

Conflict of Interest Policy



Department	Reference Number	Organizational Scope	ICES Site	IPC Scope
Executive	031-00-00	ICES Network	ICES Network	N/A
Original Date (YYYY-MM-DD)	Current Version (YYYY-MM-DD)	Review Frequency	Next Review (Month YYYY)	Supersedes (if applicable)
1994-11-30	2026-03-26	Annual	January 2027	300CO-CO-005
Authority (Title)		Executive Team		
Policy Owner (Title)		Chief Executive Officer		
Required Reviewers (Titles)		Executive Team		
		Program Leaders		
		Conflict of Interest Committee		

Please refer to the [glossary](#) for bolded terms and their definitions.

1.0 PURPOSE

- 1.1 ICES is a publicly funded, not-for-profit research and analytic institute, whose mission and core business is translating data into trusted evidence that makes policy and health care better and people healthier. To meet its mandate, ICES must produce, and be perceived as producing, trusted and excellent research that is in the public interest.
- 1.2 ICES must protect its reputation to maintain continued public trust, by ensuring that the work done at or under the auspices of ICES by those in the ICES community reflects ICES’ mission.
- 1.3 ICES must ensure that all members of its community (see “Scope” in Section 2.0) act in ways that advance ICES’ mission and enhance ICES’ reputation. An actual, perceived, or potential **Conflict of Interest (“COI”)** in the ICES community can harm ICES’ reputation and ultimately damage the public’s trust in ICES.
- 1.4 The purposes of this **Policy** are to ensure ICES maintains a robust framework to avoid, minimize, and effectively manage actual, perceived, or potential **Conflicts of Interest (“COIs”)**.

2.0 SCOPE

- 2.1 This **Policy** applies to **ICES Agents**, including but not limited to:
 - 2.1.1 **ICES Employees**;
 - 2.1.2 **Site Employees**, when the individual is acting as an **ICES Agent**;
 - 2.1.3 **ICES Scientists**;
 - 2.1.4 **ICES Students**; and
 - 2.1.5 **ICES Trainees (ICES Post-Doctoral Trainees, ICES Fellows, and ICES Visiting Scholars)**.
- 2.2 This **Policy** applies to ICES’ Board of Directors, including any committees of the Board of Directors.

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- 2.3 This **Policy** also applies to individuals applying for employment or an appointment at ICES who will become **ICES Agents** by virtue of their employment or appointment. At the time of their application, they must declare **COIs** at present and for the prior three years.
- 2.4 This **Policy** is of particular relevance to:
- 2.4.1 Individuals who conduct **Research** and/or **Statistical Analysis** and disseminate findings, who, by the nature of their position, responsibilities or otherwise, interacts with suppliers, potential suppliers, or any organization/individual that has or may have business dealings with ICES who may be directly or indirectly affected by **Research** and/or **Statistical Analysis** conducted at ICES;
 - 2.4.2 **ICES Employees** that, by virtue of their position, responsibilities, and/or expertise have marketable skills of interest to others, such as external research teams, organizations, and companies.

3.0 ROLES AND RESPONSIBILITIES

- 3.1 Chief Executive Officer (“CEO”)
- 3.1.1 Acts as Chair of the Conflict of Interest Committee (“COI Committee”) and reviews all ICES Agent declarations. The CEO has discretion to review and clear declarations, and determines which declarations will be referred to the COI Committee for further review and consideration.
 - 3.1.2 Ensures that the decisions of the COI Committee are communicated to the individual who made the declaration, and to others in the ICES community as necessary to ensure adequate mechanisms to enforce decisions are in place.
- 3.2 Chair of the Board of Directors
- 3.2.1 Reviews the **COI** declarations of the CEO and has discretion to clear declarations.
 - 3.2.2 If needed, the Chair may refer the declaration to the Board’s Governance and Nomination Committee for review and consideration.

4.0 DETAILS

- 4.1 Definitions (Please also see the glossary for other definitions used in this **Policy**)
- 4.1.1 **Conflict of Interest (“COI”)** for the purposes of this **Policy**:
 - a. Refers to any situation where there is a potential divergence between an individual’s **Private Interests** and their obligations to ICES. A **COI** may be actual, perceived, or potential.
 - b. A **COI** exists when it can be reasonably determined that an individual’s **Private Interests** or the **Private Interests** of a **Related Person** could directly affect (or reasonably be perceived to affect):
 - i. the research question, design, conduct, analysis or reporting of an **ICES Project**;
 - ii. an ICES action (e.g., business decisions or transactions, prioritizing of **ICES Projects**, resources, collaborations, or partnerships); or
 - iii. ICES’ business, mission, or reputation.

4.1.2 Private Interest

- a. This is interpreted broadly and means a relationship, obligation, duty, responsibility, or benefit, whether monetary or non-monetary, that is unique to the individual.
- b. **Private Interests** include opportunities to receive a financial interest or benefit, either directly or indirectly, including but not limited to money, stocks, stock options, goods, speaker's fees, stipends and honoraria, gifts (including offers of products or services), bonus or milestone payments, equity interest.
- c. **Private Interests** do not necessarily need to be monetary (e.g., access to research support) and it may be provided as a direct or indirect benefit. That is, the benefit may be directly given to the individual or it may be given to a third party/entity for direct benefit to the individual (e.g., flowed through a research account, department, or through a professional corporation).
- d. **Private Interests** excludes T4 income in the form of wages and salaries paid by ICES and by other public institution (e.g., government including OHIP, publicly-funded research institutes and peer-reviewed granting agencies).

