



SOP 106a

TITLE	106a: Conflicts of Interest – REB Members and REB Office Personnel
SCOPE	The activities of the Research Ethics Boards operating under the direct authority of the University of British Columbia
RESPONSIBILITIES	The Vice-President, Research & Innovation, delegated to the Director, Research Ethics, all Research Ethics Board (REB) Chairs and members, all REB Office Personnel, and UBC Institutional Officials
APPROVAL AUTHORITY	The Vice-President, Research & Innovation
EFFECTIVE DATE	May 2018
Supersedes documents dated	May 2011, April 2009; July 2003

1.0 PURPOSE

The purpose of this standard operating procedure (SOP) is to outline concerns of possible conflicts of interest (COI) for REB members, REB Chairs, and REB Office Personnel. This extends to consultants who are not REB members but may be asked to review a project because of their expertise.

2.0 DEFINITIONS

See the Glossary of Terms.

3.0 PROCEDURE

COI (real, potential or perceived) arise when an individual in a position of trust has competing professional or personal interests. Such competing interests may influence his or her professional judgment, objectivity and independence and can potentially influence the

outcome of a decision, for personal benefit. A COI may exist even if no unethical or improper act results from the conflict.

In the environment of research, openness and honesty are indicators of integrity and responsibility, characteristics that promote quality research and can only strengthen the research process. Therefore, conflicts should be eliminated when possible and effectively managed and disclosed when they cannot be eliminated.

REBs should identify and manage COI to maintain the public confidence and trust and to maintain the independence and integrity of the ethics review. If a COI cannot be avoided, procedures should be in place to mitigate the conflict.

The REB must be perceived to be fair and impartial, immune from pressure either by the sponsor, affiliated organizations or the Researchers whose research is being reviewed, or by other professional and/or non-professional sources.

The standard that guides decisions about determining COI is whether an independent observer could reasonably question whether the individual's actions or decisions are based on factors other than the rights, welfare and safety of the participants.

Pursuant to UBC Policy 97¹, the Conflict of Interest Committee has the authority to determine when conflicts of interest exist as defined by UBC Institutional Policy and to impose and enforce disciplinary action in the event that COI is not disclosed.

3.1 REB Reviewer Assignment

3.1.1 The REB Chair or designee reviews the agenda prior to the REB meeting to identify potential COI;

3.1.2 When the agenda is distributed, REB members are expected to disclose as soon as possible, any conflicting interest(s) for any of the projects on the agenda;

3.1.3 If a member is unclear as to whether a COI exists, he or she must contact the REB Chair or designee to seek clarification. The REB Chair or designee will determine whether the circumstances should be defined as a COI and the member shall follow the REB's decision regarding any actions required to mitigate his/her real or perceived COI;

3.1.4 If a COI is identified in the reviewer assignments, the project is assigned to another REB member.

3.2 Full Board Meeting

- 3.2.1** At the outset of the meeting, REB members are reminded of their obligation to orally disclose/declare any real, potential or perceived COI². All declared COI will be recorded in the REB meeting minutes;
- 3.2.2** The RISE online system blocks any REB member who is named as a principal investigator or a co-investigator on a study application being reviewed by the REB from access to reviewer comments. If an REB member is not named as a PI or a Co-PI on a study but is in a conflict of interest in relation to the study, it is his/her responsibility to declare their conflict. The procedures for recusal of REB members, including the Chair, from deliberating/voting on any protocols for which there is a potential or actual conflict of interest are detailed in the REB minutes;
- 3.2.3** If a COI is declared and determined as such, the REB member may be asked to provide information about the research, but must be recused for the deliberation and decision;
- 3.2.4** The REB member's recusal will be recorded in the minutes and the REB member will not be counted towards quorum. In the event that a member's conflict of interest and necessary withdrawal from the meeting will threaten the maintenance of quorum, the REB can ensure that a substitute member be in attendance to maintain quorum;
- 3.2.5** If recused, the REB member should abstain from voting on/approving the minutes of that meeting.

