

Section: Part 8 – Conflict of Interest	Policy Number: 08-001-002	Type: policy
Title OHTN Conflict of Interest		

Policy

The OHTN's Board of Directors, Board committee members, employees, students and volunteers will take measures to identify and prevent actual, potential and perceived conflicts of interest in accordance with the rules of conduct outlined in this policy.

Purpose

The purposes of this policy are to:

1. Maintain the confidence of stakeholders and the public.
2. Prevent or avoid actual, potential and perceived conflicts of interest in all aspects of OHTN operations, including research.
3. Help Board and committee members, employees, students and volunteers identify conflicts of interest and make those conflicts transparent and open to scrutiny.
4. Provide mechanisms to eliminate, minimize or manage any conflicts of interest.

Scope

This policy applies to members of the OHTN's Board of Directors and Board Committees, employees (permanent and contract), students and volunteers.

Definitions

Conflict of interest:

A conflict of Interest may occur when any person to whom the scope of this policy applies:

- a) has the capacity to influence OHTN decisions;
- b) has outside financial or beneficial interests, relationships or commitments that could interfere, or be seen to interfere, with the responsibility to serve OHTN;
- c) is placed in a situation of actual, potential or perceived conflict of interest between their individual or other interests and their duties to the OHTN.

A conflict of interest may be actual, potential or perceived:

- **Actual conflict of interest:** any situation where there is a substantial risk that a person's judgement would be materially affected by an outside financial or beneficial Interest, relationship or commitment.

- **Potential conflict of interest:** any situation where a person has private or individual interests that could conflict with their official duties.
- **Perceived conflict of interest:** any situation where there could be a reasonable perception that a person's individual and private interests could improperly influence their ability to perform their duties to the OHTN, regardless of whether this is, in fact, the case.

Financial interests:

The opportunity to receive a financial benefit, directly or indirectly (e.g., through a family member or some other third party, such as a friend or former/current/prospective professional associate).

Beneficial Interests:

Outside commitments and relationships can also give rise to conflicts of interest where they present potential to receive a material (i.e., significant) benefit in some other way.

Family member:

For the purposes of this policy, a family member refers to a spouse/spousal equivalent; parents, guardians, siblings, children (including step-parents, step-siblings, step-children, and in-laws); and any other individual who currently resides with an OHTN board or committee member, employee, student or volunteer or whose assets are controlled by an OHTN board or committee member, employee, student or volunteer.

Principal Investigator and/or Co-Investigator:

For the purposes of this policy, a principal investigator and/or co-investigator is a person who has significant influence and control over the planning and/or implementation of and/or reporting on a research, incubator or other project funded by the OHTN.

Collaborator:

For the purposes of this policy, a collaborator is a person who is part of a team applying for a research, incubator and other project funded by the OHTN. A collaborator brings specific expertise or resources to the team (e.g. data, expertise in data analysis, access to patients in the case of a clinical trial) and does **not** play a significant role in the planning and/or implementation of and/or reporting on the project.

Rules of Conduct

All Board directors, Board committee members, employees, students and volunteers will:

- Perform their duties and manage their private and professional affairs to ensure they do not negatively impact both stakeholder and public confidence in the OHTN's integrity, objectivity and impartiality
- Not have private or individual interests that would be affected by their OHTN activities
- Not directly or indirectly use or benefit from OHTN funds for purposes other than the conduct of OHTN business

- Not solicit or accept any economic benefits other than incidental gifts, customary hospitality or other benefits of nominal value from individuals or organizations who may have or seek to have a business relationship with OHTN
- Not directly or indirectly use or allow the use of OHTN property of any kind for anything other than officially approved activities
- Not step out of their official roles to assist any one/organization in their dealings with the OHTN when this could result in preferential treatment
- Not knowingly take advantage of or benefit from information obtained in the course of their official OHTN duties that is not generally available to the public

Employees, students and volunteers will not be eligible to apply for or hold OHTN funding as a principal investigator, co-investigator or collaborator. They may, subject to the approval outlined below, support funded projects/programs of research (e.g. by providing access to data, analysis, evaluation, mentorship) that are aligned with OHTN program plan deliverables and priorities. Employees, students and volunteers will be required to discuss with and provide the Executive Director with a written memorandum on their potential involvement including the extent of their involvement and resources provided. The Executive Director shall then consider the matter and report his/her assessment to the Board.

During their terms, **Board directors, Board Committee members and members of Advisory Committees that influence funding policies and decisions** will not be eligible to apply for or hold OHTN funding as a principal investigator or co-investigator. They may be eligible to be a collaborator on a team (based on the definition above) that is applying for or hold OHTN funding. Board members who staff/work on community-based pilots or programs funded by the OHTN may continue to serve on the Board and/or Board Committees provided they did not play a lead role in applying for the funding and are not playing a lead role in implementing or reporting on the project. In both these cases – where a Board or Committee member is a) a collaborator on a team applying for or receiving funding or b) is employed in a community-based pilot/program funded by the OHTN – the individuals will be required to discuss the potential conflict of interest with the Chair of the Board and provide a written memorandum on their potential involvement, including the extent of their involvement and resources provided. The Chair shall then consider the matter and report his/her assessment to the Board.

Individuals who may apply for or who hold OHTN funding as a principal investigator or co-investigator may be eligible to serve on select OHTN Board Committees where there is no potential conflict of interest related to influencing funding decisions (e.g. Data Advisory Committee, OCS Governance Committee), and where their expertise is extremely valuable in optimizing the impact of OHTN programs.

