

POLICY ON CONFLICT OF INTEREST

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Related Documents	Refer to Section 8.0

1. PURPOSE

1.1 Laurentian University is committed to fostering an environment of academic excellence, integrity, and public trust. This Policy is established to ensure that employees of the University conduct their activities free from actual, potential, or perceived conflicts of interest. Employees have an obligation to carry out their duties and responsibilities in the best interest of the University, in support of its mission, and within the provisions of collective agreements, University policies, legislative, and contractual obligations.

1.2 Conflicts of Interest and situations that give rise to perceptions of a Conflict of Interest must be recognized, disclosed and assessed.

1.3 The purpose of this Policy is to:

- a. Define what constitutes a conflict of interest within the University;
- b. Assist employees in recognizing potential, perceived, or actual conflict of interest situations so that they can, in good faith, take the initiative to disclose, manage, and resolve situations; and
- c. Provide processes and mechanisms for the University to deal with actual or potential conflicts of Interest.

1.4 This Policy may reference other University policies, as noted below, and Collective Agreement provisions. These policies or provisions may change from time to time. Where there is a conflict between the information contained in this Policy and another policy, this Policy is the authoritative source. Where a conflict may arise between this Policy and the Collective Agreement, the Collective Agreement shall prevail.

2. SCOPE

2.1 This Policy applies to all Employees of Laurentian University, except for members of the Laurentian University Faculty Association, who are governed by relevant provisions in their Collective Agreement.

2.2 This Policy applies to all situations where an Employee's personal interests appear to influence the objective exercise of their official duties.

3. DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

3.1 **"Conflict of Interest"** refers to a situation where an Employee's personal interests, or the interests of a Related Person or Related Business, could or do improperly influence, or appear to influence, the employee's duties, responsibilities, or decision-making in their role at the University.

3.2 **"Employee"** means any full-time, part-time, casual or temporary employee of the University except for members of the Laurentian University Faculty Association, who are governed by relevant provisions in their Collective Agreement. The definition includes any individual engaged by the University on a consulting basis or in virtue of any other contractual agreement.

3.3 **"Perceived Conflict of Interest"** is defined as a situation in which an impartial observer might reasonably conclude that an individual's personal interests, relationships, or activities could improperly influence or appear to influence their professional judgement or decision-making, even if no actual conflict exists. This perception can undermine trust, objectivity, or integrity within the university's operations or relationships.

3.4 **"Personal Interests"** may include, but are not limited to:

- a) Business, commercial, or financial interests
- b) Employment interests
- c) Relationship interests
- d) Research interests

3.5 **"Related Party"** means an Employee's related person (as defined above), or other person living in the same household, or any other person with whom the Employee shares a financial interest, either directly or indirectly, or any entity in which the Employee has an ownership interest.

3.6 **"Related Person"** means partner, spouse (includes common-law spouse and same-sex spouse), child, step child (which includes a natural child or adopted child resulting from marriage, common-law partnership or same-sex partnership), child of partner, sibling, step-sibling, step parents, parents of common-law and same sex spouse, parent, parent-in-law, sibling-in-law, child-in-law, grandparent, guardian, grandchild, sibling's child, grandparent-in-law, parents' siblings or person with whom an Employee has a personal/close relationship that is of primary importance in their life (e.g., a close friend, a business partner, etc.).

3.7 “**Supervisor**” means the person to whom the Employee reports.

4. PRINCIPLES

4.1 An Employee’s obligation to the University is to act in the University’s best interests, which includes acting in support of the University’s integrity and mission and avoiding circumstances that may undermine confidence and trust of the public, as well as the confidence and trust necessary between the University and its Employees.

4.2 Understanding Types of Conflicts of Interest

An **actual conflict of interest** occurs when an Employee's personal interests are directly at odds with their responsibilities to the University, creating a clear and present clash. A **potential conflict of interest**, while not yet active, describes a situation where a personal interest has the capacity to conflict with an employee's obligations in the future. Lastly, a **perceived conflict of interest** exists when a reasonably well-informed and impartial person might believe a conflict exists, regardless of whether an actual or potential conflict is truly present. This perception alone can undermine trust and integrity, making it crucial for organizations to address all three types.

4.3 No Employee of the University shall engage in any activity which creates for that Employee a Conflict of Interest, unless approval has been provided by the person with the authority to grant such approval. Once appropriate approval of an activity has been provided, the activity will no longer be considered a Conflict of Interest.

5. EXAMPLES/SITUATIONS OF CONFLICT OF INTEREST

The following examples are provided and grouped under general headings in order to illustrate situations that are or may be considered to be a Conflict of Interest or the appearance of a Conflict of Interest.

5.1 Interest for Personal Gain

1. When an Employee, Related Person or a Related Party, whether directly or indirectly, has a personal interest in a contract or proposed contract to be entered into by the University, or obtains, or is likely to obtain, a personal advantage or benefit as a result of a decision made by the University;
2. When an Employee accepts gifts, gratuities or favours from a person, body, enterprise or association engaged in or wishing to engage in transactions with the University, except in the case of minor or customary gifts, gratuities or favours of a trivial or nominal value that do not place and do not have the appearance of placing the recipient under any obligation and/or do not give the impression that there is a purpose or attempt to influence any decisions;
3. When an Employee uses their position or title to help a person or body, enterprise or association in dealing with the University in a situation which gives rise to real or perceived preferential treatment from the perspective of a reasonably well informed and impartial person;

4. When an Employee receives payment from an outside source for work that is part of the Employee's duties and responsibilities;
5. When directing University- or government-sponsored research to serve the research or development needs of a private firm in which the Employee has a personal interest;
6. When an employee disposes of University assets to themselves, a related person, an individual with whom the Employee has a close personal relationship, or a company in which the Employee has a personal interest.