4.1.3 Related Person

- a. A **Related Person** is any person with whom an individual is engaged (or has recently been engaged) in a familiar, intimate, sexual, or otherwise personal relationship that gives rise to a reasonable apprehension of bias or favouritism.

4.2 COI Management Plan

- 4.2.1 Managing **COIs** includes any condition or restriction applied by ICES to manage **COIs**.
- 4.2.2 A **COI Management Plan** is a written understanding of a situation that gives rise to a **COI** and the management mechanisms that will be implemented to mitigate or eliminate it.
- 4.2.3 **COI Management Plans** are developed in consultation with the individual but are ultimately determined by ICES at its sole discretion.

4.3 Guiding Principles

- 4.3.1 All ICES decisions for addressing **COI** situations will be guided by ICES' obligation to maintain the public's trust. No **Research, Statistical Analysis**, or other ICES activities, including commercialization activities relating to **ICES Intellectual Property ("ICES IP")**, will be undertaken with unmanaged **COIs**.
- 4.3.2 ICES may determine a **COI** cannot be adequately managed in cases where:
 - a. the individual will not or cannot comply with the **COI Management Plan**;
 - b. the **COI Management Plan** cannot be determined or enforced; or
 - c. the ICES resources needed to manage the situation are deemed excessive by ICES.
- 4.3.3 ICES embraces transparency and accountability in its processes for dealing with **COI** situations and will ensure consistent application of this **Policy**.
- 4.3.4 ICES may make a summary of all **COI** declarations and **COI Management Plans** publicly available, such as by posting on ICES' public website, if it decides this is prudent for good governance.

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- 4.3.5 Employment with and/or ongoing appointment to ICES requires full and accurate disclosure of actual, perceived, and potential **COIs** annually, as well as ad-hoc **COI** disclosure as soon as they become known to the individual.
 - 4.3.6 ICES requires accuracy and completeness in **COI** declarations. ICES may undertake random or selected audits of an individual's **COI** declarations. If ICES receives additional information about **COIs** beyond what was disclosed in the individual's **COI** declaration, ICES will review these additional **COIs** as part of this **Policy**.
 - 4.3.7 Decisions rendered under this **Policy** are to be made by the CEO, or delegate(s), except for decisions concerning the CEO. Decisions regarding **COI** declarations made by the CEO are the responsibility of the Chair of the Board of Directors.
- 4.4 Activities considered **Conflicts of Interest**
- 4.4.1 It is not possible to provide an exhaustive list of all activities that would be considered actual, perceived, or potential **COIs**. The following situations serve as examples:
 - a. Using one's position, influence, or authority in ICES for the individual's **Private Interests** or the **Private Interests** of a **Related Person**;
 - b. Using ICES resources, such as **Technology Resources** and **ICES Information**, including but not limited to **ICES Data** and **ICES IP**, gained through employment, appointment, or affiliation with ICES for the individual's **Private Interests** or the **Private Interests** of a **Related Person**;
 - c. Allowing a sponsor or interest-holder of ICES (or a sponsor or interest-holder of specific **Research** and/or **Statistical Analysis** activities conducted at ICES) the right to veto or change the design, analysis, interpretation or reportage of findings or its dissemination (an opportunity to comment is allowable so long as it does not exceed 30 days);
 - d. Guaranteeing to anyone, including a sponsor or a interest-holder of ICES (or a sponsor or interest-holder of specific **Research** and/or **Statistical Analysis** activities conducted at ICES), a specific scientific finding;
 - e. Conducting research or statistical analysis with, or for, another entity which uses **ICES Information**, including but not limited to **ICES Data** and **ICES IP**, and/or **Technology Resources** without ICES approval;
 - f. Accepting money or another type of **Private Interest** for the individual or for a **Related Person** from a for-profit entity for research or statistical analysis which uses **ICES Information**, including but not limited to **ICES Data** and **ICES IP**, and/or **Technology Resources**;
 - g. Posing a research question or designing, analyzing, interpreting, or reporting an **ICES Project** in order that it will or may produce a **Private Interest** for the individual or for a **Related Person**;
 - h. Signing a contract or agreeing to an undertaking on behalf of ICES that is contrary to this **Policy**;
 - i. Asking an **ICES Employee** to undertake non-ICES work or activities that contribute to one's **Private Interests** or the **Private Interests** of a **Related Person**;
 - j. Accepting, buying, or seeking out the ownership of stock options or stock (excludes stock or stock options that arise from passive investment adviser-led portfolios,

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including the Healthcare of Ontario Pension Plan (HOOPP)) in a for-profit company (either publicly traded or privately held) that is related to a drug, technology, or health service that ICES is studying or may reasonably do so in the future;

- k. Being employed by, acting as a Director of, or otherwise receiving a **Private Interest** for the individual or for a **Related Person** from a for-profit company that is related to a drug, technology, or health service that ICES is studying or may reasonably do so in the future;
- l. Being a member of a Speakers Bureau (or equivalent speaker arrangement) for a for-profit company or entity;
- m. Providing educational or research talks for a for-profit company or entity where the individual does not create the content and is not able to exercise academic control over the content and its delivery.
 - i. Note: even if the above conditions are met it may still be considered a **COI** if these particular features are not transparent to ICES or the audience, and/or if it otherwise compromises the public's trust in ICES;
- n. Acting as a consultant or advisor for a for-profit company or entity and providing non-scientific general or specific business advice, regardless of the dollar amount involved;
- o. Acting as a consultant or advisor for a for-profit company or entity without having a written agreement or written contract consistent with this **Policy**. Such an agreement/contract should be for a fixed-term (without any automatic renewal clauses) and explicitly set out expectations for each of the parties with no further obligations after the termination date. The consultant or advisor role must not include business or market advice and instead it should involve providing scientific and/or clinical advice specific to one's area of expertise. All contracts must be submitted to ICES at the time of **COI** declaration;
- p. Taking any administrative action (including, but not limited to, hiring of staff, procurement of materials, managing contracting, selecting equipment or supplies) within or on behalf of ICES with an organization/individual where one stands to further, or appear to be furthering, their **Private Interests** or the **Private Interests** of a **Related Person**;
- q. Offering or accepting a **Private Interest** for the individual or for a **Related Person** in order to influence business transactions in which ICES is involved;
- r. Using **ICES Information**, including but not limited to **ICES Data** and **ICES IP**, and/or **Technology Resources** for any non-ICES activity in a manner not permitted by **Policies, Standards, and Procedures**.

