

# Standards of Conduct

## 1. Purpose

The Provincial Health Services Authority and its programs, hospitals, health centres, divisions, services, and affiliated research entities (hereinafter collectively “PHSA”) are committed to honest and ethical business dealings and to maintaining and enhancing the public’s trust and confidence. In order to fulfill these commitments, PHSA requires that all persons affiliated with PHSA (“Persons”), as outlined below in Scope (Sec. 3), observe and practice the highest standards of conduct. The purpose of this policy is to provide guidance on the responsibilities of all PHSA Persons to ensure that their behaviors and external interests do not conflict, or appear to conflict, with their PHSA positions, duties, and requirements.

In providing this policy, PHSA aims to ensure that bias, which may result from conflicts of interest, does not taint PHSA decisions made by Persons, including those in leadership positions or positions of authority. This bias may inappropriately influence PHSA decision-making processes, including but not limited to, those surrounding clinical protocols, purchasing choices, patient care, hiring practices, use of funds, ethics boards, and procurement choices. It is important in determining whether a conflict of interest does exist, to assess the extent to which a Person is capable of influencing a PHSA decision, and how the acceptance of gifts or the existence of financial and external interests may unduly affect this decision.

PHSA understands that there is a potential for healthcare advancements that may benefit society when PHSA Persons have relationships with outside Individuals and Industries<sup>1</sup>; however, PHSA must be sensitive to the circumstances and roles that Persons play in PHSA to be certain that there is neither a conflict of interest nor the appearance of one. A real, perceived, or potential conflict of interest occurs when a Person’s personal activities and interests appear to affect that Person’s PHSA professional independence, objectivity, and decisions. Because of this, there is a necessity to limit gifts and hospitality from those Individuals or Industry that have had, has, or may have a Business Relationship with PHSA, as even minimal gifts can exert a subtle impact on the behavior of recipients. Similarly, there is a requirement that Financial Interests, which includes Compensation, equity interest, and revenue from intellectual property rights, and Non-PHSA External Interests, such as board membership and volunteer positions interests outside one’s PHSA professional obligations, be managed in a way that does not create a conflict with PHSA’s mission or affect a Person’s professional judgment.

## 2. Policy Statement

PHSA is committed to avoiding all real, perceived, and potential conflicts of interest. Therefore, Persons are required to avoid conflicts of interest when possible. Persons shall not misuse their relationship with PHSA for financial or personal gain including accepting Gifts from Individuals or Industries that have had, have, or may have Business Relationships with PHSA, granting preferential treatment to Related Person(s), or misusing confidential and private information.

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<sup>1</sup> For definitions of terms used in this policy, please see Appendix I.

If a conflict of interest is unavoidable, Persons are to disclose the conflict to their supervisor and manage the conflict in a fashion that protects the integrity of the Person and PHSA, as instructed by their supervisor. In order for conflicts of interests to be managed, it is essential that full disclosure of all real, perceived, and potential conflicts of interest is made on an annual basis. When in doubt as to whether a conflict of interest exists, Persons shall be guided by this policy and/or consult with their supervisors. PHSA Human Resources is available to provide clarification/guidance on any matter related to this policy.

### **3. Scope**

Except where otherwise provided, this policy applies equally to all Persons, including but not limited to:

- All employees;
- Executives and all other management and supervisory employees;
- Volunteers;
- Physicians with privileges at any of PHSA's facilities;
- Contractors engaged by or associated with PHSA and their directors, officers, employees, and agents;
- Medical staff including physicians on contract, residents, and clinical trainees;
- University faculty and support staff who work at PHSA facilities;
- Students working for, or associated with, PHSA;
- Individuals authorized to access PHSA information or information systems; and
- All researchers and research staff members who conduct research at or under the auspices of PHSA. However, researchers and research staff members are also subject to PHSA's Research Conflict of Interest Policy including its disclosure and assessment of conflict requirements.

This policy supplements other PHSA policies intended to maintain and enhance the public's trust and confidence in PHSA, including, but not limited to, the following policies: Research Conflict of Interest Policy; Code of Ethics; Theft, Fraud, Corruption and Non-Compliant Activities; and Safe Reporting.

### **4. Email Access**

All Persons are responsible for being aware of PHSA policies that govern their activities and behaviour (as may be created and updated by PHSA from time to time) and must ensure compliance with such policies.

