

BOUCHER INSTITUTE POLICY

Policy Title: Conflict of Interest Policy

Date of Initial Board Approval: July 7, 2008

Date of Last Approved Revision: July 17, 2017

**Person(s) Responsible for Implementation & Adherence: President, Provost,
Chief Financial Officer, Deans, Associate Deans, Managers, Human Resources**

Related Procedures: Conflict of Interest Procedure

Policy Statement

Boucher Institute employees have a duty of loyalty to the Institute, and are expected to exhibit the highest standards of ethical conduct. They must act honestly and in good faith, and avoid Conflicts of Interest.

Purposes

The purposes of this Policy are as follows:

- to require that all actual or potential Conflicts of Interest are disclosed and dealt with in a timely and appropriate manner; and
- to assist employees in recognizing actual or potential Conflicts of Interest, so that they can, in good faith, take the initiative to disclose and participate in the resolution of such situations.

Scope

This policy applies to all Boucher Institute employees, including executives, administrators, faculty, researchers and staff, as well as sessional and guest lecturers.

Principles

A Conflict of Interest occurs where an employee's Private Interests are in conflict, or could result in a reasonable perception of conflict, with the interests of the Institute or its stakeholders, such that the objective exercise of the employee's duties or responsibilities could be compromised.

Employees are expected to arrange their private affairs in a manner that will prevent Conflicts of Interest from arising.

Employees have a duty to disclose actual or potential Conflicts of Interest at the earliest possible opportunity, in accordance with the Conflict of Interest Procedures. Disclosure is required before the employee engages in the activity that may create a conflict.

Where an employee is in doubt about whether a particular set of circumstances may give rise to an actual or potential Conflict of Interest, the employee should discuss the situation with the employee's Supervisor. If doubt remains, guidance should be sought from Human Resources, the President, or the Board Chair.

Where an actual or potential Conflict of Interest is disclosed, the Institute will take timely steps in accordance with the Conflict of Interest Procedures, to determine whether a Conflict of Interest exists, and if so to implement measures to avoid or manage the conflict.

A member of the Institute's community who believes that a Conflict of Interest involving an Institute employee exists but has not been reported, is encouraged to report the situation to Human Resources, the President, or the Board Chair as quickly as possible.

Employees who breach this Policy or the Conflict of Interest Procedures may be subject to disciplinary action, up to and including termination of employment.

Definitions

In this Policy and the Conflict of Interest Procedure, the following definitions apply:

- a. "Conflict of Interest" means a situation where an employee's Private Interest(s) are in conflict, or could result in a reasonable perception of conflict, with the interests of the Institute or its stakeholders, such that the objective exercise of the employee's duties or responsibilities could be compromised;
- b. "Institute" means the Boucher Institute of Naturopathic Medicine;
- c. "Personal Interest" means an interest that arises from an employee's relationship with a Related Person;
- d. "Private Interest" means a private, financial, or personal interest, and includes a Personal Interest;
- e. "Related Person" means a person who is, or within the previous five (5) years has been:
 - i. related to the Employee by blood, adoption, marriage or common-law marriage;
 - ii. a close personal friend of the Employee; or
 - iii. in an amorous or intimate (including but not limited to sexual) relationship with the Employee;
- f. "Supervisor" means the Employee's immediate supervisor;
- g. "Student" means a person enrolled, or applying to be enrolled, in a course or program offered by the Institute.

Examples of Conflict of Interest Situations

The following is a non-exhaustive list of situations where a Conflict of Interest may arise.

Employment of Related Persons

The Institute does not prohibit the employment of Related Persons. However, an employee must not participate in the hiring, promotion, supervision or evaluation of a Related Person. Employees also have a duty to ensure that their Personal Interests do not interfere with the performance of their duties and responsibilities, or with the interests of the Institute.

Relationships with Students

Faculty members and other Institute employees who are responsible for dealing with Students have a duty to act in a fair, objective and unbiased manner at all times.

Employees must avoid situations where the employee is responsible for instructing, evaluating or otherwise dealing with a Student who is a Related Person, or who has a financial relationship with the employee that falls outside the normal scope of research or teaching assistantships. Any such actual or potential Conflicts of Interest must be disclosed and managed in accordance with the Conflict of Interest Procedures.