4.5 Activities not considered **Conflicts of Interest**

4.5.1 Certain activities are allowable if these activities meet the following criteria:

- a. They are independent from ICES;
- b. They do not use **ICES Information**, including but not limited to **ICES Data** and **ICES IP**;
- c. They do not use **Technology Resources**; and

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- d. They do not compromise, or be reasonably seen to compromise, ICES' reputation or mission.
- 4.5.2 Even when an activity is allowed, the **Policy** requires that these activities still be disclosed to ICES as part of the **COI** disclosure process.
- 4.5.3 It is not possible to provide an exhaustive list of all allowable activities. The following situations serve as examples.
- a. Participating in a properly constituted Independent Data Safety Monitoring Board for a particular trial or trials sponsored by a non-profit or for-profit pharmaceutical, device, or other health products company;
 - b. Being a member of the Steering Committee, Publishing Committee, or Coordinating Committee for a particular trial or trials sponsored by a non-profit or for-profit pharmaceutical, device, or other health products company;
 - c. Conducting research directly or through another institution for a for-profit entity (e.g., conducting an industry-sponsored clinical trial which has a research agreement between the sponsor, the individual, and his or her other institution) where the activity does not compromise ICES' reputation for independence and integrity
 - d. Providing an acceptable service (e.g., scientific and/or clinical advice and not business advice) to a for-profit company or agency with an acceptable written agreement or contract concerning a drug, technology (including medical, health or healthcare computer, software or other related applications), or health service that ICES could reasonably study in the future, and that is not in conflict with (and not perceived to be in conflict) one's ICES work. Such an agreement/contract should be for a fixed-term and explicitly set out expectations for each of the parties with no further obligations after the termination date. All contracts must be submitted to ICES at the time of the **COI** declaration;
 - e. Creating or developing (or participating in the creation or development of) a not-for profit medical, health or healthcare application (app) that is not in conflict with (and not perceived to be in conflict) one's ICES work and does not compromise ICES' reputation for independence and integrity;
 - f. Participating in an external committee with the authority to review, approve or fund/reimburse a drug, technology, or health service as part of a government program (e.g., a federal or provincial health technology assessment review panel).
 - g. Providing clinical/scientific advice in private sector-funded research conducted by third parties. **ICES Core Scientists** and **ICES Adjunct Scientists** may participate in such studies only on a very limited basis and only when specific conditions are met.
- 4.6 Payment and benefits to individuals for allowable activities
- 4.6.1 It is acceptable to receive reasonable honorariums, stipends, payments, or small gifts paid directly to the individual from a for-profit or non-profit company or entity for providing a specific allowable activity/service as long as these, by their frequency or amount (singly or accumulated) do not affect (or reasonably be perceived to affect) an individual's work at ICES or ICES' mission or reputation.

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- 4.6.2 Individuals may not receive remuneration or financial benefit directly or indirectly from for-profit companies or entities for educational talks, advisory/consultative roles, and activities that exceed the annual dollar value limit as determined by ICES from time to time.
 - a. The current total allowable limit is \$15,000 per annum cumulative total for all such activities.
- 4.6.3 There are three allowable activities which are excluded from the \$15,000 per annum limit (these must still be declared to ICES):
 - a. Participating in an Independent Data Safety Monitoring Board as long as it involves an independent group of experts who are responsible for monitoring a study by reviewing data and who have no professional or financial **COIs** with the research project, investigators, or sponsor/funder of the research;
 - b. Participating in an external committee with the authority to review or approve a drug, technology, or health service as part of a government program (e.g., a federal or provincial health technology assessment review panel).
 - c. Other scientific advisory activities or consultations that relate to ICES work that is expressly pre-approved by the COI committee prior to the conduct of the work, and subject to terms and conditions that may be established by ICES from time to time.
- 4.7 Gifts to individuals when performing ICES work
 - 4.7.1 Requirements
 - a. In the course of carrying out their role and responsibilities at ICES, an individual must not accept a gift (including honoraria) which could influence their decisions or actions regarding any ICES business, including but not limited to procurement.
 - b. Individuals must not accept money of any denomination presented to them as a gift.
 - 4.7.2 Exceptions
 - a. Exceptions are permitted for minor gifts of nominal value provided it meets the requirements below:
 - i. The minor gift is given as an expression of courtesy or hospitality that is reasonable in the circumstances; and
 - ii. In accepting the minor gift, it does not influence, or would be perceived to influence, the performance of the individual's duties at ICES.
 - 4.7.3 Decisions regarding gifts
 - a. When in doubt as to whether to accept a gift, the individual must discuss the situation with their manager. The individual's manager will then decide whether the acceptance of the gift places, or appears to place, the individual under any obligations to the party offering the gift.
 - b. Factors to consider in this decision include but are not limited to:
 - i. Whether the gift is provided before or after the individual decides to carry out or actually carries out ICES work relevant to the party who is offering the gift;
 - ii. The value of the gift is more than \$100; and

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- iii. Any culturally relevant considerations that may inform whether the gift is considered to be minor or a token.

