



Memorandum

Office of the Provost and Vice-Principal (Academic)
James Administration Building, Room 504
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TO: Senate

FROM: Angela Campbell, Associate Provost (Policies, Procedures & Equity)

SUBJECT: Revised Form for Declarations Pursuant to the *Regulation on Conflict of Interest*

DATE: April 20, 2016

DOCUMENT #: D15-55

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE Presentation to Senate for information of the revised form for declarations pursuant to the *Regulation on Conflict of Interest* (Long Form B).

BACKGROUND & RATIONALE All ranked academic staff must file an annual statement of conflict of interest. If a conflict is declared, staff members must complete a “long form” conflict disclosure and management report. Two versions of the “long form” exist: “Long Form A” for reporting non-financial conflicts, and “Long Form B” for reporting financial conflicts. Currently, Long Form B is needlessly cumbersome and complicated. The proposed revised version of this form will facilitate the reporting and management of financial conflicts of interest.

PRIOR CONSULTATION Deans, MAUT, Legal Services.

SUSTAINABILITY CONSIDERATIONS N/A

IMPACT OF DECISION AND NEXT STEPS Revised Disclosure of Financial Conflict of Interest Form to be made available to McGill community (<http://www.mcgill.ca/curo/conflict-interest-reporting>). Amendment of the following documents to reflect the revised Disclosure of Financial Conflict of Interest Form:

- “Statement of Conflict of Interest” (<https://www.mcgill.ca/curo/statement-conflict-interest>);
- “Conflict of Interest Guidelines” (http://www.mcgill.ca/curo/files/curo/coi_guidelines.pdf)

MOTION OR RESOLUTION FOR APPROVAL None.

APPENDICES Appendix A: Proposed Disclosure of Financial Conflict of Interest Form (Long Form B)



Disclosure of Conflict of Interest – Long Form B: **(Financial)**

GENERAL INFORMATION

A **financial conflict of interest** may arise when investigators have a significant outside financial interest that is closely related to their University responsibilities or their professional expertise. A financial conflict of interest potentially arises where an objective layperson might perceive that an individual's outside financial interests and relationships may compromise their professional judgment in conducting or reporting research or in their other academic duties or administrative responsibilities.

PART 1: Staff Member's Disclosure:

Completion of this supplemental form is mandatory if you indicated an actual or potential financial conflict on the [Statement of Conflict of Interest \(Short\) form](#).

Reporting Officers include Chairs/Directors for members of academic staff, and Deans for Chairs/Directors. See the Appendix at the end of this document for a list.

NOTE: Please sign this disclosure, preferably with an electronic signature, and forward the electronically fillable version to your Reporting Officer.

PART 2: Reporting Officer's Assessment:

PART 3: Dean's Review:

STAFF MEMBER INFORMATION

NAME : _____

RANK / POSITION TITLE: _____

DEPARTMENT: _____

This Disclosure relates to:

Annual Disclosure Statement Date : _____
DD-MMM-YYYY

Revised/Updated Disclosure Statement Date : _____
DD-MMM-YYYY

Funded Project (if applicable) Date : _____
DD-MMM-YYYY

Title and Funding Source (if applicable) _____

Part 1: STAFF MEMBER'S DISCLOSURE

NOTE: External funding (such as honoraria, fees, travel expenses) paid for by an institution of higher education, an affiliated research institute, an academic teaching hospital, a medical centre, or by a federal, provincial, or local government agency does not place a person in a conflict of interest and does not have to be disclosed.

NOTE: If this disclosure relates to a conflict of interest that was reported last year and the circumstances of last year's filing have not changed, please tick the box below and submit this document, as well as a copy of last year's Disclosure Report, to your Reporting Officer.

The information pertaining to this year's circumstances are identical to those reported in last year's Disclosure Report.



