



Conflict of Interest

Category: General;

Jurisdiction: General Counsel and University Secretary;

Approval Authority: Executive Team;

Established on: February 28, 2003;

Amendments: None.

An actual or potential conflict of interest arises when financial or other personal interest of a Faculty or Staff Member ("Member"), or that of any person with whom the Member has a relationship, conflicts or appears to conflict with the Member's responsibility to the University. The existence of an actual or potential conflict of interest does not necessarily preclude involvement in the interest which has given rise to the actual or potential conflict; however, the Member must disclose such actual or potential conflict of interest as soon as possible after becoming aware of it.

Case law suggests that, even in the absence of a clear policy on conflict of interest, the University has the right (and perhaps responsibility) following receipt of disclosure of a potential or actual conflict, to determine whether an actual or potential conflict exists and, if so, decide how it is to be resolved.

The following activities give rise to potential conflicts:

- No Member shall knowingly participate in any decision that directly and preferentially benefits the Member, or a person with whom the Member has a relationship, except as expressly allowed by the University.

- No Member shall knowingly participate in any academic decision directly affecting a person from whom the Member stands to derive a financial benefit or with whom the Member has a relationship.
- A Member who has any interest, directly or indirectly, in any commercial contract, transaction, proposed contract or proposed transaction under consideration by the Employer and participates in any decision related to these matters must:
 - a) declare the nature and extent of the interest as soon as possible and no later than the meeting(s) at which the matter is to be considered;
 - b) withdraw from the meeting where the matter is being discussed;
 - c) refrain from taking part in any other discussion of the matter; and
 - d) refrain from voting on the matter.
- In particular, unless, after full disclosure of the conflict of interest, the Member is specifically authorized by the University to do so, the Member shall not:
 - a) knowingly authorize the purchase of equipment, supplies, services or real property using University funds or funds administered by the Employer, from a source in which the Member, or any person with whom the Member has a relationship, has a material financial interest;
 - b) engage any individual with whom the Member has a relationship in any capacity paid for by University funds or by funds administered by the Employer;
 - c) supervise students, staff, or other Members who the Member has the potential to gain from financially.

It should also be noted that conflicts could arise in situations where a Member no longer has a relationship with or to someone, but has in the past.

Review Period: 7 years;

Date for Next Review: 2019-2020;

Related Policies and Procedures: To be determined;

Policy Superseded by this Policy: None.

The University Secretariat manages the development of policies through an impartial, fair governance process, and in accordance with the Policy Governance Framework. Please contact the University Secretariat for additional information on University policies and procedures and/or if you require this information in another format:

Open: Monday through Friday from 8:30am to 4:30pm;

Location: University Centre, Thunder Bay Campus, Room UC2002;

Phone: 807-346-7929 or Email: univsec@lakeheadu.ca.