To keep informed of PHSA important updates, all PHSA Persons will receive a PHSA email account and are to access their account when they are at work at least once per week. Persons should notify their supervisor where they do not receive a minimum of 15 minutes of access to a computer during work time.

Please refer to the “Internet and Electronic Mail Messaging Policy” for more information.

## 5. Conflicts of Interest

A conflict of interest occurs when there is a potential divergence between a Person’s personal interests and his/her professional obligations to PHSA such that if an independent observer was informed of said interests he/she may question whether financial or personal gain influenced a Person’s PHSA duties or professional judgment. This includes, but is not limited to, clinical practice, leadership, research, investment or procurement selection, or business and administrative decisions performed by that Person. Conflicts of interest may also arise when a Person has a personal interest in an Individual or Industry with whom PHSA has had, has, or may have a Business Relationship.

A conflict of interest occurs when a Person’s personal interests or activities conflict with his/her PHSA duties and responsibilities in such a way that his/her:

- Ability to act in the interest of the PHSA could be impaired;
- Ability to discharge work responsibilities could be impaired; and/or
- Actions undermine or compromise the trust that the public, Individuals and Industry places in the Person and/or PHSA.

PHSA expects all Persons to avoid real, perceived, and potential conflicts of interest in the course of their association with PHSA. In practice, to ensure that a Person’s personal interests do not conflict, or appear to conflict, with the interests of PHSA, a Person shall:

- Declare all Financial Interests that he/she and his/her Related Person(s) have, or may have, that create a real, perceived, or potential conflict of interest, including, but not limited to, equity interests (e.g., common or preferred stocks, stock options, partnership units, warrants, and other convertible security) and revenue and royalties from intellectual property rights (e.g., patents, copyrights and trademarks);
- Declare all Non-PHSA External Interests, that he/she and his/her Related Person(s) have or may have, such as volunteer positions and board membership, that create a real, perceived, or potential conflict of interest, including those which contradict or conflict with the values and mission of PHSA;
- Perform his/her duties and arrange his/her private affairs in such a manner that PHSA and the public’s confidence and trust in the integrity, objectivity, and impartiality of PHSA and all Persons associated with PHSA are preserved and enhanced;
- Act in a manner that will endure the closest public scrutiny and recognize that this obligation is not fully discharged by simply adhering to the relevant provisions of legislation of general application including, but not limited to, the Criminal Code, R.S.C. 1985, c.C-48, and the Financial Administration Act, R.S.C. 1985, c.F-11;
- Arrange his/her personal affairs, including any related time commitments, in such a manner as to prevent real, perceived, or potential conflicts of interest from arising, and if such a

conflict does arise between the private interests of a Person and the duties and responsibilities of that Person the conflict shall be resolved in favor of the interests of PHSA;

- Comply with the standards of conduct set forth in this policy through avoidance, discontinuance, divestment, or by otherwise acting upon directions given by your supervisor; and
- Not use his/her position within PHSA to solicit clients for a business or partnership he/she is personally involved with, or for a business operated by a family member, close friend, associate, a corporation in which he/she or a family member has controlling interest, or for a person or a person's business to whom he/she owes an obligation.

It is the responsibility of the Person to annually declare to his/her supervisor any and all Financial Interests and Non-PHSA External Interests that he/she and his/her Related Person(s) have that may give rise to a conflict of interest. In considering whether a conflict of interest exists, a Person's supervisor shall consider whether these interests would appear to an independent observer to improperly influence the roles and responsibilities of the Person.

### 5.1 Gifts

PHSA seeks to engender an environment free from undue business influence. For this reason, a Person must not demand, solicit, or accept any gift, favor, or service directly or indirectly from any Client, individual or Industry unless the gift:

- Has no more than nominal value and where it may reasonably be expected that PHSA would approve a reciprocal expense for a legitimate business purpose;
- Is a normal exchange of hospitality or a customary gesture of courtesy between Persons doing business together;
- Is a token exchanged as part of an established protocol;
- Is the normal presentation of a gift to a Person participating in a public function, presentation, workshop or conference: or
- Is a normal exchange of gifts between friends.

A Person must report any fee or honorarium received when participating in a function held or sponsored by an Individual or Industry. PHSA may require the Person to return such fee or honorarium or to remit the sum to PHSA if, in PHSA's sole discretion, retention of the fee or honorarium by the Person would present a real or perceived conflict of interest.