Students as Patients

Faculty members may not see Students as private patients, except under emergent conditions. This does not apply to classroom and practical training for educational purposes where informed consent exists, and where the faculty member is not receiving additional or outside remuneration beyond regular teaching rates.

Faculty members employed as clinical faculty may see Students as patients of the Institute's teaching clinic, in their supervisory role as clinical faculty only.

Boucher Personnel, Resources or Assets

Employees must not use the Institute's Students, employees, resources, intellectual property, instructional materials, facilities or assets for the personal or private purposes of the employee, a relative of the employee, or a company or organization in which the employee has a financial or other interest, without first obtaining the written permission of the Institute.

Influence or Personal Gain

Employees must not use their position with the Institute for personal advantage or gain.

An actual or potential Conflict of Interest must be declared and managed before an employee:

- purchases or influences the purchase of equipment, supplies or services from the employee, a Related Person, or a company or organization in which the employee has a Private Interest;
- sells, transfers or disposes of Institute assets to the employee, a Related Person, or a company or organization in which the employee has a Private Interest;
- selects or influences the selection of textbooks or other instructional aids for a course, in circumstances where the employee, a Related Person, or a company or

organization in which the employee has a Private Interest, will receive revenue from the sale of the textbook or instructional aid;

- receives payment from an outside source for work that is part of the employee's duties and responsibilities; or
- enters into a research contract with a Related Person, or a company or organization in which the employee has a Private Interest.

Acceptance of Gifts

Employees must not accept or demand gifts, services or favours from any person or organization that conducts or seeks to conduct business with the Institute, or from Students or subordinates. The only exceptions are minor gifts and token courtesies which do not place, or do not have the appearance of placing, the employee under any obligation to the outside party.

When an employee is in doubt as to whether to accept a gift, the employee should discuss the situation with the employee's Supervisor.

Confidential Information

"Confidential Information" means information disclosed to, used by, developed by, or made known to an employee in the course of their employment which is not generally known by persons outside Institute. It includes, but is not limited to, information (printed, electronic or otherwise) pertaining to the Institute's past, present, future and contemplated Students, employees, assets, operations, practices, methods, facilities, equipment, technology, research, marketing methods or strategies, finances, inventions, routines, policies, and procedures.

Institute employees have access to and are entrusted with Confidential Information in the course of their employment. All employees are responsible for ensuring that Confidential Information is protected from unauthorized access, use, and disclosure.

Institute employees must:

- hold all Confidential Information in strict confidence, and not discuss, communicate or transmit Confidential Information to unauthorized persons;
- not make any unauthorized copies of Confidential Information;
- not disclose any Confidential Information to anyone except as authorized by the Institute in writing;
- not use Confidential Information for any purpose other than carrying out the employee's authorized duties for the Institute and, in particular, not use Confidential Information for the employee's own benefit or permit it to be used for the benefit of any other person without the written authorization of the Institute;

- use reasonable precautions in dealing with Confidential Information so as to prevent any person from having unauthorized access to it; and
- return all Confidential Information when the employee's employment with the Institute ends.

Conflict of Commitment

Institute employees must:

- devote all their time and attention, and provide their best efforts, skills and talents, to the business of the Institute during the employee's working hours;
- faithfully, honestly and diligently perform the employee's duties and responsibilities;
- deal at all times in good faith with the Institute and its Board members, employees, Students and other stakeholders; and
- act at all times in the best interests of the Institute.

A conflict of commitment occurs where an employee is, or might reasonably be perceived to be, engaging in outside business or employment activities that conflict with the obligations described above. Conflicts of commitment may arise from external consulting, professional or other activities which, by virtue of their nature or time commitment, prevent the employee from fulfilling his/her obligations to the Institute.

No employee shall, without the written authorization of the Institute, engage in any activity that conflicts or competes with the Institute, or which materially encroaches on the time or attention which should be devoted to the Institute, or affects the employee's ability to fully discharge his or her Institute responsibilities.

While situations involving conflict of commitment are more applicable to full-time employees, part-time employees are also required to ensure that they have the ability to devote the time and attention required to fulfill their duties and responsibilities as employees of the Institute.

Print and Electronic Course Materials

Faculty and other employees who may profit from the sale of materials related to a course, must declare this interest to the Associate Dean of Academics prior to the adoption of these materials. The Associate Dean will ensure that materials are selected based on what is best for the course.