

Complete Policy Title:
**Statement on Conflict of Interest
in Research**

Policy Number (if applicable):

Approved by:
**Senate
Board of Governors**

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Responsible Executive:
Vice-President (Research)

Enquiries:
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1. Introduction

Research and scholarship lie at the heart of McMaster University's mission. The new knowledge and improved understanding that result from these activities are of immense value to society. The education and training that students receive at McMaster introduce them to the generation of knowledge and help them to understand and use knowledge capably and wisely. Underpinning all of this is the fundamental importance of integrity in research.

In addition to generating new knowledge, the University acknowledges a responsibility to share knowledge, discoveries and technology for the benefit of society. Interaction and partnerships with many sectors of society are encouraged, especially to the extent that they facilitate the utilization of new discoveries.

Research activities and research funding are competitive and complex, frequently involving many collaborations and partnerships. This environment increases the likelihood that *real, perceived or potential* conflicts of interest may arise in the conduct and management of research, thereby compromising the framework of integrity on which the system depends. While the primary responsibility for maintaining high standards of integrity, accountability and responsibility rests with researchers, McMaster University has a responsibility for promoting an environment of transparency and trust regarding its research activities and their management.

An effective strategy for protecting the ethical conduct of research is the disclosure of conflicts of interest. Transparency through disclosure helps to protect the integrity of the research enterprise, to uphold public confidence and trust, to safeguard researchers and to promote ethical and professional conduct.

All members of the University who are involved in research have an obligation to act with integrity in all research relationships and to avoid situations that present conflicts between their duties or responsibilities related to research and their personal, institutional or other interests. Where unavoidable conflicts exist, those involved have the responsibility to disclose those conflicts to the appropriate authorities, as is discussed elsewhere in this document, to ensure that research outcomes are not compromised.

2. Objective

The objective of this policy is to reinforce and clarify the University's expectations regarding conflict of interest in research as described in existing University policies found under Section 9 of this document.

3. Scope

The Policy Statement on Conflict of Interest in Research applies to all those conducting research at or under the aegis of the University.

4. Definitions

For the purpose of this policy, the following terms shall have the meaning outlined in the definitions below:

“University” means “McMaster University”.

"Institutional Personnel" means faculty, postdoctoral fellows, graduate students and undergraduate students taking part in research, directly or indirectly, and other research support staff and any other personnel, including senior administrators, involved directly or indirectly in research, including, but not limited to, research associates, technical staff, adjunct professors, visiting professors, volunteers, observers and institutional administrators and officials representing McMaster University.

“Conflict of interest” means activities or situations that create a real, perceived or potential conflict between personal, professional or institutional interest(s) (including, without limitation, financial interests) and the duties, commitments or responsibilities of that person to pursue the mission of the University (including, without limitation, those related to research). In the research context, a conflict of interest includes a situation where financial, personal, professional, or institutional considerations may compromise judgement in the conduct or reporting of research.

"Indirect ownership" includes beneficial interests in a concern held either (a) by a trust, corporation, partnership, or other venture in which the institutional personnel holds an interest; or (b) by or through a nominee agent, option or other device, as well as beneficial interests derived from loan agreements or other contractual arrangements. "Material financial interest" means the direct or indirect ownership of a beneficial interest having a value of such magnitude that (a) it represents a substantial part of the equity in the concern; or (b) for other reasons the interest would be regarded as significant to the institutional personnel: this includes ownership, substantial stock holding, a directorship, significant honoraria or consulting fees but does not include routine stock holding in a large publicly traded company.

5. Policy

The University requires its institutional personnel to perform their duties and functions impartially, responsibly, with integrity and in a manner that will not conflict with or compromise their University responsibilities or the mission of the University. This document states principles, standards and general expectations by which all institutional personnel should carry out research activities and manage conflicts of interest in research. Conflicts of interest, whether real, perceived or potential in nature, must be dealt with in a clear, transparent and accountable manner. Disclosure of a conflict of interest as soon as it is identified is the most effective process and is required by the University.

6. Disclosure of Conflicts of Interest in Research

The University strives to encourage and to create an environment in which all activities can be undertaken with appropriate regard for the avoidance and management of conflict of interest. Ethical conduct requires the full disclosure and mitigation of conflict of interests by all institutional personnel engaged in research or with administrative responsibilities associated with research activities.