4.8 Declaring **Conflicts of Interest**

- 4.8.1 It is the responsibility of all ICES community members to whom this **Policy** applies (see “Scope” in Section 2.0) to report actual, perceived, or potential **COIs**.
- 4.8.2 ICES encourages disclosing any activity where the individual is uncertain whether it may represent a perceived, potential, or actual **COI**. Even if an individual believes an activity falls within the examples of allowable activities, the individual is required to make a declaration.
- 4.8.3 Nothing in this **Policy** shall be interpreted to mean that there are no obligations or duties to report the same **COI** elsewhere. For example, individuals are reminded that Research **Ethics Boards**, journals, and other public institutions will require declarations of **COIs**.
- 4.8.4 All individuals will:
 - a. Provide full and accurate disclosure of actual, perceived, or potential **COI** situations annually and as these become known to the individual and in advance through ad-hoc disclosures;
 - b. Disclosures must be made using current standard ICES forms and tools (e.g. online application or paper form outlined in [Appendix A](#)) within specified deadlines;
 - c. Respond as soon as reasonably possible to ICES requests for disclosure or details;
 - d. Report in good faith;
 - e. Seek clarification from the CEO (or from the Chair of the Board of Directors if the CEO) about what is or might be seen as COI situations if in doubt;
- 4.8.5 The CEO will declare his or her own actual, perceived, or potential **COIs** to the Chair of the Board of Directors in writing at the earliest opportunity.

4.9 Reviewing and managing **Conflicts of Interest**

4.9.1 Reviewing **COI** declarations

- a. The COI Committee will review all **COI** declarations other than that of the CEO (which is reviewed by the Chair of the Board of Directors). Members are appointed by the CEO and the COI Committee acts in an advisory capacity to the CEO.
- b. The CEO (or their delegate) may determine which declarations require review by the entire committee. The CEO and the COI Committee may request additional information and documents, contact other parties relevant to the declaration, obtain additional information, and meet with individuals reporting **COIs** in order to make determinations regarding **COI** declarations.
- c. The review will determine if each declared activity represents a **COI** and, if so, determine the details of any required **COI Management Plan**. The CEO or their delegate will discuss all decisions regarding declared activities with the affected individual along with the **COI Management Plan**, if applicable. For individuals applying for appointment to or employment with ICES, ICES reserves the right under this **Policy** to deny such applications based on the presence of **COIs**.

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- d. **COI Management Plans** are binding on the individual and will vary depending on the nature of the **COI** and the circumstances. The review decisions are final and binding. They will be communicated to the individual in writing and included in future appointment and/or employment letters as required.
- e. **COI** declarations for the CEO will be reviewed by the Chair of the Board of Directors. The Chair may meet with the CEO upon receipt of a **COI** report. The meeting will be for information gathering and to explore more fully the actual, perceived, or potential **COIs**. The Chair will determine if the activity represents a **COI** and, if so, determine the details of any required **COI Management Plan**. All decisions rendered by the Chair regarding actual, perceived, or potential **COIs** by the CEO shall be final and binding.

4.10 Confidentiality

- 4.10.1 The CEO (or the Chair of the Board of Directors) may consult in confidence with others inside and outside of ICES for the purposes of reviewing or managing **COIs**. The CEO may reveal in confidence necessary information regarding **COI** determinations and **COI Management Plans** only to those **ICES Agents** or outside parties where, in the opinion of the CEO, in consultation with the Chief Privacy and Legal Officer (“CPLO”), it is required for the effective implementation of the **COI Management Plan**, and/or to protect ICES’ reputation and mission.
- 4.10.2 Information gathered in the **COI** disclosure, the **COI Management Plan**, and discussions and notes about these documents and the **COIs** shall be considered **ICES Confidential Information**.
- 4.10.3 ICES may make a summary of all **COI** declarations and **COI Management Plans** publicly available, such as by posting on ICES’ public website, if it decides this is prudent for good governance. For each **ICES Scientist**, a statement is published declaring whether or not each has an “ICES-relevant **COI**”. More information, including the presence of any **COI Management Plan**, may be made available upon request, including to the public.

4.11 Penalties

- 4.11.1 Breaches of this **Policy** may be cause for reprimand, limitations of ICES privileges, activities or work, dismissal or otherwise loss of employment, appointment, or affiliation with ICES.
- 4.11.2 Penalties for breach of this **Policy** will depend upon the nature and severity of the **COI** and the circumstances of the individual in each case.
- 4.11.3 Breaches of this **Policy** at the time of application for appointment/employment will likely result in denial of an appointment/employment.
- 4.11.4 All decisions regarding penalties shall be made by the CEO and are final and binding. The Chair of the Board of Directors shall make decisions relating to the CEO’s **COIs**.

5.0 RELATED DOCUMENTATION

5.1 Policies

- 5.1.1 *Privacy Incident and Privacy Breach Management Policy*
- 5.1.2 *Discipline and Corrective Action in Relation to ICES Data Policy*

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- 5.1.3 *Termination or Cessation of Employment or Contractual Relationship in Relation to ICES Data Policy*
- 5.1.4 *Privacy and Security Audit Policy*
- 5.1.5 *Ongoing Review of Privacy and Security Policies, Standards, Procedures, Practices, and Exceptions Policy*
- 5.1.6 *Change Management Policy*
- 5.2 Standards
 - 5.2.1 *Security Incident Management Standard*
- 5.3 Procedures
- 5.4 Tools
 - 5.4.1 Conflict of Interest declaration form
- 5.5 Guidelines

6.0 TRAINING AND COMMUNICATION

- 6.1 **Policies, Standards, and Procedures** are available on the **ICES Intranet**.
- 6.2 This **Policy** and any related **Standards** and/or administrative **Procedures** are communicated to all **ICES Agents** across the **ICES Network** during onboarding and on a yearly basis. **Policy** awareness is also supported and promoted by the **Policy Owner**.
- 6.3 Once new **Policies, Standards, and Procedures** are published to the **ICES Intranet**, they are communicated to **ICES Agents** on the **ICES Intranet** and through ICES' weekly email with the organization's internal updates.

