
CONFLICT OF INTEREST

AUTHORITY	President
PRIMARY CONTACT	
RELATED POLICIES	Institutional Ethics (22) Board By-law Conflict of Interest or Duty (BGB-110.05) Student Conduct (BRP-230.03) Collective Agreement, Negotiations (BRP-225.05)

POLICY

In order that members of the UFV community understand and avoid conflict of interest, in order that they may be enabled in their efforts to avoid conflict of interest, and in order that the institution have some redress against such abuse of trust, this policy defines conflict of interest, sets out a process to enable members to handle situations where they are in danger of being in conflict, and sets out disciplinary processes where abuse of trust occurs.

Members of the UFV community acting on behalf of UFV must avoid or remove themselves from situations involving conflict of interest.

DEFINITIONS

Conflict of Interest: A conflict of interest exists when a member of the UFV community has a personal or private interest sufficient to cause a reasonable person to question whether the person could be influenced in the objective exercise of his or her duties. Situations wherein a conflict of interest occurs include but are not limited to the following:

1. A conflict of interest exists or might exist in any instance where an individual's actions or activities on behalf of the university provide an opportunity to obtain a gain or advantage to the individual or the individual's family or business associates or cause an adverse effect on the university's interests. It can also result when a personal or business relationship affects or may affect a member's capacity to exercise due care, skill and judgement on behalf of the university in the performance of the individual's duties. Such situations include, but are not limited to, the following:
 - a. Participating in a decision where the member has a pecuniary interest, specifically where the matter affects a private company in which a member or related persons are proprietors or shareholders; where the matter affects a public company in which the member, or related persons, hold more than 10% of the shares; where the matter affects a partnership or firm in which the member or related persons are members; where the matter affects a corporation in which the member is a director; where the matter affects an organization in which the member is a senior officer; where the matter affects a private society, crown corporation or other organization in which the member by virtue of office holds a position of influence.
 - b. Making an investment in any situation in anticipation of the university taking a

material interest therein or which results from knowledge of facts not generally known by or available to the public or in anticipation of actions which may be taken by the University in such a situation.

- c. Participating in the appointment, promotion, discipline or performance review affecting a relative or partner.
 - d. Participating in decisions regarding grades, financial aid, awards, academic program or thesis or paper or providing academic or employment references for a relative or partner.
2. A conflict of interest arises or might arise if gifts, gratuities, or favours of any kind are exchanged between a member and any individual or company whose relationship with the university involves the member's sphere of responsibilities.
- a. This policy is not intended to prohibit common business courtesies, such as giving or accepting a meal or other gifts of nominal value. Acceptance of gifts must be reported in writing to the recipient's immediate supervisor. Offering such gifts should be actively discouraged.
 - b. This policy is not intended to restrict the recognition of donors to UFV.
 - c. Cash payments in any amount must not be accepted or given under any circumstances.
3. A conflict of interest arises if any member, in accepting outside employment or engaging in outside activities, allows those activities to interfere with his or her efficient and independent performance of university duties, or may be seen by a reasonable person as placing the member under an obligation to any individual or company whose relationship with the university involves the member's sphere of responsibilities.

Relative/Partner: For the purposes of this policy, two persons are partners if they have lived/cohabited together for at least one year, or, if they have a personal relationship that is of primary importance in both person's lives. Two persons are relatives if they are related by blood, marriage, adoption, or are partners as defined above, or are related to partners, as defined above.

Member of the UFV community: Members of the UFV community include all employees, community volunteers, students, alumni, and the UFV Foundation Board.

PROCEDURES/GUIDELINES

Conflicts of interest situations arise in many different ways, often without the person in the situation being able to, on his or her own, eliminate the conflict. If any member acting on behalf of UFV is faced with a situation involving a conflict of interest, or is in any doubt about the application of this policy, he or she must discuss the circumstances with his or her supervisor; in the case of a community member, a Vice-President or the President; in the case of a student, with the Director of Student Services. If the supervisor or Vice-President or President or Director feels that a conflict does or may in future exist, UFV, where it is possible and reasonable, and where the member is unable to avoid the conflict him or herself, will provide such alternative arrangements as are necessary to avoid the conflict.

Where conflict of interest situations arise, and are known to the member in conflict, and are not reported and eliminated, the member is in violation of this policy, and the normal disciplinary procedures apply. Where a member of UFV is adversely affected by a conflict of interest, and where UFV has not acted within a reasonable length of time to eliminate that conflict, a student may use the Academic Appeal policy, an employee the grievance process outlined in the Collective Agreement, and

a community member a report to the Vice-president, Finance and Administration, to seek redress.

1. Any employee or student sitting on a Selection Advisory committee who discovers that a candidate is someone with whom any relationship exists which might create a conflict of interest will withdraw from that SAC, without any comment which might prejudice the committee. Any person hiring on behalf of UFV, including those hiring temporary, casual, or replacement employees, will follow this policy. If a candidate is appointed where a reporting relationship exists, the conflict must be addressed, and alternative arrangements made for evaluation, promotion, discipline and re-appointment.
2. UFV employees who find themselves in a conflict of interest regarding a student shall report that conflict to the appropriate supervisor, and every effort must be made to avoid the conflict. A faculty member, for example, who finds him or herself in a conflict of interest regarding a student in class should report this to the department head, and he or she must make whatever arrangements are necessary to avoid the conflict. Similarly, a staff member sitting on an awards committee who finds him or herself in a conflict of interest should report to the chair of the committee, who must make some arrangements to eliminate the conflict.
3. The university's name, facilities, equipment, stationery, supplies, services and other resources are to be used for university work. A member shall not make unauthorized use of the university's resources, including the services of any employees, for the benefit of him or herself. No member, on his or her own behalf, shall enter into a commercial contract that he or she represents as being on behalf of the university. The name, address, phone number, logo or other identifying mark shall not be referred to in any document (including an electronic document) which has to do with a member's private business.
4. Where copyrighted materials are assigned in a course, and where the faculty member stands to gain royalties or any other kind of benefit from assigning the materials, the materials must be initially pre-approved by a review committee convened by the Dean of the area consisting of faculty members familiar with the purpose and nature of the course. The committee would ensure only that the material is relevant to the objectives of the course.

Reference: The Board policy on Development and Review of Administrative Policies (BRP-220.06) empowers the President to create and revise policies and procedures consistent with Policy Directions of the Board. This policy is guided by Board policy direction Human Resources Development and Management (BPD-225) and Risk Management (BPD-220).