PHSA recognizes that in some circumstances it may be important to attend an event, which may include meals, that is sponsored by an Individual or Industry. In these instances the Person should pay his/her own costs affiliated with attending the event. Where the event is part of an important networking opportunity offered to all attendees at a conference and if the estimated cost of any refreshments provided is nominal, the Person is permitted to attend such an event.

This limit on Gifts does not apply to reasonable expenses related to travel, accommodations, and meals paid for by non-profit organizations or the public sector for the Person in relation to affiliated meetings, conferences, and award ceremonies that are of fair market value and are not extravagant.

## **5.2 Compensation**

Persons may only engage in paid roles or employment with a non-PHSA Individual or Industry or engage in outside volunteer activities in accordance with this policy.

Prior to engaging in such non-PHSA activities, a Person must disclose the proposed engagement to his/her supervisor where these activities represent a real, perceived, or potential conflict of interest. The proposed engagement must not:

- Interfere with the performance of their duties as employees of PHSA;
- Bring PHSA into disrepute;
- Represent a conflict of interest or an apparent conflict of interest;
- Create the appearance that the employee is acting on behalf of PHSA;
- Take place during regularly scheduled working hours; or
- Involve the use of equipment or property of PHSA.

Persons do not need to disclose salaries received as Compensation for grant/research contracts that are executed at PHSA, or university or salaries from universities.

## **5.3 Use of PHSA Property**

Employees must not use, or authorize the use of property, facilities, equipment, supplies or other resources belonging to PHSA for any other purpose than fulfilling their duties to PHSA.

## **6. Preferential Treatment**

A Person shall not accord preferential treatment in relation to any official matter involving PHSA to Related Person(s) or to Individuals or Industry in which the Person, or his/her Related Person(s), have an interest.

A Person shall not owe a real, perceived, or potential obligation or favor to an Individual or Industry due to his/her employment or relationship with PHSA.

## **7. Working Relationships**

Persons who are direct relatives or who permanently reside together may not be employed in situations where:

- A supervisory or reporting relationship exists where one person has influence, input or decision-making power over the other person's employee's performance evaluation, salary,

premiums, special permissions, conditions of work and similar matters: or

- The working relationship affords an opportunity for collusion between the two persons that would have a detrimental effect on Provincial Health Services Authority's interest.

The above restriction on working relationships may be waived provided the VP, of People Services is satisfied that sufficient safeguards are in place to ensure that the PHSA's interests are not compromised.

## 8. Disclosure Requirements

This policy requires the disclosure of any conflicts of interests a Person has, including those outlined above, by all Persons. All persons must also disclose any conflicts of interests of Related Person(s). Disclosure shall be made to a Person's supervisor. Disclosure should be made at the time the Person becomes aware of the conflict of interest or anticipates the possibility of a conflict of interest and annually thereafter. Supervisors will review all disclosures on an annual basis. A Person shall seek guidance from his/her supervisor before engaging in any Non-PHSA External Interests or obtaining any Financial Interests that may result in a conflict of interest.

Should a potential conflict of interest be brought to the attention of PHSA human resources, the PHSA VP of People Services may in his/her sole discretion, at any time, request full and complete disclosure of the details of any involvement in outside employment or other activities, including activities the Person participates in by virtue of his/her position or association with PHSA.

Failure to fully disclose such requested information in the timeframe given will be considered a violation of this policy.

As noted under Scope (Sec. 3), all researchers and research staff members who conduct research at or under the auspices of any of PHSA's hospitals, health centers, programs, or their affiliated research institutes are also subject to PHSA's *Research Conflict of Interest Policy*.

## 9. Management of Disclosed Conflicts of Interest

Where it is determined by the supervisor that a real, perceived, or potential conflict of interest exists, the supervisor may determine that the Person shall:

- Immediately discontinue, curtail, or modify his/her involvement in the Non-PHSA External Interest; and/or
- Divest himself/herself of the Financial Interests in question in a timely and orderly manner.

## 10. Confidential and Private Information

It is essential that confidential information relating to third parties provided to PHSA is handled with integrity and discretion in accordance with applicable legislation relating to freedom of information and protection of privacy. Except with the consent of the party that is the subject of the information, confidential information must not be communicated to anyone other than those who are authorized to

receive it. Depending on the circumstances, those who are authorized to receive it may include other Persons, representatives of PHSA, (including the directors, outside lawyers, consultants, and other external advisors) when those Persons and individuals have a legitimate right to know the information in connection with their duties.

When confidential information is legitimately communicated to someone, he/she should be clearly informed that the information is confidential and be given instructions about the limitations on further dissemination and use of the information.