5.2. Inappropriate Use of University Students, Personnel, Resources or Assets

- a) Using students or staff, on University time, to carry out work for a company in which the employee has a personal interest;
- b) Unauthorized or non-reimbursed use of University resources or facilities to benefit a private concern in which the Employee has a personal interest.

5.3. Inappropriate Use of Information

- a) Using, for personal gain or other unauthorized purposes, privileged information acquired as a result of the Employee's University-supported activities; such information might include knowledge of forthcoming developments regarding contractor or sub-contract selection, purchases, etc.

5.4. Conflict of Commitment

- a) Undertaking external consulting, professional or other activities which, by virtue of their time commitment, prevent the Employee from fulfilling his/her obligations to the University, without prior written approval.

5.5. Personal Relationships

- a) Participating in the evaluation (academic or employee performance), promoting or hiring of a Related Person.

6 ROLES AND RESPONSIBILITIES

6.1 Laurentian University is committed to protecting the confidentiality and the privacy of all individuals involved in Conflict of Interest disclosures and related processes. Maintaining confidentiality is essential to fostering an environment of trust where employees feel secure in reporting concerns without fear or undue exposure or repercussions. It is the responsibility of every member of the University community to handle all information related to Conflicts of Interest with the utmost care, in accordance with the University's policies and applicable privacy laws. All information disclosed will be used solely for the purpose of managing and mitigating potential Conflicts of Interest.

6.2 Vice-President, Academic and Provost, or Designate

- a) Determine whether to approve or prohibit an activity that creates or has the appearance of a Conflict of Interest;
- b) Determine what mechanisms are required to monitor and manage Conflict of Interest situations under their area of accountability when agreement cannot be reached at other levels.

6.3 Vice-President, Research

- a) Review Conflict of Interest situations related to research initiatives; recognize the unique nature of conflicts in research contexts, such as research funding, collaborations, and publication interests;
- b) Report any conflict, perceived or actual, to the Laurentian University Ethics Board, within 10 business days. A review will be conducted to assess the nature of the Conflict of Interest and determine appropriate measures to manage, reduce or eliminate it.

6.4 Vice-President, Finance and Administration

- a) Determine whether to approve or prohibit an activity that creates or has the appearance of a Conflict of Interest, when agreement cannot be reached at other levels;
- b) Determine what mechanisms are required to monitor and manage Conflict of Interest situations under their area of accountability when agreement cannot be reached at other levels.

6.5 Associate Vice-President, Human Resources and Organizational Development

- a) Review Conflict of Interest situations involving all Employees of the University;
- b) Provide advice, policy interpretation and recommendations concerning actual, potential or perceived Conflict of Interest situations;
- c) Assist Supervisors and Employees to develop agreements concerning the monitoring, and management of Conflict of Interest situations;
- d) Revise, amend and update the Conflict of Interest Policy as required.

6.6 Research Services

- a) Review Conflict of Interest situations related to research activities with Supervisor;
- b) Determine, together with the Supervisor, whether to approve or prohibit the activity in question;

- c) Assist Supervisors and Employees to develop agreements concerning the monitoring and management of Conflict of Interest situations.

6.7 Employees and Agents Engaging in Procurement Activities

- a) Review and declare Conflict of Interest situations related to the procurement of goods and services, consulting and construction;
- b) Working in consultation with the Supervisor and the Department of Procurement and Contracts, the Director helps determine whether a specific procurement activity should be prohibited due to a conflict. Furthermore, the Director is instrumental in establishing agreements with the employee or agent, and any other relevant parties, to ensure proper monitoring and management of declared conflict of interest situations;
- c) Establish, together with the employee or agent and any other appropriate parties, agreements concerning the monitoring and management of Conflict of Interest situations.

6.8 Supervisor

- a) Investigate and evaluate situations that appear to create a Conflict of Interest for employees;
- b) Determine whether to approve or prohibit the activity in question, in consultation with the Human Resources Advisor, and/or raise concerns to higher levels of authority within the applicable areas of accountabilities for discussion and/or approval;
- c) Establish, together with the employees and any other appropriate parties, agreements concerning the monitoring and management of Conflict of Interest situations;
- d) Ensure Conflict of Information matters are documented and filed, including disclosures, assessments and resolutions, to ensure accountability and transparency throughout the process.

6.9 Employees

- a) Recognize possible Conflict of Interest situations and bring them to the attention of their supervisor within 10 business days of becoming aware;
- b) Establish, together with their Supervisor, agreements concerning the monitoring and management of Conflict of Interest situations.

7.0 Non-Compliance

The failure of an Employee to comply with the provisions of this Policy may result in disciplinary measures, up to and including termination for cause. In doing so, the rights and obligations established by the terms and conditions of employment and/or Collective Agreements, and University policies will be followed.

8.0 References and Related Documents:

Policy on Nepotism

Policy on Responsible Conduct of Research

Policy on Supply Chain Code of Ethics

Policy on Integrity in Research and Scholarship

Policy on Freedom of Information and Protection of Privacy

Policy on Managing Confidential Digital Information Policy

Policy on Procurement

Policy on Signing Authority

Policy on Conflict of Interest for Faculty Members (Board Motion 1990)

Policy on Perquisite