7.0 COMPLIANCE AND ENFORCEMENT

- 7.1 **ICES Agents** must comply with all applicable **Policies, Standards, and Procedures**.
- 7.2 **ICES Agents** must notify a Privacy **Subject Matter Expert ("SME")** or Security **SME** at the first reasonable opportunity if they breach or believe there has been a breach of ICES' privacy and security **Policies, Standards, or Procedures**, in accordance with the *Privacy Incident and Privacy Breach Management Policy* and the *Security Incident Management Standard*, as applicable, and as set out in the framework posted on the Privacy and Legal Office / Cybersecurity site on the **ICES Intranet**.
- 7.3 All violations under ICES privacy and security **Policies, Standards, and Procedures** may be subject to a range of **Disciplinary Actions** in accordance with the *Discipline and Corrective Action in Relation to ICES Data Policy* and the *Termination or Cessation of Employment or Contractual Relationship in Relation to ICES Data Policy*.
- 7.4 Compliance is subject to audit in accordance with the *Privacy and Security Audit Policy*.

8.0 EXCEPTIONS

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- 8.1 Any exceptions requested pursuant to this **Policy** must be in accordance with the *Ongoing Review of Privacy and Security Policies, Standards, Procedures, Practices, and Exceptions Policy* and the *Change Management Policy*.
- 8.2 Exceptions cannot relieve ICES of its legal requirements, including but not limited to those established under **PHIPA**, the *Coroners Act*, their applicable regulations, or the **IPC Manual** and/or the **IPC Addendum**.

9.0 CHANGE TABLE

Change Date (YYYY-MM-DD)	Change Notes
2025-01-23	Reviewed and revised as part of ICES ongoing review processes; terminology updated; section added for received gifts.
2026-03-26	<ul style="list-style-type: none">• Shift in terminology throughout the Policy from “stakeholder” to “interest-holder” to reflect organizational shift towards inclusive language.• Amendments to FAQs 15 and 16 to improve clarity.• Separation of the COI Form from the Policy to allow independent use of form. Reference to the Policy remains on the form to ensure applicants must read Policy before completing their declaration form.• Updated reporting period on the declaration form to reflect the forthcoming Fiscal Year.

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Appendix A

Frequently Asked Questions – FACULTY

Note: The purpose of these FAQs is to provide examples and guidance on what constitutes a Conflict of Interest. If there is information in this [Appendix A](#) that is inconsistent with the main body of the *Conflict of Interest Policy* then the information in the main body of the *Conflict of Interest Policy* is the correct information.

1. Conflicts of Interest are any situations where there is a potential divergence between an individual's Private Interests and his or her obligations to ICES. What does "obligations to ICES" mean?

All those in the ICES community have obligations to ICES, which is defined by the work they do under the auspices of the institution. ICES is a publicly funded, not-for-profit organization that has a mission of translating data into trusted evidence that makes policy and health care better and people healthier. To meet its mandate, ICES must produce, and be perceived as producing trusted and excellent research and statistical analysis that is in the public's best interest and it must protect its reputation to ensure continued public trust. ICES' reputation is dependent on it. The work done under the auspices of the institution by those in the ICES community must reflect ICES' mission. Therefore, one's obligations to ICES are broadly defined and includes ICES' mandate to ensure the public's best interest and ensure continued public trust.

ICES mission and reputation includes the work you do under its auspices. When reviewing Conflict of Interest declarations, the CEO will consider, among other things, whether a perceived, potential or actual Conflict of Interest situation relates directly (or be reasonably seen to relate directly) to the individual's ICES research/statistical analysis activities or their research program. See the Conflict of Interest Policy for other considerations. All members of the ICES community must make fulsome declarations and the CEO will determine if it is a Conflict of Interest or not, taking into consideration the individual's ICES research/statistical analysis activities or their research program as well as the other considerations.

2. What is the timeframe for the Conflict of Interest disclosure?

All those in the ICES community who have a current appointment must make a Conflict of Interest declaration annually and during the year for any new material Conflicts of Interest situations as they become known and in advance (ad hoc declaration). The annual declaration should include any previously declared Conflicts of Interest that are still relevant, as well as any new ones. The ad hoc declaration only needs to include information about the new Conflicts of Interest situations.

Those individuals being considered for a new appointment must declare any current and past Conflicts of Interest in the current and the three fiscal years preceding the year of appointment application (e.g., an applicant in FY2024/25 would report any COIs between April 1, 2021 and March 31, 2025).

3. What do I do if I'm not sure about the need to declare an actual, perceived, or potential Conflict of Interest situation?

Since it is the responsibility of all those in the ICES community to make a full and accurate disclosure of actual, perceived, and potential Conflicts of Interest situations, individuals should err on the side of

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caution and make the disclosure. Any questions or ambiguities can be brought to the attention of the CEO.

