

Conflict of Interest - Policy & Procedures

1.0 Purpose

- 1.1 The purpose of this policy is to ensure that the university and its community are safeguarded against personal, financial or other conflicts of interest, or the appearance of conflicts of interest, in the performance of official duties and in the use of administrative or academic powers and prerogatives by university officials.
- 1.2 This safeguarding against conflict of interests is balanced with the university's commitment to support its employees in their individual contributions to and growth in academic and professional disciplines outside of university activities, in a fair, consistent, and unbiased manner.

2.0 Scope

- 2.1 This policy is applicable to all individuals who are part of the AUIB community, which includes all employees, faculty, staff, administrators, students, board members, contractors and volunteers. It is applicable to all activities that can affect AUIB operations independent of physical or virtual location.

3.0 Definitions

- 3.1 Conflict of interest - a circumstance in which an individual's personal, financial, or other interests could potentially undermine or create the appearance of undermining their professional judgment, objectivity, or capacity to fulfill their official duties and obligations to the university, and where their personal actions may cause a prejudice to the university.
- 3.2 Disclosure - the action of providing information about a possible or existing conflict of interest in accordance with this policy.
- 3.3 Conflict of interest committee - a standing multi-disciplinary committee established by the President formed with the purpose of reviewing and addressing conflicts of interest that have been reported.
- 3.4 Mitigation plan - a legally binding document that outlines the necessary actions to be taken in order to effectively handle, decrease, or eliminate any potential or existing conflict of interest.

4.0 Policy

- 4.1 It is expected that conflicts of interest will be promptly and fully disclosed, and the process of resolving conflicts will be transparent and documented.
- 4.2 In the course of their professional duties at AUIB, Individuals shall prioritize the well-being of the university and the wider community, refraining from pursuing gain or advantage for themselves or their close affiliations.

4.3 The management of conflicts of interest shall adhere to all relevant laws, regulations, ethical and professional standards. This applies to both the university and individuals.

Disclosure Requirements

4.4 Individuals have an obligation to promptly disclose to the Conflict of Interest Committee any possible or existing conflicts of interest, in accordance with the procedures specified in relevant documents.

Review and Management

4.5 The Conflict of Interest Committee shall carefully examine the disclosures, evaluate the conflict's nature, and recommend suitable measures to the University President to resolve the conflict.

Training and Awareness

4.6 The university is committed to offering training and resources to help individuals identify and manage conflicts of interest. The university will provide conflict of interest training for all employees annually and additional orientation for the Conflict of Interest Committee members. This training shall include clarification of policy and procedures, and shall be informed by previous reviews, appeals and decisions.

Record-Keeping and Confidentiality

4.7 Confidentiality will be maintained for records pertaining to conflicts of interest, and access will be limited to individuals with a legitimate need to know.

Compliance and Consequences

4.8 Noncompliance with this policy may lead to disciplinary measures in accordance with the guidelines set by the university and relevant laws.

Committee Membership

4.9 University council will appoint the Conflict of Interest committee, whose membership, at a minimum, includes the following:

- 4.9.1 The Committee should consist of six faculty members plus three administrative staff representatives.
- 4.9.2 Faculty members should not be supervisory and should be trusted to make independent, unbiased decisions.
- 4.9.3 Administrative staff member should be neither directors nor vice presidents.
- 4.9.4 All nine members should be of different colleges or administrative units.
- 4.9.5 The Faculty Senate would normally nominate members to the six faculty positions in the committee.
- 4.9.6 The administrative staff representatives will be nominated by the President.
- 4.9.7 The chair should be selected by the committee of the membership.
- 4.9.8 A typical duration of an appointment is two years.

- 4.10 The Committee may seek the advice of advisors such as representation from Financial, Human Resources, Legal, as needed. All advisors are non-voting members and will support at the direction of the committee.

5.0 Procedures

- 5.1 The Compliance Officer ensures compliance with applicable laws, regulations, and university policies, and offering guidance on matters related to conflicts of interest. Conducting annual conflict of interest training for all employees and conflict of interest committee members. The committee compliance officer is separate from the Human Resources office, and typically located in the university legal team.
- 5.2 Human Resources Director (for staff-related matters) ensures all employees receive initial and annual conflict of interest training, maintaining records, and providing additional resources as needed to support employees in adhering to the policy while allowing for external activities such as research and consultancy.
- 5.3 Vice President of Academic Affairs (for faculty-related matters) enforces measures pertaining to conflicts of interest concerning faculty members, collaborating with academic departments as necessary.
- 5.4 Vice President of Administration and Finance (for procurement, financial, and data management matters) enforces measures pertaining to conflicts of interest concerning university contracts, finance, procurement, and data management matters.

Identification and Disclosure

- 5.5 The Compliance Officer will create a form to facilitate identification and disclosure of any potential or existing conflicts of interest using both specific and general queries with space for a narrative.
- 5.6 Individuals must identify and disclose any potential or existing conflicts of interest by utilizing the designated disclosure form, within the specified timeframes.

Preliminary Review

- 5.7 The Compliance Officer shall perform an initial evaluation of the disclosure in order to determine the nature and scope of the conflict. The Compliance Officer will provide their initial evaluation as an endorsement and forward every form to the Conflict of Interest Committee.

Investigation

- 5.8 The Conflict of Interest Committee will review and choose to investigate to collect further information. This may include, but not be limited to conducting interviews with the disclosing party and university departments and examining pertinent documents.

Determination and Mitigation

- 5.9 The Conflict of Interest Committee shall assess the presence of any conflict of interest, report findings to the University President and, if necessary, create a plan to address and minimize it.

Implementation of Mitigation Plan

5.10 The designated officer (e.g., Human Resources Director, VP of Academic Affairs) will execute the mitigation plan and oversee adherence to it.

Appeals Process

5.11 Individuals have the right to file an appeal regarding decisions concerning conflicts of interest, in accordance with the designated appeals process. Appeals shall be made to the university president. The appellate decision would normally be made and provided to the employee within 10 working days of the appeal. The university president may send the case to the committee for further review.

Training and Education

5.12 The Compliance Officer will ensure the university community receives annual training to enhance their awareness and comprehension of conflicts of interest.

5.13 The Compliance Officer will review the results of individual and all cases periodically to recommend to university executive committee potential changes in university policies, procedures, and or business relationships.

Documentation and Record-Keeping

5.14 The University Chief of Staff or other designated appropriate office will confidentially document and maintain records of all actions, decisions, and mitigation plans pertaining to conflicts of interest.

Related Policies and Documents

Code of Conduct Policy
Research Integrity Policy
Financial Disclosure Policy
Employee Handbook
Recruitment and Hiring Policy