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Parent Policy	Code of Ethical Conduct Policy
Framework Category	Legal, Compliance and Governance
Approving Authority	Audit & Finance Committee
Policy Owner	General Counsel
Approval Date	DRAFT FOR CONSULTATION
Review Date	
Supersedes	

PROCEDURE TO ADDRESS CONFLICTS OF INTEREST

PURPOSE

1. The purpose of these Procedures is to provide a consistent process for supervisors to address conflicts of interest reported by their Employees.

DEFINITIONS

2. For the purposes of these Procedures the following definitions apply:

“Employees” means individuals, including students, who are employed by the University or holding an appointment with the University including paid, unpaid and/or honorific appointments.

“Conflict of Interest” means a situation where an Employee has an opportunity to exercise an official power, duty or function in a way that furthers his or her private interests or those of his or her relatives or friends or that improperly furthers another person’s private interests

SCOPE AND AUTHORITY

3. These Procedures apply to all Employees.
4. The General Counsel, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of these Procedures.

PROCEDURES

5. Responsibilities

- 5.1. **Supervisors** are responsible for:
 - a) Receiving Conflict of Interest declarations from their Employees.
 - b) Developing a mitigation plan to address a Conflict of Interest reported by an Employee.
- 5.2. **Employees** are responsible for:
 - a) Immediately declaring any real, potential or perceived Conflict of Interest that arises to their supervisor in writing.

- b) Following the direction of any mitigation plan established under this procedure.

5.3. The Office of the University Secretary and General Counsel is responsible for:

- a) Advising on the development of Conflict of Interest mitigation plans.
- b) Reporting to the Board of Governors on Conflicts of Interest.

6. Conflict of Interest Reporting

6.1. Employees will declare any Conflict of Interest in writing. A supervisor who receives a declaration of Conflict of Interest will determine whether the declaration amounts to a real, potential or perceived Conflict of Interest and the significance thereof. In making this determination, the supervisor will consider:

- a) The type or extent of the Employee's interest;
- b) The significance of the University's decision or activity;
- c) The extent to which the Employee's other interest may specifically affect the University's decision or activity;
- d) The nature or extent of the Employee's involvement in the University's decision or activity.

6.2. The Office of the University Secretary and General Counsel can provide advice and guidance to a supervisor in this determination.

7. Mitigation plan

7.1. The supervisor will determine whether the conflict of Interest can be mitigated, guided by applicable University policy instruments, and applicable legislation. If not, the Employee will be advised that they cannot engage in the activity declared. The Office of the University Secretary and General Counsel can provide advice and guidance to a supervisor in this determination.

7.2. The mitigation plan will document the Conflict of Interest, whether it is real, potential or perceived, and provide direction on how to mitigate areas of Conflict of Interest. The plan will consider and be proportional to the type of conflict of interest involved (e.g. real, potential or perceived), the extent to which the Employee might be inappropriately influenced and the harm that is likely to result from such influence or the perception of such influence. The plan may do so by one or more of the following means:

- a) Taking no action;
- b) Enquiring as to whether all affected parties will consent to the Employee's involvement;
- c) Seeking a formal exemption to allow participation (if such a legal power applies);
- d) Imposing additional oversight or review over the Employee;
- e) Withdrawing from discussing or voting on a particular item of business at a meeting;

- f) Exclusion from a committee or working group dealing with the issue;
- g) Re-assigning certain tasks or duties to another person;
- h) Agreement or direction not to do something;
- i) Withholding certain confidential information, or placing restrictions on access to information;
- j) Transferring the Employee (temporarily or permanently) to another position or project;
- k) Relinquishing the private interest; or
- l) Resignation or dismissal from one or other position or entity.
- m) Removing the Employee from a supervisory position over an individual where there is a Conflict of Interest.

7.3. Conflict of Interest mitigation plans will be approved by the Vice-President of the applicable organizational area, or where the Conflict of Interest involves a member of the Senior Leadership Team, the Audit and Finance Committee.

8. Scenarios involving Conflict of Interest

- 8.1. **Intimate Relationships:** When an Employee engages in an intimate relationship with a person who reports to them in an employment/supervisory relationship or who relies upon them for opportunities to further their academic or employment career. The supervisor will remove any ability to exercise any form of supervision or direct influence.
- 8.2. **Interest in any Concern:** When an Employee or a Related Person works for or has a substantial financial interest in any concern that does business or seeks to do business with the University. The supervisor may remove the Employee from any role involved in evaluating bids, or negotiating with the concern.
- 8.3. **Representation by Related Person:** When an Employee is representing the University in a transaction and a Related Person is representing the other Concern. The supervisor may remove the Employee from any role involved in evaluating bids, or negotiating with the concern.
- 8.4. **Inappropriate Use of Information:** Use or communication by an Employee of Confidential Information obtained in the course of University related activities or as a result of their position at the University for personal gain or other unauthorized purposes. The supervisor may require the Employee to sign a confidentiality agreement relating to information obtained in the course of official duties.
- 8.5. **Political activity** When an Employee uses their position with the University in a political campaign to imply that they have the support or endorsement of the University. The supervisor may require the Employee to take a leave of absence during the campaign period for provincial or federal campaigns.

9. Reporting

- 9.1. Approved mitigation plans will be forwarded to the Office of the University Secretary and General Counsel. The Office of the University Secretary will report to the Audit and Finance Committee on Conflicts of Interest.

MONITORING AND REVIEW

10. These Procedures will be reviewed as necessary and at least every three. The Policy Advisor, or successor thereof, is responsible to monitor and review these Procedures.

RELEVANT LEGISLATION

11. Legislation 1
Legislation 2
Legislation 3

If no associated legislation use the text “This section intentionally left blank”.

RELATED POLICIES, PROCEDURES & DOCUMENTS

12. Associated Document 1
Associated Document 2
Associated Document 3