- 4. The Conflict of Interest Policy says that ICES may make a summary of all COI declarations and COI Management Plans associated with those in the ICES community publicly known if it decides this is prudent for good governance. Will my name be associated with that disclosure?**

Yes. Since 2017, we have been making information on scientist COIs publicly available. We now publicly state the individual has not declared any “ICES-relevant COIs” or that they have ICES-relevant COIs.

Additional information, including any COI Management Plan(s), will be made available upon request. This is an important step and shows transparency at ICES and protects the reputation and credibility of ICES Scientists and ICES.

- 5. The Conflict of Interest Policy says that I can consult or act in an advisory capacity to a for-profit company or agency under certain conditions. It must involve providing scientific and/or clinical advice (and not business or market advice) and there must be a written agreement/contract for a fixed term that explicitly sets out expectations for each of the parties with no further obligations after the termination date. The work must not be otherwise prohibited, and if the work is independent to ICES, must not use ICES Information, including but not limited to ICES Data and ICES IP, and Technology Resources, nor compromise (or be seen to reasonably compromise) ICES reputation or mission. I have to declare the activity and it is possible a COI Management Plan may be needed. What does “compromise ICES reputation or mission” mean here? What is a “fixed term”?**

Conflict of Interest is any situation where there is a potential divergence between someone’s Private Interests and their obligations to ICES. As stated in FAQ #1, one’s obligation to ICES includes the work one does under the auspices of ICES. Therefore, if the Private Interest is directly related to one’s ICES research/statistical analysis activities then this could be considered a COI. In terms of ICES’ mission or reputation, if the consulting or advisory work negatively impacts on ICES being able to produce trusted and excellent research and statistical analysis that is in the public’s best interest and maintain continued public trust it would be deemed a COI. If the activity is not directly related to one’s ICES research/statistical analysis, the CEO will consider, among other things, the amount of money received as that could impact of ICES’ reputation (i.e. more than \$15,000 cumulative total per year for all such activities).

A fixed term contract is one that sets out expectations for each of the parties with a termination date (with no further obligations) and requires signatures. This contract must be submitted to ICES with your COI declaration form. ICES will review the agreement to ensure it is independent to ICES, and, among other things, does not involve ICES Information, including but not limited to ICES Data and ICES IP, and Technology Resources. ICES will need to review the nature of the work to satisfy itself the service provided is not in conflict with your research/statistical analysis activities and does not compromise (or be perceived to compromise or have the potential to compromise) ICES reputation and mission. Particularly if there is more than one fixed term contract (regardless of whether it is with the same entity or not), ICES will consider the total annual remuneration as well.

- 6. Is it acceptable for me to hold stock or stock options? Do I have to declare them?**

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If you or a Related Person receive money from investment vehicles, such as mutual funds or retirement accounts, this is not considered a Conflict of Interest as long as you do not directly control the investment decisions made in these investment vehicles. In these cases, you do not have to declare them. An example would be if you have a RRSP and have an investment adviser who manages your portfolio and you do not directly manage what stocks/options are purchased. If you agree to various types of investments based on your risk tolerance profile, this does not mean you directly control the investment decisions.

However, if you or a Related Person has control over the investment decisions or if you have stock or stock options that you seek out or accept from a company (e.g. start up company that provides you with stock instead of payment), regardless of whether they are biomedical in nature or not, then this is different. You have to declare stock and stock options if it impacts on your obligations to ICES (see FAQ #1) or if it could directly affect (or reasonably be perceived to affect) ICES' business, mission, or reputation (see FAQ #2), an ICES action, or the research question, design, conduct, analysis or reporting of an ICES Project. However, sometimes it is difficult to determine whether there is a Conflict of Interest and therefore you will want to err on the side of caution and seek consultation from the CEO or disclose it on your Conflict of Interest declaration form. If the stock or stock options are biomedical in nature (e.g., device company, pharmaceutical company) then you should declare these stocks and stock options as you have a financial benefit that is a Private Interest and ICES will need to consider, for the individual case, if it could directly affect (or reasonably be perceived to affect) your research program, an ICES action, or ICES' business, mission or reputation.

7. I have ownership interest or am employed by a company which relates or could be perceived to relate to my ICES research and statistical analysis activities, my research program, or the work of ICES. Should I still declare them?

Yes, you should declare this as you have a Private Interest and ICES will need to consider, for the individual case, if it could directly affect (or reasonably be perceived to affect) your research program, or ICES' business, mission or reputation.

8. I receive financial benefits from several pharmaceutical companies. I think this reduces my Conflict of Interest situation because I have a relationship with several such companies rather than with just one. Is this taken into consideration when my Conflict of Interest declaration is reviewed?

Regardless of whether you receive a financial benefit from one, several or many pharmaceutical companies, there could be Conflicts of Interest situations because of the work you do under the auspices of ICES and because of ICES' reputation or mission. Receiving a financial benefit from one, as opposed to several, pharmaceutical companies does not increase or decrease the Conflict of Interest situation as it is situation-specific (i.e., depends on the work that you do under the auspices of ICES and ICES' business, mission, and reputation).

The Conflict of Interest Policy says it is considered a COI to conduct research/statistical analysis with, or for, another entity without ICES approval which uses ICES Information, including but not limited to ICES Data and ICES IP, and/or Technology Resources. Research that is funded in whole or in part by industry or other non-public source may be permissible only if certain conditions are met. Given the wide variation in circumstances for such funding, each must be reviewed for approval by the CEO on a case-by-case basis. Contact the CEO's office for further detail.

9. I am involved with, or have a financial interest in, the commercialization of an algorithm or app based on research and/or statistical analysis conducted using ICES Information, such as ICES

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Data or ICES IP, or Technology Resources, or that relates to research/statistical analysis conducted using ICES Information or Technology Resources. Do I need to declare that?

Yes. This could create a potential, perceived, or actual COI as it may create for you a Private Interest associated with research/statistical analysis at ICES. Such arrangements should be declared as a potential COI, as ICES will need to consider, in each case, if it could directly affect (or reasonably be perceived to affect) your research program, or ICES' business, mission, or reputation.

10. The Conflict of Interest Policy says that I can participate, if nothing would otherwise make them conflicted activities, in a properly constituted Independent Data Safety Monitoring Board. What does "Independent" mean? I know I have to disclose it to ICES (and a COI Management Plan may be needed), but it is not clear what documentation ICES needs to decide if it is an independent Board.

You can participate on a properly constituted Independent Data Safety Monitoring Board as long as it is independent to your research/statistical analysis activities and independent of ICES; does not use Technology Resources and/or ICES Information, including ICES Data and ICES IP; and does not compromise, or be reasonably seen to compromise, ICES' business, mission, or reputation.

"Independent" means the group of experts on the Board are unaffiliated or arms-length from the researcher whose study is the subject of the Data Safety Monitoring Board, the research project, and the research sponsor or those who could gain financially from the research results. Independence is important for actual and perceived patient/participant safety and well-being. In the case of a for-profit device or pharmaceutical company or other health product company, ICES will need a copy of your agreement with the sponsor of the Independent Data Safety Monitoring Board.

11. Some of the potential Conflicts of Interest situations I have are not directly related to my ICES work, but to my other place of employment (e.g., hospital, university, not-for profit organization). Do I have to disclose them to ICES?

This question suggests that the potential Conflict of Interest situation does not directly affect (or reasonably be perceived to affect) the research question, design, conduct, analysis or reporting of a study being conducted under the auspices of ICES. However, someone in the ICES community could still be in a Conflict of Interest situation if that situation could affect ICES' business, mission, or reputation. For example, if someone in the ICES community has teaching engagements sponsored by a for-profit organization, that information could potentially still be relevant to ICES even if it is not directly related to the research/statistical analysis being conducted by the individual appointed or employed by ICES. You should err on the side of caution and disclose them to ICES or you can consult with the CEO.

12. I am on advisory committees and I am a consultant for various non-profit organizations that are health related. Do I need to declare these given that they are not for profit (even if unpaid)?

Yes, it should be declared for review as a potential COI. The issue is not whether the organization is for profit or not, but rather the potential that one's Private Interests will diverge, or perceive to diverge, from their obligations to ICES.

13. I have been asked to give talks or presentations that are related to my clinical and/or research work and the activity is sponsored by a third party (e.g., Private Company). Would this be considered an actual or potential Conflict of Interest by ICES?

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There are several factors that ICES considers in determining whether these talks or presentations sponsored by a third party represent an actual, potential or perceived COI.

First, ICES Scientists should have full academic control over the content of their talks/presentations (i.e., they create the content and do not use slides provided by a third party, the sponsor/third party does not have the authority to approve your presentation or require changes, and you approve the final version of the talk before presentation). Ideally the letter of invitation or contract will make this explicit. Second, ICES will consider the total number of talks/presentations sponsored by a third party and the related total honoraria in judging whether there is a COI. Third, there should be a written contract or written agreement signed for talks/presentations and ICES requires you to include the agreement/contract with your COI declaration. Formal membership in a speaker's bureau where you do not exercise academic control of talks is considered a COI. Even if these conditions about talks/presentations are met it may still be a COI if these particular features are not transparent to ICES or the audience and/or if ICES determines it otherwise compromises or could compromise the public's trust in ICES. If in doubt, ICES Scientists can ask before committing to the talk/presentation if it might be considered by ICES as a COI.

14. I am a Site Investigator for a clinical trial. Do I declare it?

If this is an industry-initiated clinical trial and you are serving as the site investigator you need to declare it. If this clinical trial is being conducted at your hospital, you do not need to submit the written agreement/contract as long as your hospital is a signatory, administers the funds, and the agreement is consistent with the principles set out by the Council of Academic Hospitals of Ontario (CAHO). Most teaching hospitals follow the CAHO principles if they are a signatory to the agreement/contract.

If this is investigator-initiated clinical trial, and you are the Site Investigator and it is funded by industry funding, you need to declare it. An exception would be if there was also peer-reviewed funding (e.g., CIHR, NSERC). As above, if the clinical trial is being conducted at your hospital, you do not need to submit the written agreement/contract as long as your hospital is a signatory, administers the funds, and the agreement is consistent with the principles set out by the Council of Academic Hospitals of Ontario.

15. A drug company has provided me with an unrestricted research grant that I intend to use for studies that are unrelated to my ICES research. Do I declare it?

Yes, and it is advisable you consult with the CEO before accepting unrestricted research grants from industry, which are grants with no funding conditions imposed by the sponsoring institution. Unrestricted research grants are sometimes provided to investigators by industry as a way to provide financial support for research in particular areas that are not study specific; the funds may be used by the investigator to generally support their research or their research program.

For this to be acceptable, a number of conditions must be met:

- The funds must be administered by an institution (e.g., your hospital) and there must be a written contract/agreement with your institution as a signatory, that explicitly sets out that you have complete control over all aspects of the research, including topic, methodology, analysis, and dissemination.
- You must not have other obligations to the industry that provides this unrestricted research grant, such as being on their Speakers Bureau, or as a consultant to them. A Speakers Bureau is a system used by for-profit entities which involves hiring, training, and rewarding/paying speakers to deliver academic presentations to clinical or other decision-makers to persuade the

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audience to use or prescribe their product. Presentations are based on materials prepared for them by the for-profit entity, and even if speakers can revise the presentation, the final control of the content rests with the for-profit entity.

- ICES will review the agreement to ensure it is independent to ICES, and, among other things, does not involve ICES Information, including but not limited to ICES Data and ICES IP, and/or Technology Resources. ICES will need to review the nature of the work to satisfy itself the service provided is not in conflict with your research/statistical analysis activities and does not compromise (or be perceived to compromise or have the potential to compromise) ICES' business, mission, and reputation. If on review the COI Committee is satisfied the work is independent to ICES, the work may proceed. **However, to be clear, under no circumstances may unrestricted research grants be used to fund ICES research.**

16. I have been approached to participate as a paid consultant on a private-sector DAS third party research (TPR) project that involves ICES data. May I participate in DAS analytical services or as a paid consultant on a Third Party Research (TPR) project that involves ICES data (public or private sector). Can I agree to this in any capacity as an ICES Scientist?

All requests for ICES Scientist participation in private sector DAS analytical services require pre-approval by the Chief Science Officer ("CSO") or the CEO. ICES Scientists may participate in such projects only on a very limited basis and only when specific conditions are met. For example, ICES Scientists may serve as consultants to such projects to provide methodologic or clinical content expertise. But they may not lead or otherwise serve in a leadership role on a DAS TPR project, and they may not author publications that arise from the project. Discussion with the CSO or CEO in advance is strongly encouraged.

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Appendix B

Frequently Asked Questions – ICES Employees

Note: The purpose of these FAQs is to provide examples and guidance on what constitutes a Conflict of Interest. If there is information in this [Appendix C](#) that is inconsistent with the main body of the *Conflict of Interest Policy* then the information in the main body of the *Conflict of Interest Policy* is the correct information.

- 1. An ICES Scientist asks you to work on their ICES Project during non-business hours. The scientist requests that you sign a consulting agreement with their home institution (e.g., ABC Hospital). Is this a Conflict of Interest?**

Yes, this represents a Conflict of Interest. ICES Employees are not permitted to work on ICES Projects for pay outside of the employment agreement between ICES and the ICES Employee.

- 2. Any research group, researcher, or entity, knowing the expertise you have in analysing health administrative data, approaches you to analyse data that was obtained from ICES under the cd-link or DAS program. Is this a Conflict of Interest?**

Yes, this represents a Conflict of Interest. ICES Employees are not permitted to work for hire on any data produced by ICES regardless of the affiliation of the Principal Investigator.

- 3. Any non-ICES research group, researcher or entity has obtained a 'cut' of OHIP and NACRS directly from the Ministry of Health and CIHI (not via ICES) respectively. Knowing your expertise in analysing health administrative data, they wish to contract you to analyse the data. Is this a Conflict of Interest?**

No, this does not represent a Conflict of Interest. Although the data are similar to those held at ICES, this data is not ICES Data. The ICES Employee may enter into a consulting agreement with the scientist provided:

- a. The ICES Employee performs the consulting duties outside of business hours;
- b. The ICES Employee does not use any Technology Resources or ICES Information, including but not limited to ICES Data or ICES IP, in the conduct of the consulting work; and
- c. If publishing, the ICES Employee does not use their ICES affiliation. The ICES Employee must identify an alternate affiliation.

- 4. An ICES Employee is given the opportunity to consult with a pharmaceutical firm on projects unrelated to ICES work. The ICES Employee engages with the firm, and the ICES Employee does not use their ICES affiliation, nor uses ICES Information and/or Technology Resources in the conduct of this work. Is this a Conflict of Interest?**

This may be an actual, potential, or perceived Conflict or Interest. Prior to any engagement with a for-profit entity, the ICES Employee should speak with their manager or director to have the engagement evaluated by the COI Committee. Note: there will not be any Disciplinary Action for an ICES Employee identifying a Conflict of Interest (actual, potential, or perceived) before engaging in the opportunity. The potential Conflict of Interest will be evaluated to determine if a mitigation strategy is warranted. It is, however, contrary to the Conflict of Interest Policy to accept these types of agreements without identifying these as potential Conflicts of Interest.

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5. An ICES Employee's family member is employed by a pharmaceutical firm that manufactures a number of common drugs. Is this a Conflict of Interest?

This may be an actual, potential, or perceived Conflict of Interest. The ICES Employee should declare this relationship with their family member, as a Related Person, so that it can be evaluated by the COI Committee. A COI Mitigation Plan may include a requirement that the ICES Employee not participate in ICES research/statistical analysis involving drugs manufactured by this pharmaceutical firm.

6. An ICES Employee directly holds stock or stock options (i.e., not as part of a mutual fund) in a number of companies, some that are biomedical in nature (e.g., device company, pharmaceutical company) and some that are not (start-up data management company). The ICES Employee is unsure if these would be considered to relate to their ICES research/statistical analysis or to the work of ICES. Does the ICES Employee have to report them?

If the ICES Employee or their Related Person receives money from investment vehicles, such as mutual funds or retirement accounts, this is not considered a Conflict of Interest as long as the ICES Employee or Related Person does not directly control the investment decisions made in these investment vehicles. In these cases, there is no COI to be declared.

An example would be if you have a RRSP and have an investment adviser who manages your portfolio and you do not directly manage what stocks/options are purchased. If you agree to various types of investments based on your risk tolerance profile, this does not mean you directly control the investment decisions.

If the situation is different from the above, the ICES Employee should declare these stocks and stock options as a Private Interest and ICES will need to consider, for the individual case, if it could directly affect (or reasonably be perceived to affect) the ICES Employee's research program, an ICES action, or ICES' business, mission, or reputation.