

CONFLICT OF INTEREST

– Policy –

1. PURPOSE

- 1.1 This Policy delineates the roles, responsibilities, and processes for the identification, elimination, minimization, and/or management of perceived, potential, and real Conflict of Interests for all those involved with the New Brunswick Institute for Research, Data and Training (NB-IRDT), in keeping with the principles of [The Tri-Council Policy Statement “Ethical Conduct for Research Involving Humans”](#) (TCPS2, 2022).

2. SCOPE

- 2.1 This Policy applies to the NB-IRDT Director, NB-IRDT Employees, the NB-IRDT Data and Research Committee, and all others involved with NB-IRDT in any capacity, including those who engage in data access, use, dissemination, retention, or storage.
- 2.2 Recognizing that NB-IRDT Employees are UNB Employees, this Policy is intended to be read and interpreted harmoniously and in a broad and purposive approach with any UNB policies and procedures of general application governing Conflict of Interest. In the case of direct inconsistency between this Policy and any UNB policies and procedures of general application on Conflict of Interest, the UNB policies and procedures will govern.

3. DEFINITIONS

- 3.1 *Conflict of Interest:* A conflict between an individual's duties and responsibilities as a NB-IRDT Employee, or Data and Research Committee (DRC) member, and that person's other professional, business, personal/familial, or public interests. Conflict of Interest cause divided loyalties and can lead to biased judgment. Conflict of Interest can be potential, perceived, or real.
 - *Potential:* Arises when a NB-IRDT Employee or committee member becomes aware of an outside interest that may influence the member's ability to act with objectivity, independence, and integrity.
 - *Perceived:* Arises when it appears to others that an outside interest may influence a NB-IRDT Employee or committee member's ability to act with objectivity, independence, and integrity.

- *Real*: Arises when an outside interest influences a NB-IRDT Employee or committee member's ability to act with objectivity, independence, and integrity.
- 3.2 *Data and Research Committee (DRC)*: Serves four main functions for the NB-IRDT. The DRC:
- 1) Assembles working groups (Data and Research Committee working groups (DRC-WGs)) to review and provide feedback on Data Access Requests received from researchers seeking access to Administrative Data Sets held at NB-IRDT, as well as draft reports from these projects.
 - 2) Provides a forum to discuss issues relevant to Database Transfers and Data Linkage procedures.
 - 3) Serves as a forum for consultation on procedural changes.
 - 4) Organizes a forum at least once per year to present results of projects to the Government of New Brunswick (GNB) and other Stakeholders.
- 3.3 *New Brunswick Institute for Research, Data, and Training (NB-IRDT)*: A Research Data Centre as defined in RTIPPA and PHIPAA. Like other research data centres, NB-IRDT has the authority to compile and link Personal Information and Personal Health Information for the purposes of research, analysis, or evidence-based decision-making. NB-IRDT has three locations, with the hub located in Fredericton, and Satellite Sites located in Saint John and Moncton. These facilities are situated on the University of New Brunswick (Fredericton) campus (Keirstead Hall, 38 Dineen Drive; Units 316, 317, and 317-A); on the Saint John campus (Hazen Hall, 93-97 Tucker Park Road; Unit 339); and, on the Université de Moncton campus (Bibliothèque Champlain, 415 avenue de l'Université; salle 031.).
- 3.4 *Project Data*: Data prepared for a specific project and stored in a project folder, which consists only of information approved for a specific research project.
- 3.5 *Project Data Set(s)*: Data prepared for a specific project and stored in a project folder, which consists only of information approved for a specific research project. Project Data Sets are generated by the NB-IRDT Database Administrator who extracts, and links approved variables from platform and External Data Sets, including public databases (e.g., Census profiles, and researcher's own databases).

4. POLICY STATEMENTS

The following are examples of Conflict of Interest situations. They are not intended to be exhaustive.

- 4.1 Conflict of Interest arises when there is a personal, professional, or financial gain or benefit to an individual (or someone who is not at arm's length from that individual, for example, their relatives, friends, or business partners) resulting from a decision made or influenced in their capacity as

a committee member, or when an NB-IRDT Employee (e.g. Database Administrator) is extracting or Vetting data for a research project in which they are involved.

4.2 Individuals functioning in multiple roles as Principal Investigator/researcher and committee member are in a potential Conflict of Interest when:

- they request access to NB-IRDT data for their own research; and/or,
- they serve in a supervisory or mentoring relationship with a student who is submitting a request for access to NB-IRDT data.

4.3 A DRC member may be in a Conflict of Interest when they have interpersonal or financial relationships with the researchers, or personal/financial interests in a company, labour union, or not-for-profit organization that may be the sponsor of the research or that may be substantially affected by the research.

4.4 A Conflict of Interest may arise from either a positive or negative previous experience with a researcher that has an impact on the committee member's ability to be impartial and unbiased in their decision-making.

4.5 A Conflict of Interest may be perceived if the NB-IRDT Employee (e.g., Database Administrator) accesses and extracts data for their own research (or for the research of a person not at arm's length).

4.6 The presence or appearance of a Conflict of Interest may jeopardize the integrity of research and undermine public trust and/or the reputation of an institution if the processes are not seen to be fair and transparent.

4.7 The preferred method of dealing with Conflict of Interest is avoidance of the conflict; however, due to the limited number of candidates qualified to sit as DRC members, it may be necessary to proceed with a Conflict of Interest situation if the DRC Co-Chairs and committee are confident that a review can nonetheless be completed in an unbiased manner. In addition, the committee must ensure that:

- the conflict is minimized to the fullest extent;
- all impacted parties are informed of the conflict; and,
- the conflict is documented in the DRC meeting minutes.