Care must be taken when discussing, handling, or storing confidential information or materials. If information is the subject of a confidentiality agreement, care must be exercised to be sure the terms of the agreement are followed.

Confidential information Persons receive through their association must not be used by a Person for the purpose of furthering any private interest, or as a means of making personal gains.

## **11. Compliance with Laws, Rules and Regulations**

PHSA and Persons associated with the organization shall maintain knowledge of and must comply at all times with the letter and intent of all applicable laws, rules, and regulations of any government, governmental agency, and regulatory organization governing professional activities as well as the *Code of Ethics* and all policies governing conduct, such as the *Theft, Fraud, Corruption and Non-compliant Activities policy*.

PHSA and Persons associated with it shall not knowingly participate in or assist with any acts in violation of any statute or regulation governing PHSA or any act that would violate any provision of the *Code of Ethics* and all policies governing conduct.

### **11.1 Extortion and Bribery**

Basic criminal statutes prohibit extortion and bribery. Under no circumstances shall Persons directly or indirectly offer or accept a bribe or engage in extortion.

### **11.2 Insider Trading**

Persons who have received material, non-public information relating to an Individual or Industry that has issued securities:

- Must never use such material, non-public information for personal gain or for the advantage of others associated with them, such as Related Person(s); and
- Will be subject to the “abstain or disclose” concept provided in securities laws. This concept stipulates that the insider may be required to:
  - Refrain from passing such information on to others and from trading in or recommending the purchase or sale of the issuer’s securities; or
  - Disclose such information to the investing public.

These prohibitions remain in effect until such information has been fully disclosed to the public.

## 12. Post-Employment Restrictions

All Persons employed/engaged with PHSA are prohibited from disclosing confidential PHSA information following the end of their employment/engagement with PHSA.

In addition, senior level employees are subject to the following restrictions in their involvement with entities outside the public sector for a period of one year following the end of their employment with PHSA:

- They may not lobby or otherwise make representations to PHSA on behalf of such entities;
- They may not accept an offer of employment, an appointment to the board of directors or a contract to provide services to any such entity with which they had substantial involvement or dealings during the year preceding the end of their employment;
- They may not advise for commercial purposes, in relation to the programs or policies of PHSA, any such entity with which they had substantial involvement or dealings during the year preceding the end of their employment; and
- They may not act for any such entity in relation to any ongoing proceedings, transaction, negotiation or case in which the entity and PHSA are involved if:
  - During their employment with PHSA, they acted for or advised PHSA concerning the proceedings, transaction, negotiation or case; and
  - Acting for the entity in that capacity would confer private or commercial benefit for that entity.

## 13. Reporting and Failure to Comply

### 13.1 Reporting of Violations

Persons should report any other violation of this policy of which they become aware to PHSA Human Resources who, depending on the nature and materiality of the violation, will report to the PHSA Internal Audit Office under the *Theft, Fraud, Corruption and Non-Compliant Activities Policy*. Alternatively, Persons may choose to report a matter directly to Internal Audit under the *Theft, Fraud, Corruption and Non-Compliant Activities Policy*, or, if all other processes are insufficient, or the Person wishes to remain anonymous, the *Safe Reporting Policy*.

In any case where such a report has been made, the report will be treated confidentially to the extent possible and consistent with PHSA's responsibility to address the issue raised. No Person will be subject to retaliation for reporting in good faith a violation of this policy.

### **13.2 Failure to Comply**

Persons who fail to comply with any provision of this policy may be subject to disciplinary action, such as the possibility of actions leading up to termination of employment, severance of the contractual relationship, or termination of admission privileges. A violation of certain provisions of this policy may also be a violation of law and may subject the Persons(s) involved and/or PHSA to criminal prosecution or civil liability. Such violations are subject to the Theft, Fraud, Corruption and Non-Compliant Activities Policy.

### **13.3 Supervisor Documentation**

Supervisors are to document (file to be kept in the supervisor's office) the resolution of all real, perceived, or potential conflicts of interest situations on which they are asked to provide guidance. Additionally, supervisors will provide copies of the documentation to Employee Records and Benefits for inclusion in the Person's file.

