
Conflict of Interest Policy

Institutional Manual

Approving Authority: Office of the President

Established: June 2024

Date of Last Review/Revision: August 2024

Office of Accountability: Office of the Executive Director, Finance and Administration

Administrative Responsibility: Human Resources

Policy Statement

The purpose of this policy is to inform the University community about possible conflicts of interest and to give guidance on actions to take when a real, potential, or perceived conflict of interest arises. Adherence to this policy should ensure employees will act fairly, equitably, and ethically in their actions, and that the integrity of neither the University nor its employees be compromised.

An employee shall be considered to have a real, potential, or perceived conflict of interest when they hold a personal interest (or perceived personal interest), whether direct or indirect, that they are or should be aware of, and that would, in the opinion of a reasonably informed and well-advised person, be sufficient to put into question the independence, impartiality, and objectiveness that the employee is obliged to exercise in the performance of their duties.

Scope

This policy is intended to outline the University's Conflict of Interest practices and should be read in conjunction with any relevant and applicable legislation, as well as other applicable University policies, guidelines, or standards, including but not limited to:

[St. Jerome's University Academic Staff Association Full-time Collective Agreement](#)

[St. Jerome's University Academic Staff Association Contract Academic Staff Collective Agreement](#)

Employment contracts

[Board of Governors Code of Conduct](#)

Staff Manual

[Senate Council Conflict of Interest](#)

[Procurement](#)

Nothing in this policy is intended to amend or supersede any grievance procedure or other aspect of any applicable collective agreement, employment contract or University policy. This policy applies to all employees as defined by the Ontario *Employment Standards Act, 2000* (the "ESA"). For clarity, "employee" under this policy means those

employees of the University who are considered employees under the ESA, including staff, faculty, contract academic staff, teaching assistants, research assistants, and casual staff.

This policy aims to minimize the occurrence of conflicts of interest and to manage them when they do arise. It does not necessarily prohibit activities that may give rise to a conflict of interest, but rather requires full disclosure of a potential conflict of interest to ensure that they can be considered by the University and addressed appropriately.

Principles

- To ensure visibility and consistent application of measures to prevent and address conflicts of interest.
- This policy is meant to protect both individual employees and the institution.
- Employees will disclose any conflict of interest or other circumstances known to them which may reasonably introduce or appear to introduce bias into the performance of their University duties.
- Employees will respect the confidentiality of information they receive through the performance of their University duties regarding conflicts of interest involving any other member of the University; such information may only be used or disclosed where required in the performance of their duties as a member of the University or as required under this policy.

Application

University employees are expected to conduct themselves at all times with the highest ethical standards and are responsible for seeking guidance before embarking on activities which might pose a real, potential, or perceived conflict of interest.

The possibilities for the types of relationships that could create conflicts of interest cannot be exhaustively defined. Within this policy, close relationship means:

- Any relationship employees have with persons in their immediate family, whether related by blood, adoption, marriage, or common-law relationship
- Any relationship of an intimate and/or financial nature
- Any student-supervisor relationship
- Any other past or present relationship that may give rise to a reasonable apprehension of bias

The University expects employees to use their judgement in assessing whether their personal circumstances and relationships may give rise to a potential conflict of interest, and to follow the procedures herein accordingly.

Conflict of interest situations take many forms. The following list of examples, while not comprehensive, are illustrative of situations which may lead to an indirect or direct conflict of interest:

Favouring of outside interests for personal gain:

- Participating in or influencing the outcome of a decision in which the employee or a close relationship of the employee, has a financial or other interest.
- Participating in or influencing the decision to enter into a contract, or purchase equipment or materials for the University from a company in which the employee or a close relationship of the employee, has a financial or other interest.

- Accepting significant gifts, gratuities, or favours from any of the following persons or entities if a reasonable person might conclude that the gift could influence the employee when performing their duties to the University:
 - A person, group or entity that has dealings with the University
 - A person, group or entity to whom the employee provides services in the course of their duties to the University
 - A person, group or entity that seeks to do business with the University

Inappropriate Use of University personnel, resources, information or assets:

- Directing a student or employee to carry out tasks of a personal nature, or on behalf of a company in which the employee or a close relationship of the employee has a financial or other interest.
- Misuse of the University's resources, including facilities, personnel, equipment, assets, materials or confidential information for any purpose other than the performance of the individual's University duties.