3.3 Delegated Review

- 3.3.1** The REB Chair or designee will assess projects undergoing the delegated review process to determine potential COI;
- 3.3.2** REB members involved in the delegated review process are expected to disclose any conflicting interests;
- 3.3.3** If a COI is identified, the project is assigned to another REB member.

3.4 REB Chair

- 3.4.1** In the event that the REB Chair declares a COI, the Co-Chair or alternate REB member will assume the REB Chair's responsibilities for the specific project(s).

3.5 REB Office Personnel

- 3.5.1 All REB Office Personnel are expected to disclose any conflicts that arise and any REB Office Personnel whose job status or compensation is impacted by research that is reviewed by the REB must recuse themselves when such research is reviewed;
- 3.5.2 Any disclosure of a COI by REB Office Personnel should be referred to the REB Chair or designee for the development of a management plan;
- 3.5.3 If REB Office Personnel are unclear as to whether a COI exists, they must contact the REB Chair or designee to seek clarification. The REB Chair or designee will determine whether the circumstances should be defined as a COI;
- 3.5.4 REB Office Personnel whose job status or compensation is impacted by research that is reviewed by the REB must recuse themselves from any meeting at which such a protocol is reviewed. Any case of disclosure of Conflict of Interest by REB Office Personnel shall be referred to the REB Chair for development of a management plan. In the case of the Chair having a conflict of interest, the matter will be referred to the Vice-President, Research & Innovation or a designate from the REB, including the Co-Chair, for development of a management plan.

3.6 External Ad Hoc Advisors

- 3.6.1 At his/her discretion, the REB Chair or designee may invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the REB;
- 3.6.2 All ad hoc advisors must sign a *Confidentiality of Information and Conflict of Interest Agreement* prior to commencement of their consultation, and disclose any COI to the REB Chair;
- 3.6.3 Any disclosure of a COI by an ad hoc advisor should be referred to the REB Chair or designee for the development of a management plan, as applicable;
- 3.6.4 If ad hoc advisors are unclear as to whether a COI exists, they must contact the REB Chair or designee to seek clarification. The REB Chair or designee will determine whether the circumstances should be defined as a COI.

3.7 Documentation

- 3.7.1 All REB members, guests and ad hoc advisors sign a *Confidentiality of Information and Conflict of Interest Agreement* and agree to abide by the REB COI and confidentiality policies³;
- 3.7.2 REB members sign a *Confidentiality of Information and Conflict of Interest Agreement* prior to commencing their duties for the REB;
- 3.7.3 The signed *Confidentiality of Information and Conflict of Interest Agreement* is filed in the REB office;
- 3.7.4 The REB minutes will record any COI that are declared on any of the projects under review at the REB meeting, and the decision on the management of the conflict;
- 3.7.5 The REB minutes will also record the recusal of an REB member;
- 3.7.6 At the time of hire, all REB Office Personnel sign a *Confidentiality of Information and Conflict of Interest Agreement* as a condition of their employment with the organization agreeing to abide by the COI and confidentiality policies of the organization. REB Office Personnel must also comply with REB COI SOPs;
- 3.7.7 The signed *Confidentiality of Information and Conflict of Interest Agreement* will be retained;
- 3.7.8 The REB management plan for Research COI declarations will be documented in the appropriate research files. Any discussion at the REB meeting regarding the COI and the management plan will be documented in the REB meeting minutes.

3.8 Education and Training in Conflicts of Interest

- 3.8.1 REB members and REB Office Personnel are encouraged to participate in education and training activities related to conflict of interest issues where available.

4.0 REFERENCES

1. *UBC Policy 97, "General" Section 2.7:*
<http://universitycounsel.ubc.ca/files/2012/02/policy97.pdf>
2. *The Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*, Chapter 7, Article 7.3:
<http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/chapter7-chapitre7/#toc07-1c>
3. *Office of the University Counsel, Conflict of Interest/Commitment Declaration – Steps:*
<http://universitycounsel.ubc.ca/coi/coicoc-declaration-steps/>