- [Appendix I: Definitions](#)
- [Appendix II: Examples of Conflict of Interest](#)
- [Appendix III: Conflict of Interest Frequently Asked Questions \(FAQs\)](#)

## Appendix I: Definitions

For the purpose of this policy, the following definitions shall apply:

A **Business Relationship** exists when there is any understanding, procedure, course of dealing, or arrangement between PHSA and a non-PHSA Individual or Industry in connection with the sale or purchase of goods or services or the financing thereof. Business Relationships include those that PHSA has had, has, or may have. Goods and services include, but are not limited to, pharmaceuticals, equipment, devices, and those Individuals and Industries that have a contractual obligation to provide services to PHSA.

**Compensation** is money or anything of value including, but not limited to, consulting income, salaries, retainers, honoraria, bonuses, and finders or recruitment fees given to the Person for services rendered.

A **Financial Interest** is anything of monetary value provided by a non-PHSA entity. This includes, but is not limited to: (1) Compensation; (2) equity interests (including common or preferred stocks, stock options, partnership units, warrants, and other convertible security); and (3) revenue and royalties from intellectual property rights (including patents, copyrights, and trademarks).

Persons do not need to declare equity interests that are held through publicly-trade mutual funds, pensions, or other institutional investment funds over which he/she and his/her Related Person(s) exercise no control.

A **Gift** is any item of value provided by an Individual or Industry to a Person in exchange for which he/she has provided no service. Gifts include, but are not limited to, money, excessive compensation, non-commercial loans, food, travel, hotel accommodations, entertainment, payment for attending a meeting, electronic media, products, services, gift certificates, promotional items, and textbooks.

**Nominal Value** refers to receipt of gifts that would be considered equal to that received in normal hospitality and protocol exchanges and would be seen as modest promotional or expressions of gratitude items of limited value; and which would not be seen as requiring a reciprocal gift or consideration in kind.

**Individuals and Industry** include individuals, sole proprietorships, partnerships, associations, joint ventures, corporations, firms, franchises, holding companies, joint stock companies, receiverships, businesses, trusts, and other organizations or entities that are used to carry on trade or business, including subsidiaries and parent organizations.

A **Non-PHSA External Interest** is an outside interest or activity. This includes, but is not limited to, any external relationship, any self-employment, any participation in business partnerships, or any employment or consulting arrangements which may involve acting as a board member, director, officer, sole owner, partner, employee, agent, consultant, advisor, volunteer, other association involvement, or in any other governance position.

A **Person with Authority** is an employee who has real or perceived authority to participate in, influence and/or make decisions which affect the terms and conditions of employment of a Person: and/or is a Person's direct or indirect supervisor.

A **Related Person** is an individual connected to a Person by marriage, common-law partnership, adoption, and is a member of his/her immediate family (e.g., spouse, same-sex partners, sibling, parent, child, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparent, or grandchild), including step relations of the kind described herein; an individual residing in the same household as the Person, an individual with whom the Person has a close personal relationship, platonic or romantic, or an Individual or Industry to whom the Person has a direct or indirect financial or other interest.

A **Supervisory or Reporting Relationship** is one in which a Person with Authority has direct or indirect ability and/or responsibility to supervise, give direction to, review the performance of and have input into, decisions which affect the employment of a Person.

Such decisions may include, but are not limited to initial hiring, internal hiring and promotion, competitions, transfer, demotion, discipline or dismissal.

A **senior employee** is an employee occupying a position within PHSA that has decision making authority and/or perceived as having the ability to influence decisions.

## Appendix II: Examples of Conflicts of Interest

Examples of conflicts of interest include, but are not limited to, the following contextual situations in which a Person:

- uses PHSA property or his/her position, office, or affiliation to pursue personal interests (e.g., providing consulting services to third parties using PHSA intellectual property);
- uses PHSA resources, such as network and other electronic media and storage devices, transcription services, and administrative staff, to support his/her private interests without reimbursement to PHSA;
- is under obligation to another Person, Individual or Industry who might benefit from, or seek to gain special consideration or favor, because of the Person's relationship with PHSA;
- in the performance of official duties gives preferential treatment to an Individual or Industry, including a non-profit organization, in which the Person, or Related Person(s) of the Person, has an interest, financial or otherwise;
- benefits from, or is reasonably perceived by PHSA and/or the public to have benefited from, the use of information acquired solely by reason of the Person's PHSA position, office, or affiliation;
- benefits from financially, or is reasonably perceived by PHSA and/or the public to have benefited from financially, a PHSA transaction over which the Person can influence decisions (e.g., investments, purchases of pharmaceuticals, services or equipment, borrowing, grants, contracts, appointments, discretionary perquisites, etc.); and
- requests or accepts from an Individual or Industry, directly or indirectly, a personal gift or benefit in violation of this policy.