- 1** Explain the conflict of interest that has arisen or that may arise. This section should indicate the type of interest concerned (e.g., income, equity, gift, sponsored travel, intellectual property) and the financial scope of the interest. This description should also include the name of the outside entity concerned, the type of business that it conducts, and the nature and scope of the interest that you or a related party hold in this entity:

NOTE: The term “**related party**” includes (i) immediate family; (ii) a person living in the staff member’s household; (iii) a person with whom a staff member has, or had, a close or intimate personal relationship; (iv) a person or any business entity with whom the staff member shares, directly or indirectly, a financial or other interest; or (v) a person or any business entity to whom the Member owes a financial or moral obligation.

- 2** List the persons, including “related parties”, involved in the conflict:

- 3** List all persons (including students and trainees) who may be affected by the conflict and explain how they will be affected (e.g., restrictions on dissemination of research by individuals involved with this project, ownership of intellectual property by a company in which you hold equity):

- 4** List all persons (including research subjects, students, trainees, co-investigators, journal editors, conference organizers, etc.) who should be made aware of the conflict.

- 5** If you hold equity in a company, indicate whether the company sponsors or supports your research and/or whether the company employs graduate students:



6 MANAGEMENT OF CONFLICT

- a) Explain any benefits, direct or indirect, that may be derived by you or a related party if the conflict is permitted:

- b) Explain how the conflict may directly affect – or reasonably appear to influence – your research, teaching, scholarly activities or administrative responsibilities:

- c) Explain the steps you propose to take to mitigate/manage the conflict:

- d) Explain why you believe the conflict should be permitted:

CERTIFICATION

In submitting this form, I certify that the above information is true to the best of my knowledge, and that I am in compliance, to the best of my knowledge, with federal law, provincial law, and all University policies related to financial conflicts of interest.
I will promptly report in writing to my Reporting Officer any change in circumstances that may alter the nature or scope of the conflict or affect its management.

(*Electronic) Signature of the Staff Member

Date

*In the event that an electronic signature is not available, please print this page, sign it and append a scanned version to your Reporting Officer.

➔ Send your finalized disclosure (*preferably with an electronic signature and the file electronically enabled*) along with parts 2 and 3 to your Reporting Officer.

***NOTE:** Part 1 is protected once electronically signed. To edit the document once signed, remove e-signature, edit, and re-sign to finalize.



PART 2: REPORTING OFFICER’S ASSESSMENT

NOTE: Please sign this assessment, preferably with an electronic signature, and forward the finalized copy of the electronically fillable version to the Dean, the Provost, and VP-RIR, as applicable.

REPORTING OFFICER’S NAME : _____

RO’s RANK / POSITION : _____

RO’s DEPARTMENT/FACULTY or UNIT: _____

1 a) In your assessment of the information provided, is there an actual conflict of interest? Yes No N/A

OR

b) In your assessment of the information provided, is there a potential conflict of interest? Yes No N/A

Explain.

If you responded “YES” to (1 a or 1b), please respond to ALL of the following:

2) Are there any persons, in addition to those identified by the staff member, who should be made aware of the conflict? Yes No
Please list additional persons:

3) In your assessment of the situation, will the University be adversely affected by permitting this conflict? Yes No
Explain.

4) In your assessment of the situation, will the University benefit by permitting this conflict? Yes No
Explain.



Disclosure of Conflict of Interest – Long Form B: **(Financial)**

5) In your judgment, should the staff member be permitted to engage in the conflict? Yes No
Explain.

6) Please specify the period for which permission should be granted for the staff member to engage in this conflict.
Specify period:

7) How do you propose to monitor the conflict?
Details.

8) Conditions under which the conflict is to be permitted:

8.1 Staff member must ensure written disclosure of the conflict to all persons who would be affected by it (and provide evidence of such disclosure).

8.2 Staff member must promptly report any change in circumstances that may change the nature or scope of the conflict or affect its management.

8.3 Staff member must
(specify additional conditions, where appropriate)

(*Electronic) Signature of Reporting Officer

Date

**In the event that an electronic signature is not available, please print this page, sign it and append a scanned version.*

➔ Send the staff member's disclosure (part 1) and your assessment (part 2) (***preferably with an electronic signature and the file electronically enabled***) along with part 3 to the Dean.