All institutional personnel have an obligation to act with integrity in research relationships and to avoid situations that place personal interests above interests that would be consistent with academic integrity. For this reason, disclosure is required for effective management of all forms of research conflicts of interest. Disclosure rights and responsibilities also apply to risks to the public or community resulting from conducting, reporting or managing research activities. Such actions demonstrate transparency and accountability and reinforce integrity, concurrently providing a safeguard for all parties.

The document, *Research Ethics at McMaster* includes the following as examples of research misconduct in all phases of research conduct and dissemination:

- a) failure to reveal any material conflict of interest to the sponsors or to those who commission work or when asked to undertake reviews of research grant applications or manuscripts for publication, or to test products for sale or distribution to the public; or

- b) failure to reveal to the University any material financial interest in a company that contracts with the University to undertake research, particularly research involving the company's products.

It is impractical to address the specifics of all situations that may lead to or result in a research conflict of interest. In order to assess the likelihood of conflict of interest, institutional personnel need to consider whether informed, arm's length parties would reasonably:

- question the ability of the individual to make an appropriate decision despite possible considerations of private, professional or personal interests, and
- believe that the trust relationship between the relevant parties reasonably could be maintained given access to accurate information on the potential sources of conflict of interest.

Conflicts of interest are not usually the result of a deliberate intent by any individual to deceive, but most often arise out of the structural features of relationships or practices. It is impossible to eliminate conflicts of interest in all cases. To manage the impact of all forms of conflict of interest, identification and disclosure are critical and are required as a situation arises, together with annual reporting.

The process for disclosure is an integral part of a broad range of University policies. Typically the process begins with the supervisor to whom the institutional personnel report or through alternative avenues. Institutional personnel are referred to the *Code of Conduct for Faculty, Procedures for Inquiries and Hearings Regarding Allegations of Misconduct in Research, Academic Integrity Policy; or the McMaster Research Ethics Board Guidelines and Researcher's Handbook*.

7. Communication and Implementation

The University is responsible for ensuring that all institutional personnel are appropriately informed of their obligations under this policy. Queries about research misconduct and associated conflicts of interest may be addressed to the Associate Vice-President (Research) who has the responsibility for providing advice, developing communication strategies and implementing best practices for the University at large. In cases of a conflict of interest involving the Associate Vice-President (Research) appropriate alternative mechanisms for managing the conflict will be employed.

8. Procedures for Dealing with Conflicts of Interest in Research

Failure to disclose research conflict of interest as described in this document may constitute research misconduct. This may lead to the University taking action as described in the document, "*Procedures for Inquiries and Hearings Regarding Allegations of Misconduct in Research*", unless the individual is a student carrying out research as part of his or her academic program. In that case, action will be taken as

described in the document, "*Academic Integrity Policy*". The University will impose sanctions on those who are found to have engaged in research misconduct.

With reference to Schedule 14, Conflicts of Interest in Research, accompanying the Federal Agencies Memorandum of Understanding, conflict of interest may also arise at the institutional level. The University is committed to employing an effective mechanism for the management of institutional conflict of interest arising from research.

9. Related University Policies

Institutional Personnel should familiarise themselves with the following which may be found at <http://www.mcmaster.ca/policy/>, and conduct their research activities accordingly:

1. Research Ethics at McMaster University
2. Procedures for Inquiries and Hearings Regarding Allegations of Misconduct in Research for Faculty, Staff and Post-Doctoral Fellows at McMaster University
3. Code of Conduct for Faculty
4. Academic Integrity Policy
5. Conflict of Interest Guidelines: Undergraduate Studies and Graduate Studies
6. Statement of Academic Freedom
7. Dishonest or Fraudulent activities related to Funds or Property owned by or in the care of McMaster
8. Statement on Collection of Personal Information & Protection of Privacy
9. Joint Intellectual Property Policy
10. Ownership of Student Work
11. Independent Contractor – Individual vs. Employee
12. Conflict of Interest for Non-Academic Staff and Academic Administrators
13. Statement of Ethics for Senior Executive Officers
14. Faculty of Health Sciences Guidelines Regarding Management of Commercial/Private Sector/Government Relationships in Research and Education
15. Staff Policy on Consulting and Freelancing
16. Statement on Consulting Policies and Procedures