## **Appendix III: Conflict of Interest Frequently Asked Questions (FAQs)**

### **1. GIFTS**

#### **1.1. TELUS has offered me tickets to a Canucks game. Can I accept them?**

No. You may not accept a Gift from an Individual/Industry if you have the ability to influence any level of PHSA decision-making. While accepting this Gift may not have influenced your decision-making process at PHSA, studies have shown that in general people feel an obligation to return the favor. Even if one were able to determine that this desire to reciprocate this favor was not a concern, there is no potential usefulness for patient care or improvement in your PHSA role that comes from accepting this gift.

#### **1.2. A pharmaceutical company representative has suggested that we discuss new drugs and technology that is related to my clinical practice over lunch and he has offered to pay for the meal. Can I accept his payment for my meal?**

Possibly. As a physician it is likely that you have the ability, either directly or indirectly, to influence a PHSA Business Relationship. As the lunch is with a pharmaceutical company, it is likely that this Industry may have a Business Relationship with PHSA if one does not already exist. While PHSA recognizes that outside relationships with Individuals/Industry may lead to improved patient care, it is important to ensure that the PHSA decision-making process is unbiased. With this in mind, if you decide that the lunch is important to your practice, you may attend and accept the meal if it is of nominal value.

#### **1.3. A food basket has been sent to me at my clinic from a Pharma Co. Can I accept the food basket?**

No. Unless the food basket is of nominal value, it cannot be accepted. The purpose of the Gift restriction is to ensure that items are not being offered in a way that creates an implied quid pro quo. If you do not have an opportunity to turn down the food basket from Pharma Co., you can donate the basket to a non-profit organization or place it in a public area for the benefit of all staff. You may choose to inform all Individuals/Industry with whom you have contact that you are no longer permitted to accept gifts that could be perceived to have more than a nominal value.

#### **1.4 I am attending a medical conference in Toronto and a pharmaceutical vendor is hosting a luncheon event for all attendees. Can I attend the luncheon and partake in the food they provide?**

Yes. If all attendees of the conference are invited to the event and it is included as part of the conference attendance and registration, and, therefore, it is not viewed as a Gift, you may go and partake in the food. However, if the function is private and the host has had, has, or may have a Business Relationship with PHSA then you are not able to partake in the food if you choose to attend unless you pay for your own meal.

**1.5 I am attending a meeting in Toronto in relation to my area of expertise at PHSA. The sponsor, Pharma Co., of the meeting has offered to pay for my travel expenses, including flight, accommodations, and meals. Am I permitted to accept this payment for travel and related expenses?**

No. You are not permitted to accept payment for travel and related expenses if the sponsor is a for-profit Individual/Industry. However, if the sponsor of the conference was a non-profit or public entity you may accept payment in relation to affiliated meetings, conferences, and award ceremonies and the expenses must be of fair market value and not extravagant.

**1.6 A vendor who has recently sold PHSA new computer software would like to train front-line staff on the system. Since this will be an all-day event, the vendor would like to provide lunch and refreshments. Can he do so?**

Yes. If the staff are not able to influence the Business Relationship that PHSA has had, has, or may have with the vendor then the lunch and refreshments may be accepted as long as the cost is nominal.

## **2. COMPENSATION**

**2.1. I have been asked to act as a consultant for a start-up company because of my expertise in the device they manufacture. I also act as an advisor for PHSA on purchases of such devices. Is this a conflict of interest that I need to declare?**

Yes. Because this policy aims at ensuring that the “line of sight” between a Person and a PHSA purchase decision is not obstructed or tainted by external interests it is necessary that this type of conflict of interest is declared. However, how this conflict of interest will be managed will vary depending on the circumstances. For instance, other considerations that may be made include whether the Person’s expertise in this area can be substituted. If, in fact, the Person is the only person who is competent in advising PHSA in the purchase of the device, it may be that his/her opinion may still be solicited but he/she is removed from the actual decision-making process. On the other hand, if the Person is not the sole employee or affiliate of PHSA who can advise on the purchase of such devices, he/she may be completely removed from the procurement process. Thought may also be given to the duration of the consultation, if it is ongoing, and the total compensation provided.