***NOTE:** Part 2 is protected once electronically signed. To edit the document once signed, remove e-signature, edit, and re-sign to finalize.



PART 3: REVIEW BY DEAN

NOTE: Deans must sign this assessment, preferably with an electronic signature, and forward the finalized copy of the electronically fillable version to the Provost, and if applicable, to the VP-RIR.

NAME : _____

POSITION : _____

FACULTY: _____

- 1) Do you agree with the Reporting Officer’s assessment as to the existence of a conflict? Yes No N/A
- 2) Do you agree that the staff member be permitted to engage in the conflict? Yes No N/A
- 3) Will the University be adversely affected by permitting this conflict? Yes No N/A
- 4) Will the University benefit by permitting this conflict? Yes No N/A
- 5) Is the process for monitoring the conflict adequate? Yes No N/A
- 6) Is the period for which permission is granted for the staff member to engage in this conflict reasonable? Yes No N/A
- 7) Are the conditions under which the conflict is to be permitted satisfactory? Yes No N/A

If you have answered “NO” to any of questions 1, 2, 4, 5, 6, or 7, or “YES” to question 3, please provide reasons:

(*Electronic) Signature of the Dean

Date

*In the event that an electronic signature is not available, please print this page, sign it and append a scanned version.



Send a copy of all parts of the finalized form (**preferably with an electronic signature and the file electronically enabled**) to the Provost, and if applicable, to the VP (Research & International Relations) for cases with implications for research.

cc: Staff member
Reporting Officer

***NOTE:** Part 3 is protected once electronically signed. To edit the document once signed, remove e-signature, edit, and re-sign to finalize.



PART 4: REVIEW BY Provost & VP (Academic) OR Vice-Principal (RIR)

NAME : _____

POSITION : _____

COMMENTS

(*Electronic) Signature of the Provost & VP (Academic)

Date

OR

COMMENTS

(*Electronic) Signature of the VP (RIR)

Date

***NOTE:** Part 4 is protected once electronically signed. To edit the document once signed, remove e-signature, edit, and re-sign to finalize.



APPENDIX

Extract from the Regulation on Conflict of Interest

Revised:
Senate
Board of Governors

September 22, 2011
September 27, 2011

Minute IIB7
Minute 6

1.9 “Reporting Officer” means:

- (i) for the Principal, the Chair of the Board of Governors;
- (ii) for the Provost, Deputy-Provost or a vice-principal, the Principal;
- (iii) for an assistant or associate provost, the Provost;
- (iv) for an assistant or associate vice-principal, that vice-principal to whom the Member reports;
- (v) for the Director or Dean of Libraries, the Provost;
- (vi) for a dean, the Provost;
- (vii) for the Secretary-General, the Principal;
- (viii) for an assistant or associate dean, the dean;
- (ix) for the chair of a department or director of a centre, institute or school, the dean;
- (x) for the director of an administrative unit, the Provost, Deputy-Provost or vice- principal responsible for that unit;
- (xi) for a Member of the academic staff of a faculty having departments, centres, institutes or schools, the chair of the department or the director of the centre, institute or school to which the member has been appointed in his or her official letter of appointment;
- (xii) for a Member of the academic staff of a faculty without departments, centres, institutes or schools, the dean of the faculty to which the member has been appointed in his or her official letter of appointment;
- (xiii) for a Member of the librarian staff, the Director or Dean of Libraries;
- (xiv) for a postdoctoral fellow, the supervisor of the postdoctoral fellow;
- (xv) for a graduate student, the student's supervisor;
- (xvi) for any other Member, the holder of the office to whom the Member reports or who has supervisory responsibility over the Member;
- (xvii) for a Member of a committee other than a committee of the Board of Governors, the chair of the committee;
- (xviii) for the chair of a committee other than a committee of the Board of Governors, the individual or the chair of the body to which the committee reports;
- (xix) in the event that a Reporting Officer is also implicated in the Conflict of Interest situation, the first Reporting Officer's Superior not so implicated.