Procedures

The Executive Director of the OHTN will:

- Ensure that Board Directors, Board committee members, employees, students and volunteers are informed of the policy requirements, including the rules of conduct
- Determine and report to the Board whether actual, potential and perceived conflicts of interest exist and what action will be taken

- Apply the policy consistently
- Monitor and evaluate compliance with the policy
- Recognize the value to the OHTN of engaging with researchers and community organizations that receive OHTN funding by creating non-governance opportunities (e.g. advisory committees) where the OHTN can access their expertise and advice

Board Directors, Board committee members, employees, students and volunteers will:

- Review, understand and adhere to the policy
- Be alert to and consider the possibility of conflicts of interest in the context of their responsibilities and activities
- Take all reasonable steps to prevent or avoid conflicts of interest, such as
 - redesigning roles, responsibilities and reporting lines
 - not participating in roles or functions where there is an actual, potential or perceived conflict of interest
- Provide full and accurate disclosure of all conflicts of interest by completing the OHTN Conflict of Interest Declaration:
 - at the outset of their initial engagement with the OHTN;
 - annually thereafter; and
 - promptly after identifying any conflict of interest not previously fully disclosed
- Respond promptly, fully and accurately to all OHTN requests for information required to evaluate all reported conflict(s) of interest
- Comply promptly and fully with all OHTN directions to eliminate, minimize or otherwise manage reported conflict(s) of interest
- Ensure all Board and Committee meetings are opened with a call to directors/members to consider/declare any conflict of interest and all minutes note the conflicts of interest disclosed and resulting actions
- Not participate, on behalf of the OHTN or another party, in any activity that presents a conflict of interest unless that conflict has been disclosed and fully addressed in accordance with this policy
- Err on the side of disclosure when there is uncertainty as to a conflict of interest

Conflict of Interest Disclosure Process

Employees, students and volunteers will disclose any actual, potential or perceived conflict of interest to their manager and the Executive Director.

Board committee members (who are not Board directors) will disclose any actual, potential or perceived conflict of interest to the committee chair at the beginning of every committee meeting or anytime during a meeting when a conflict arises.

Board directors will disclose any actual, potential or perceived conflict of interest to the Board chair at the beginning of every Board meeting or anytime during a meeting when a conflict arises.

When an individual Board/committee members identifies a conflict of interest pertaining to a matter under consideration and/or decision at a Board, Board Committee or Advisory Board meeting, the individual will:

- Disclose the conflict of interest at the beginning of the meeting or whenever the issue arises where there is a conflict
- Leave the meeting during discussions of the potential conflict and, if it is determined that a conflict exists, withdraw from the meeting during the decision-making discussion(s) and vote(s)
- Not seek, by any other means, to influence the decision-making process

Penalties

Failure to disclose any conflict of interest or potential or apparent conflict of interest will be considered a breach of this policy and may result in disciplinary action up to and including, in the case of employees, dismissal and, in the case of Board and committee members, a request to resign or other action in accordance with OHTN by-laws.

OHTN CONFLICT OF INTEREST DECLARATION FORM

Name: _____ (Please print)

Date: _____

This is an: Initial Disclosure Annual Disclosure Ad hoc Disclosure

Instructions

Please complete only Section 1 if you have NO conflicts of interest to declare.

-OR-

Please complete Section 2 if you have conflicts of interest to declare (actual, perceived or potential).

Note

If this is the first time you are completing the OHTN Conflict of Interest Declaration Form, please report all conflicts of interest (or no conflicts of interest) for the past 3 years.

Section 1

I have read the OHTN Conflict of Interest Policy, received orientation to this Policy, and all my questions concerning the Policy have been answered.

I am declaring that I have no conflicts of interest (as defined by the Policy) to disclose at this time. I have no information to suggest that I am perceived to be in a conflict of interest by any other person. I do not anticipate that any conflict of interest will develop over the course of this year.

Should any conflict(s) of interest arise in future, I will immediately notify: the Board Chair or chair of the Board Governance Committee [in the case of Board / Board Committee participants and volunteers]; the Board Chair [in the case of the ED]; and the ED (or designate) [in the case of OHTN staff] and otherwise abide by all provisions of the OHTN Conflict of Interest Policy.

Signature

Date

Fiscal Year(s) Covered

Section 2

I have read the OHTN Conflict of Interest Policy, received orientation to this Policy, and all my questions concerning the Policy have been answered.

I am declaring that I have conflict(s) of interest (as defined by the Policy) to disclose.

I have listed below the conflict(s) of interest I am disclosing at this time in accordance with the OHTN Conflict of Interest Policy. Details regarding each conflict disclosed are provided in the signed letter attached to this OHTN Conflict of Interest Declaration form.

Should any additional conflict(s) of interest arise in future, I will immediately notify: the Board Chair or chair of the Board Governance Committee [in the case of Board / Board committee participants and volunteers]; the Board Chair [in the case of the ED]; and the ED (or designate) [in the case of OHTN staff] and otherwise abide by all provisions of the OHTN Conflict of Interest Policy.

Signature

Date

Fiscal Year(s) Covered

For Office Use Only

I have reviewed this OHTN Conflict of Interest Declaration form and am of the opinion that no further action is needed at this time.

I have reviewed this OHTN Conflict of Interest Declaration form and will meet with the individual.

Signature

Name (Please print)

Position

Date

Lead Responsibility:	Board Governance Committee
Initial Approval Date by the Board	June 17, 2016
Last Reviewed and Approved by Lead:	
Last Reviewed and Approved by the Board on:	September 6, 2019
Next Scheduled Review Date by Lead	September 2021