research activities at or under the auspices of Bloorview. Examples include, but are not limited to:

- Individuals with scientific appointments in the Bloorview Research Institute
- Members of the medical, dental, nursing or professional staff of Bloorview
- Research associates/ assistants
- Trainees (including students and post-doctoral fellows)
- Support and technical staff in BRI
- Volunteers

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A conflict of interest exists in any situation where a BRI staff’s personal or outside interests (including but not limited to such things as other employment or outside business interest) diverge or appear to diverge from his/her responsibilities to Bloorview or the interests of Bloorview. A conflict of interest may be actual, apparent, perceived or potential. 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 BRI staff.

Family Member

A family member includes a spouse, partner, parent, sibling, child, grandparent, grandchild or other close relation. For the purpose of this definition a family relationship includes biological relationships, adoptive relationships, relationships created through marriage and other relationships in which caregiving or dependency exists.

Financial Interest

Financial interest includes, but is not limited to, an opportunity to receive anything of monetary value, e.g., salary or other payments, including, but not limited to, consulting fees, gifts, equity interest (e.g. stocks, stock options, equity or other ownership interests) or intellectual property rights (e.g. patents, copyrights, royalties or other payments from such rights).

Gifts

Gifts include, but are not limited to, articles of value such as cash, personal loans, donations, unrestricted funds, or property and/or travel, accommodation, meals, entertainment, equipment or other special considerations, including those that might be provided by commercial sponsors of continuing education programs or conferences where the BRI staff is playing no role other than that of an attendee, or offers of products or services related to the BRI staff’s profession, field or discipline.

Intellectual Property (IP)

Intellectual property is the product of intellectual or creative activity that can be protected, to some extent, under the law. It includes, but is not limited to, inventions (whether patentable or not), technology, technical information, know-how, copyright, trademarks, official marks, industrial designs, formulae, computer software, computer hardware, databases, apparatuses, processes, drawings, graphics, designs, and all original literary, dramatic, musical and artistic works.

Nominal Value

Nominal value means small and intrinsic in nature. In determining nominal value the Vice President of Research shall take into account the frequency and nature of the gift and whether BRI staff or BRI might be or perceived to be influenced in making research, business, patient care, or advocacy decisions as a consequence of accepting such a gift.

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This policy follows a template developed by the Hospital for Sick Children

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Policy Lead	Issued Date
Nadia Lise Tanel	Jul 20, 2013
Committee Chair	Review Date
Julia Hanigsberg	Oct 03, 2017
Committee Member(s)	Review Date
Tom Chau	Oct 03, 2017
Authorizer	Review Date
Tom Chau	Oct 03, 2017
Authorizer's Signature	