Conflict of Commitment:

- Undertaking external consulting, professional or other activities which, by virtue of their time commitment, prevent the employee from fulfilling their obligations to the University.
- Involvement in external organizations which bring the employee into a position of divided loyalty between the mission of the University and the interests of the external organization.

Inappropriate involvement in employment related processes for close relationships:

- Participating in or influencing the outcome of the appointment, hiring, promotion, salary, supervision or evaluation of a person with whom the employee has, or has had, a close relationship
- Approving the expense claims or expenditures for someone with whom the employee has or has had a close relationship

Procedures for Disclosing a Conflict of Interest

Where a procedure for disclosing a conflict of interest is defined in another policy, process, or procedure (ex. Procurement, Board of Governors Code of Conduct, Senate Council Conflict of Interest), employees should follow the procedures as outlined in the most relevant policy based on their role in the given situational context. For any real, potential, or perceived conflict of interest situations that exist and are not covered under another relevant policy, process, or procedure, employees should follow the disclosure procedures outlined in this policy.

Employees must avoid situations in which their private interests, whether monetary, personal or otherwise, create a conflict of interest with their duties to the University. Any matter that may compromise the performance of duties, or conflict with the University's interests, must be disclosed.

Should employees be in doubt as to whether a real, potential, or perceived conflict of interest might exist, it is expected they bring the matter to the attention of their supervisor or appropriate leader (e.g. Committee Chair, Department Chair, department head) for consultation and advice.

If a real, potential, or perceived conflict of interest may exist, the following actions must be taken:

1. The employee will complete the Conflict of Interest Disclosure Form (Appendix A) outlining details of the conflict.

2. The employee will provide the completed form to the most appropriate leader in the circumstances (e.g. immediate supervisor, Committee Chair, Department Chair) as soon as the potential conflict is identified, or no later than any meeting or process begins in which the employee participates and at which the matter is to be considered.
3. The employee must refrain from taking part in any discussion or decision making process in relation to the matter until a decision has been reached regarding how the conflict of interest will be addressed or mitigated.
4. Where the issue is straightforward, the leader who received the Disclosure Form may work directly with the employee to resolve or mitigate the conflict.
5. Where the issue is complex and/or not easily resolved or mitigated, the leader who received the Disclosure Form must discuss the situation with the appropriate Senior Leader to determine the most appropriate resolution.
6. In all situations, the resolution must be documented on the Disclosure Form and be signed by both the employee and the appropriate leader in the circumstances. The Disclosure Form must be shared with the appropriate senior leader for awareness if they are not already engaged.

In the case of the President, disclosure of any real, potential, or perceived conflicts of interest shall be made to the Board of Governors.

If the leader to whom the disclosure is made also has a real, potential, or perceived conflict of interest, the disclosure should be made to the person at the next highest level of authority.

Any person who is aware or has reasonable grounds to believe that a conflict of interest exists which has not been disclosed by the employee involved is required to report it to the appropriate leader using the Disclosure Form.

Once conflicts of interest (real, potential, or perceived) are disclosed, there are several approaches that can be applied to manage them, including but not limited to:

- Adding additional layers of approvals,
- Avoiding or prohibiting the activity that is causing the conflict, or
- Recusing an individual from a committee or decision making process.

A record of the Disclosure Form will be kept until the conflict of interest situation no longer exists, or as long as the current agreed upon resolution exists.

Compliance

The intent of this policy is to assist the University in the management of conflict of interest situations before they arise or when they become known. The University expects that its employees will comply fully with this policy, including all requirements for disclosure and resolution of conflicts. Failure to do so shall constitute grounds for disciplinary action in accordance with the University's applicable disciplinary processes.

Related Policies

[Perquisites \(Perks\)](#)

[Advancement](#)

[Corporate Credit Cards](#)

[Expenses](#)

Appendix A – Conflict of Interest Disclosure Form

Name of Individual Making Disclosure:

Name of Individual(s) or Entity(ies) involved in Potential Conflict of Interest:

Date of Disclosure:

Details of Potential Conflict of Interest:

Name of Leader to Whom Disclosure Form is Sent:

Details of Resolution of Conflict of Interest:

Name of Leader Approving Resolution:

Signature of Approving Leader:

Signature of Individual Who Holds Potential Conflict of Interest: