



## ICES CONFLICT OF INTEREST POLICY

### Frequently asked questions

- 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 research excellence resulting in trusted evidence that makes policy better, health care stronger and people healthier. To meet its mandate, ICES must produce, and be perceived as producing trusted and excellent research 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 potential or actual conflict of interest situation relates directly (or be reasonably seen to relate directly) to the individual's ICES research or research program. See the definition of Conflict of Interest 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 or research program as well as the other considerations.*

- 2. The Policy says that I can consult or act in an advisory capacity to a for-profit company or agency if there is a fixed term contract, if it is not otherwise prohibited, and if the work is independent to ICES, does not use ICES data, name, logo, or business tools and does not compromise (or be seen to reasonably compromise) ICES reputation or mission. I have to declare the activity and it is possible a Management Plan may be needed. What does "compromise ICES reputation or mission" mean here? What is a "fixed term contract"?**

*Conflict of interest is any situation where there is a potential divergence between someone's private interests and his or her obligations to ICES. As stated in F & Q #1, one's obligation to ICES includes the work one does under the auspices of ICES. Therefore, if the private interest (individual financial interest or benefit or family financial interest or benefit) is directly related to one's ICES research this could make the activity prohibited. 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 that is in the public's best interest and maintain continued public trust it would make the activity prohibited. If the activity is not directly related to one's ICES research, the CEO will consider, among other things, the amount of money received as that could impact of ICES' reputation (e.g., over 10k).*

*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 data, name, logo or business tools. ICES will need to review the nature of the work to satisfy itself the service provided is not in conflict with your research and does not compromise (or be perceived to compromise) ICES reputation and mission. Particularly if there are 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.*

- 3. I directly hold stock or stock options (i.e. not as part of a mutual fund) in a number of companies, but they are not biomedical in nature or otherwise related to my ICES research or research program or the work of ICES. Should I still declare them?**

*As per that definition, you have to declare stock and stock options if it impacts on your obligations to ICES (see F & Q #1) or if it could directly affect (or reasonably be perceived to affect) ICES mission or reputation (see F & Q #2), ICES core business, an ICES action, or the research question, design, conduct, analysis or reporting of a study. 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 your manager or CEO or disclose it on your declaration form.*

- 4. I directly hold 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). I am unsure if these would be considered to relate to my ICES research or to the work of ICES. Do I have to report them?**

*Yes, you should declare these stocks and stock options as you have an individual financial benefit 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 core ICES business, mission or reputation.*

- 5. I have ownership interest or am employed by a company which relates or could be perceived to relate to my ICES research, or research program or the work of ICES. Should I still declare them?**

*Yes, you should declare this as you have an individual financial benefit 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 core ICES business, mission or reputation.*

- 6. The Policy says that I can participate, if nothing would otherwise make them prohibited activities in an Independent Data Safety Monitoring Board. What does “Independent” mean? I know I have to disclose it to ICES (and a Management Plan may be needed), but it isn’t clear what documentation ICES needs to decide if it is an independent Board.**

*You can participate on an Independent Data Safety Monitoring Board as long as its independent to your research and ICES, does not use ICES data, name, logo or business tools and does not compromise, or be reasonably seen to compromise, ICES reputation or mission. “Independent” means being unaffiliated or arms-length from the researcher whose study is the subject of the Data Safety Monitoring Board 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.*

- 7. The Policy says that ICES may make a summary of all COI declarations and 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, it is possible that an individual's name will be made publicly available with their COI declarations and management plans. That publicly available information will not include COI information related to someone's family's financial interest or benefit even though that information is declared.*

- 8. 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 an ICES action or core 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 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 ICES CEO.*

- 9. I receive income from investments (e.g. mutual funds and retirement accounts) do I need to declare them?**

*No, so long as you or your Family do not directly control the investment decisions made in these vehicles. If you agree to various types of investments based on your risk tolerance profile, this does not mean you directly control the investment decisions.*

- 10. 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 an appointment must declare any conflicts of interest for the past 3 years, and then if the appointment is granted, annually and on an ad hoc basis.*

**11. 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?**

*Yes, if it creates an Individual Financial Interest or Benefit or a Family Financial Interest or Benefit. The issue is not whether the organization is for profit or not, but rather one's private interests.*

**12. 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 a 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' reputation and mission).*

*The ICES COI policy says it is prohibited to conduct research with, or for, another entity without ICES approval which uses ICES data, name, logo or business tools. 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 ICES CEO on a case-by-case basis. Contact the CEO's office for further detail.*

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

**I have been asked to give talks or presentations that are related to my clinical and/or research work and is sponsored by a third party (e.g. Private company). Would this be considered an actual or potential conflict of interest by ICES?**

*There are several factors that ICES considers in determining whether these talks or presentations sponsored by a third party sponsor 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). 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 contract signed for talks/presentations and ICES may request to review it. 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.*