



Conflict of Interest and Confidentiality Agreement for Review Committee Members, External Reviewers, and Observers

The Natural Sciences and Engineering Research Council (NSERC) must meet the highest ethical and integrity standards in all that it does in order to continue to merit the trust and confidence of the research community, the government and the public. NSERC review committee members, external reviewers and observers must meet the highest standards of ethical behaviour to maintain and enhance public confidence in NSERC's ability to act in the public's best interest and for the long-term public good. Where a conflict arises between private and public interests, review committee members, external reviewers, and observers will be expected to take the necessary measures to ensure that the public interest is protected.

Conflict of Interest

A Conflict of Interest is a conflict between a person's duties and responsibilities with regard to the review process, and that person's private, professional, business or public interests. There may be a real, perceived or potential conflict of interest when the review committee member, external reviewer or observer:

- would receive professional or personal benefit resulting from the funding opportunity or application being reviewed;
- has a professional or personal relationship with an applicant or the applicant's institution; or
- has a direct or indirect financial interest in a funding opportunity or application being reviewed.

A conflict of interest may be deemed to exist or perceived as such when review committee members, external reviewers or observers:

- are a relative or close friend, or have a personal relationship with the applicants;
- are in a position to gain or lose financially/materially from the funding of the application;
- have had long-standing scientific or personal differences with the applicants;
- are currently affiliated with the applicants' institutions, organizations or companies—including research hospitals and research institutes;
- are closely professionally affiliated with the applicants, as a result of having in the last six years:
 - frequent and regular interactions with the applicants in the course of their duties at their department, institution, organization or company;
 - been a supervisor or a trainee of the applicants;
 - collaborated, published or shared funding with the applicants, or have plans to do so in the immediate future; or
 - been employed by the institution, when an institution is the applicant; and/or
- feel for any reason unable to provide an impartial review of the application.

Note: For trainee awards committees, these criteria also apply to the relationship with the proposed supervisor.

NSERC reserves the right to resolve areas of uncertainty and to determine if a conflict exists.

Disclosure and Compliance Measures

Any review committee member, external reviewer or observer who becomes aware of a conflict of interest must promptly disclose the conflict to NSERC staff. NSERC will determine if it constitutes a conflict of interest and what measures—such as recusal—are required. No review committee member, external reviewer or observer may participate in the review process of an application with which he/she is in conflict of interest. The conflict of interest depends on the role and level of involvement of a review committee member, external reviewer or observer and the size of the research team. Such disclosures and compliance measures shall be documented and retained for the record.

Confidentiality

NSERC is subject to the *Privacy Act* and the *Access to Information Act*. These laws govern the collection, use and disclosure of information under the control of the federal government and certain federally funded organizations. Documentation submitted to NSERC by the applicant may be provided to the review committee members, external reviewers and observers. The documentation may contain personal information and confidential commercial information. By law, applicants have the right of

access to the information provided by review committee members and external reviewers about their applications. The names of external reviewers must be kept confidential to ensure they can provide an impartial review of an application. Review committee members' names can be released at the discretion of NSERC. Written materials used in the review process are generally made available to applicants when they are notified of the funding opportunity results.

Review committee members, external reviewers and observers must ensure that:

- all documentation and information that NSERC entrusts to review committee members, external reviewers and observers is maintained in strict confidence at all times. It must be used only for the purpose for which it was originally collected—namely, to review applications and make funding recommendations as applicable;
- review documentation is stored in a secure manner to prevent unauthorized access. It must be transmitted using secure techniques and when it is no longer required, it must be destroyed in a secure manner. Any loss or theft of the documentation must be reported to NSERC; and
- all enquiries or representations received by review committee members, external reviewers or observers about an application or its review must be referred to NSERC. Review committee members, external reviewers or observers must not contact the applicants for additional information or disclose matters arising from the review process to the applicants.

Additional requirements for review committee members and observers:

- Review deliberations are confidential. Comments made by review committee members during the review of applications and the conclusions of the committee's review must never be discussed or disclosed with individuals not involved in the review process unless required by legislation or the courts.
- The identity of successful applicants and the details of the grants/awards must remain confidential until a decision is made by NSERC and officially announced to the applicants and the public. The identities of unsuccessful or ineligible applicants are not made public and must not be divulged unless required by legislation or the courts.
- During the meeting, observers must be as unobtrusive as possible to minimize disruption and must not remove from the meeting room written notes or documentation related to reviewer assignments, ratings or reviewer comments on applications.

Confirmation

I have read and understood the *Conflict of Interest and Confidentiality Agreement*. I agree to comply with the requirements of the  **Conflict of Interest and Confidentiality Policy of the Federal Research Funding Organizations**. (Additional information can be found in procedural guidelines for the specific review process.) I understand that any breach of this agreement will result in a review of the matter, with NSERC reserving the right to take appropriate action including, but not limited to, my removal from serving on or observing current or future NSERC review committees or from serving as an external reviewer. The use of review documentation for any other purpose could result in a NSERC investigation and/or report to the federal Privacy Commissioner's Office. Any action that NSERC may or may not take will not prevent a person whose privacy rights have been compromised from seeking legal action against the respondent. By signing this form, I also certify that I am not currently ineligible to apply for and/or hold funds from the Canada Foundation for Innovation (CFI), the Canadian Institutes of Health Research (CIHR), NSERC, the Social Sciences and Humanities Research Council of Canada (SSHRC) or any other research or research funding organization worldwide for reasons of breach of policies on responsible conduct of research—such as ethics, integrity or financial management policies.

I agree to take personal responsibility for complying with these requirements.

NAME (please print)

SIGNATURE

DATE

Return this form to: NSERC, 350 Albert Street, OTTAWA ON K1A 1H5