**2.2. I am part owner in a start-up company that is investing in the development of specific medical devices. I created this company because of my experience in my position at PHSA. I do not perform research at PHSA and am not involved in the selection or purchasing of any new devices for PHSA. Is this a conflict of interest that I need to declare?**

Yes. Your involvement in the start-up company is a potential conflict of interest and should be disclosed. Although you are not directly involved in the selection or purchasing of new devices for PHSA, your opinions and choices in your clinical practice may influence someone who is in the position to make purchases for PHSA.

**2.3. My wife is an employee for a pharmaceutical industry. I recently have been asked to participate in the procurement of goods for PHSA, including pharmaceuticals. Is this a conflict of interest that I need to declare?**

Yes. Since your wife is receiving Compensation as an employee from a pharmaceutical industry and you are acting in a decision-making position that is directly related to her industry is it important that you disclose this information to your supervisor.

**2.4 I have been invited to give a lecture at a conference. May I accept honoraria from the sponsor of the conference?**

It depends. You may accept honoraria for lectures or other activities planned and delivered outside of working hours or conducted during booked vacation time. However, if the content, forum, sponsor, or other aspects of the lecture results in a real, perceived, or potential conflict of interest you must declare to your supervisor your intent to act as a lecturer in said setting. This disclosure should be done prior to the lecture being given. If the preparation, lecture or other activity occurs during PHSA paid time, you must either not accept a Honoria or remit any such payment to PHSA.

### **3. OTHER FINANCIAL INTERESTS**

**3.1. My spouse owns stocks in Pharma Co. that manufactures medical equipment. I do not have any involvement in the selection or procurement of medical equipment at PHSA. Is this a conflict of interest that I need to declare?**

No. If you have no involvement in the selection or procurement of medical equipment nor any influence over any relationships the Individual/Industry has with PHSA, then the stock your spouse owns does not need to be declared. However, if you are concerned that there is a perception of conflict or there is indication that your role at PHSA may change, then you should declare the interest to your supervisor.

**3.2. I own stock in an industry that manufactures medical equipment. While I am not directly involved in the procurement process of medical equipment at PHSA, my past prescribing practices and my solicited opinion have been considered by the procurement committee. Is this a conflict of interest that I need to declare?**

Yes. While you are not directly linked to the procurement process, it is important to declare any interests that may appear to result in a biased outcome. As it is important for you to prescribe and advise objectively and foster a relationship of trust between you and your colleagues, including the procurement committee, you should inform your supervisor of this potential conflict of interest.

**3.3. My best friend's wife receives royalties from intellectual property rights from an invention of a medical device. The product she developed is under consideration by the procurement committee on which I sit. Since I am not directly related to this person is this still a conflict of interest that I need to declare?**

Yes. Though you may not be directly related to this individual, the definition of Related Person(s) includes any individual with whom you have a close personal relationship. Because this is your best friend's wife, it is very likely that you have a close relationship with his wife. While declaration to your supervisor is necessary, depending on the circumstances, there may or may not be a required method of conflict management.

#### **4. NON-PHSA EXTERNAL INTERESTS**

##### **4.1. My spouse is an executive member of a board for Pharma Co. that may have a Business Relationship with PHSA in the near future. Is this a conflict of interest for me?**

Possibly. The determination of the conflict of interest would depend on your roles and responsibilities at PHSA. If you have the capacity to influence this Business Relationship, either directly or indirectly, then it is necessary to declare this interest to your supervisor. For instance, if you are able to influence PHSA decision-making processes, such as clinical protocols, purchasing choices, patient care, hiring practices, use of funds, ethics board, or procurement choices, and these decisions are somehow linked to the board's interest, then you need to disclose this conflict of interest.

##### **4.2. Because of my expertise in my field, I have been asked to act as a consultant for a private business management consulting firm. Am I required to disclose this to my supervisor?**

Yes. Disclosure to your supervisor is required to evaluate if this is a potential conflict. The determination of the conflict would depend on whether you have any ability to influence a PHSA Business Relationship with this Individual/Industry, if your consulting activities are clearly separate from your work and research at PHSA, and if any colleague, patient, or the general public were to be informed of this relationship that he/she might consider there to be a conflict of interest. In addition to these factors, it is important to ensure that your consulting role does not include use or access to any confidential information or access to data on PHSA research or Business Relationships that is not already public.

##### **4.3. I am a volunteer for a non-profit environmental association that has not had and will not have a Business Relationship with PHSA. Do I need to declare this relationship?**

No. If you assess that the mission and values of the Individual/Industry/association are not in conflict with the values and mission of PHSA, you do not need to declare. If you are unsure, speak to your supervisor to determine any potential conflicts.