5. PROCEDURES

5.1 Data Research Committee Members and the Director of NB-IRDT

5.1.1 If a member of the DRC is an applicant on a research proposal, is otherwise aware of, or suspects that they are in a potential,

perceived, or real Conflict of Interest, they must disclose that conflict to the DRC Chair as soon as possible. This Disclosure must be made even if there is no intention of acting on the conflict. The DRC Co-Chairs will then find another committee member to serve on the committee with respect to the matter (e.g., another suitable person from the same business, department, or organization). The DRC member shall be given the opportunity to disclose all material facts to the DRC Co-Chairs concerning the circumstances giving rise to the potential, perceived, or real Conflict of Interest.

- 5.1.2 If any DRC Co-Chairs are aware of or suspects that they are in a perceived, potential, or real Conflict of Interest, they must immediately disclose that conflict to the NB-IRDT Director. The NB-IRDT Director will find another committee member to serve on the committee with respect to the matter. The DRC Co-Chair shall be given the opportunity to disclose all material facts to the NB-IRDT Director concerning the circumstances giving rise to the potential, perceived, or real Conflict of Interest.
- 5.1.3 If the NB-IRDT Director is an applicant on a research proposal, they cannot be a member of the DRC review working group. NB-IRDT will be represented by the Executive Director (or designate) of the Office of Research Services at the University of New Brunswick (UNB).
- 5.1.4 In real or potentially significant Conflict of Interest situations, the affected DRC member must recuse themselves and cannot take part in any conflict related decision or vote. The affected DRC member must leave the room while the vote is occurring and must not attempt to influence the outcome in any way. The recusing of the DRC member is to be documented in the minutes.
- 5.1.5 To ensure adequate and continued access to competent expertise, the committee may seek specific expertise from the affected DRC member if there is no one else available to the committee; however, the DRC member should not be present when related decisions are being made. This should be fully documented in the meeting minutes.
- 5.1.6 If there is no other option but to include a member of the DRC who has recently collaborated with, mentored, or acted as a supervisor for a researcher, the conflict must be disclosed and written in the meeting minutes and in the decision letter sent to the applicant.

5.2 **NB-IRDT Database Administrator Data Access**

- 5.2.1 In situations where a request for data access has been approved for release and the researcher is the NB-IRDT Database Administrator (or the designated replacement) or is not at arm's length to a person in

these roles, the NB-IRDT Director will assign a NB-IRDT Data Analyst to review the Project Data extracted prior to the project research commencing.

5.2.2 The NB-IRDT Director will contact the NB-IRDT Database Administrator and request that the research Project Data extracted be moved to a working directory that can be accessed by the NB-IRDT Data Analyst assigned to review the Project Data Sets.

5.2.3 The NB-IRDT Data Analyst assigned will review the Project Data Sets to ensure that only the approved variables are present and in the approved format for that project.

5.2.4 If the assigned NB-IRDT Data Analyst determines that the access approval was adhered to, they will notify the NB-IRDT Director and Database Administrator that the data can be moved to a research project folder for their Use.

5.2.5 If the NB-IRDT Data Analyst determines that the access approval was not adhered to, they will notify the NB-IRDT Director who will investigate the situation.

5.3 **NB-IRDT Database Administrator Aggregate Project Data Release**

5.3.1 When the NB-IRDT Database Administrator (or their designated replacement) is ready to request Aggregate Data be released for a project they will notify the NB-IRDT Director who will request the assigned NB-IRDT Data Analyst to vet the proposed data for release.

5.3.2 The NB-IRDT Data Analyst assigned will review the data Vetting request to ensure that only the approved variables are present and in the approved format for that project.

5.3.3 If the assigned NB-IRDT Data Analyst determines that the data Vetting request meets requirements, they will notify the NB-IRDT Director and Senior Data Analyst that the data can be released.

5.3.4 If the NB-IRDT Data Analyst determines that the access approval was not adhered to, they will notify the NB-IRDT Director who will investigate the situation.

6. **ADMINISTRATION**

6.1 **Accountability**

6.1.1 All DRC members and NB-IRDT Employees are responsible to disclose any perceived, potential, or real Conflict of Interest as soon as they become aware of them.

6.1.2 The NB-IRDT Director is responsible to ensure that this Policy is followed

and that the alternate arrangements are made as required.

- 6.1.3 In situations where the DRC must proceed even though there is real or perceived conflict, the DRC Co-Chairs are responsible to ensure it is documented in the minutes of meeting, any decisions are written, and all effected parties informed.

6.2 Monitoring, Auditing, and Reporting

- 6.2.1 The NB-IRDT Data Access Coordinator will keep a log of conflicts and will refer to this log when planning the composition of DRC Working Groups for review meetings.
- 6.2.2 If it is discovered that a DRC member has not disclosed a conflict that they were aware of, the DRC Co-Chairs will review the situation and bring a recommendation to the rest of the committee regarding whether the member should continue to serve on the committee and/or if others should be notified.
- 6.2.3 If an NB-IRDT Employee has not disclosed a conflict that they were aware of, the NB-IRDT Director (or, in the event that the Director has not disclosed, the VP (Academic) will address the matter through the appropriate employment management procedures (collective agreement provisions, policies, etc.), and appropriate sanctions and/or discipline will be imposed.

7. RELATED DOCUMENTS

- *NB-IRDT Glossary of Data Privacy and Security Terms*
- *NB-IRDT Data and Research Committee Terms of Reference*

8. REFERENCES

- [The Tri-Council Policy Statement "Ethical Conduct for Research Involving Humans"](#) (TCPS2, 2022).

9. DOCUMENT VERSION, REVIEW, AND APPROVAL HISTORY

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Version	Author	Nature of Change	Date
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