#### **5. PREFERENTIAL TREATMENT**

##### **5.1 My husband owns a catering company. As an administrative assistant I am often in charge of selecting a company to cater our lunch meetings. Is this a conflict of interest that I need to declare?**

Yes. This conflict needs to be disclosed due to your potential financial gain and because it is an example of preferential treatment to a Related Person because of your role with PHSA. While this conflict of

Interest may not directly impact patient care, it is important to PHSA that all business transactions are and appear transparent. You need to disclose this conflict of interest to your supervisor

**5.2. A business associate with whom I worked with several years ago has asked me to inquire about any potential RFQ (request for quotation) by PHSA for a specific type of device. He currently works for a manufacturer of these devices. Is this a conflict of interest that I need to declare?**

This is not an issue of declaration, rather the policy clearly states that you do not disclose to any Individual/Industry information that is not already public in order to protect the integrity of the procurement process of PHSA.

## **6. WORKING RELATIONSHIPS**

**6.1. My daughter has applied for a promotion. I am not part of the decision-making committee; however, if she receives the promotion she will report to one of my direct subordinates. Do I have an obligation to disclose?**

Yes. You are a Person with Authority who may be in a Supervisory or Reporting Relationship with a related Person.

**6.2. My wife's best friend's husband is a candidate in a job posting competition that I am directly involved in. We have vacationed together and socialize together regularly. Do I have an obligation to disclose?**

Yes. This individual is someone with whom you have a close personal relationship as defined by Appendix I of the Policy and you will have the ability to make a decision that will affect the terms and conditions of his employment.

**6.3. My roommate has applied for an internal transfer in order to be closer to home. I will be consulted as part of the decision making process but will not make the final decision. Do I have an obligation to disclose?**

Yes. Your roommate is someone that you likely have a close personal relationship with. Although you will not be making the final decision in respect of the transfer, you have the ability – real or perceived – to influence a decision that could affect the terms and conditions of his/her employment.

**6.4. My son-in-law has applied for a position within PHSA. I work in a separate department and will neither participate in, nor have any influence over, the decision of whether he is hired. Do I have an obligation to disclose?**

No. Although your son-in-law is a Related Person, you are not considered a Person with Authority within the meaning of the Policy.

**6.5. My son-in-law was the successful job candidate. One year after he was hired he was transferred to my department and will be under my direct supervision. Do I have an obligation to disclose?**

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Yes. You now have an obligation to disclose. This obligation arises as soon as you become aware that your son-in-law and you could be in a reporting relationship.

**6.6. I am in a romantic or sexual relationship with another Person. The Person's supervisor reports to me. Do I have an obligation to disclose?**

Yes. You are under an obligation to disclose. Although you are not the Employee's direct supervisor, you may have the authority to participate in, influence and/or make decisions which affect the terms and conditions of his/her employment.

**6.7. PHSA is undergoing internal restructuring. My ex-wife is one of five persons PHSA is considering letting go. I am part of the decision-making committee that will decide who is kept on. Do I have an obligation to disclose?**

Yes. Your ex-wife is an individual with whom you were previously connected and you have the direct ability as a member of the committee to affect the terms and conditions of her employment.

## **7. DISCLOSURE**

**7.1 I think I have a conflict of interest. How do I declare it?**

If you have a real, perceived, or potential conflict of interest you should declare it to your supervisor as soon as practicably possible and on an annual basis thereafter. There is no standardized declaration form, however, documentation of your real, perceived, or potential conflict should be in writing and kept on file along with any management plans.

**7.2. I have an identified conflict of interest and spoke with my supervisor about it. I do not agree with her opinion on how to manage the conflict. Is there someone else I can speak to?**

Yes. Your supervisor has authority to recommend a plan of management for identified conflicts of interest. If you disagree with the outcome of your conversation with your supervisor you may wish to consult the PHSA Human Resources. However, in this consultation you should disclose any recommendations made by your supervisor as well as your concerns with these suggestions.

**7.3. I have a Financial Interest in an Individual/Industry and it creates a conflict. However, the value is rather minimal. Do I need to declare this interest – is there a dollar amount that must be disclosed?**

Yes, you must declare this Financial Interest. Under this policy there is no financial interest limits, therefore, all interests that pose a real, perceived, or potential conflict of interest must be disclosed annually. It is important to remember that a conflict of interest only arises when an independent observer, if informed of these interests, may question whether your financial or personal gain influenced your PHSA roles and responsibilities.

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