



Canada's Drug and
Health Technology Agency

L'Agence des médicaments et des
technologies de la santé au Canada

Conflict of Interest Policy

Policy Number: BOD-22-001



Definitions

In this policy document:

- **“bias”** means when an individual has an inclination or prejudice for or against someone or something (may be conscious or unconscious bias).
- **“contractor”** means, unless otherwise stated, any person that has entered into a contract for services with CADTH to assist in CADTH activities (e.g., lead reviewers, peer reviewers, researchers, economists, methods specialists, information specialists, copy editors, etc.).
- **“contributor”** means an individual who provides a particular perspective on a CADTH project as part of a prescribed process, and who is not remunerated by CADTH (e.g., patient group, patient or caregiver, clinician or other stakeholder providing input in a CADTH project).
- **“entity”** means any organization that has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions.
- **“guest speaker”** means an invited presenter who is not a CADTH employee.
- **“participant”** means an individual who has been invited on an ad hoc basis to attend a committee meeting or other CADTH meeting (e.g., subject matter expert).
- **“party”** means a drug or health technology company (including such manufacturer’s parent corporation, subsidiaries, affiliates, and associated corporations).
- **“payment”** means a benefit, compensation, discharge or performance of an obligation, or reimbursement, by giving over something that is of satisfactory value to its recipient, such as money or its equivalent.
- **“project”** means the CADTH activity in which an individual is, or will be, engaged.

Applicability

1. The CADTH Conflict of Interest Policy applies to:
 - CADTH Board of Directors
 - CADTH employees and candidates for CADTH employment
 - Members of CADTH advisory or expert committees or panels
 - Participants
 - Contributors
 - Contractors, consultants, and temporary agency personnel
 - CADTH guest speakers.



Purpose

2. This policy supports our core value of transparency. We are transparent about the interests of those who are engaged and involved in our work and our governance so that the effect of interests is known, understood, and managed.
3. This policy describes the approach CADTH shall apply to the management of a conflict of interest; specifically, it sets out the responsibilities for identifying and managing conflicts of interest to promote high ethical standards and preserve the objectivity and credibility of CADTH's work.

Policy Statement

4. This policy provides guidance on:
 - when a declared interest could represent a conflict of interest
 - what types of interests need to be declared and when
 - how conflicts may be managed.
5. Through the disclosure of relevant personal and non-personal interests (including both financial and non-financial), conflicts of interest can be identified and managed. This policy is intended to supplement but not replace any provincial and federal laws governing conflicts of interest, if applicable. For example, CADTH directors and officers are subject to additional rules under CADTH's governing statute.
6. All interests must be declared if, in the view of a reasonable person, they are relevant, or could be perceived to be relevant to the CADTH mandate, activity in question or anticipated future activity, as may be applicable.

Scope of Conflict of Interest

7. A conflict of interest is any situation in which an individual has or is perceived to have a personal, non-personal or other relevant interest sufficient to bias, influence, or appear to influence, the objective exercise of that individual's CADTH-related duties, responsibilities, or decision-making.
 - A **personal interest** may be a benefit, in any form, to an individual by a party or entity whose business may be directly affected by CADTH advice or other decisions taken by CADTH. This benefit is interpreted broadly and means anything relating to an individual's interests (regardless of value) now or in the future. Personal interests usually fall into the following categories:
 - **Financial interests:** These may include any monetary interests gained like salary or other payments for services (e.g., stipends, honoraria, speaker's fees), or equity interests (e.g., stocks, stock options, intellectual property rights), and the like.
 - **Non-financial interests:** These cover other kinds of potential gain (e.g., increase in reputation if a former student receives an award).
 - **Loyalties:** These arise from a personal connection or duty to another person or organization (e.g., with a past employer, past student, family member, close colleague, or frequent collaborator).
 - A **non-personal interest** is where there is, or could be perceived to be, an opportunity for a third party closely associated with an individual to benefit as a result of that individual's role at CADTH.
 - There may be a wide range of **other interests** with a party or entity that are relevant, depending on the circumstances and matters under consideration, and could include both financial and non-financial



Conflict of Interest Policy

interests. Other relevant interests could include intellectual interests; for example, holding a strong view in a specific topic area that could interfere with one's role or duty to be objective.

8. A conflict of interest may be real, potential, or perceived in nature.
 - A **real conflict** arises where an individual involved in CADTH's work has an interest that could compromise their objectivity or fairness.
 - A **potential conflict** incorporates the concept of foreseeability; for example, when an individual can foresee that an interest may someday be sufficient to influence their work at CADTH, but has not yet influenced their work (e.g., an identified future commitment with a party or with another entity).
 - A **perceived (or apparent) conflict** arises where a person's duties or responsibilities to CADTH appear to be influenced by that person's interests, even if, in fact, there is neither a real nor a potential conflict.

Conflict of Interest Reporting Requirements

9. It is the responsibility of each individual to declare any conflicts of interest in accordance with this policy. Each individual has the responsibility to identify and manage conflicts of interest by:
 - Disclosing any interests that could give rise to a conflict of interest so that CADTH is aware of these in advance.
 - Working with CADTH to determine whether a situation gives rise to a conflict of interest before being involved in any decision or project on behalf of CADTH.
 - Working with CADTH to manage any conflicts as they arise, in a manner that protects the integrity of CADTH's work and decision-making while allowing the individual to give the right level of input to enable the best decision to be made.
10. Before an individual engages with or participates in any CADTH activity, the individual must disclose any real, potential, or perceived conflict of interest by completing and submitting a Conflict of Interest Declaration Form in the form and manner prescribed by CADTH.
11. All individuals described in the section on Applicability must:
 - Complete the declaration form and update the declaration as soon as new conflicts are identified. Where new conflicts are identified, declaration forms must be updated immediately, and no later than 15 calendar days after the conflict arises.
 - Review the information previously declared, yearly at a minimum. Contributors, contractors, guest speakers, and participants must complete or verify and update the declaration form for each CADTH project or activity that the individual is involved in with CADTH.
12. In addition to updating the declaration form, members of the Board of Directors and members of advisory committees, expert committees and panels are required, at the commencement of every meeting, to disclose any new conflicts of interest.

General Principles for Assessing Conflicts

13. CADTH is not precluded from obtaining advice from experts who may have interactions and or relationships with individuals who have a vested interest in a CADTH project. It is recognized that, in many cases, there may be a small pool of experts who have the relevant expertise and who are able to effectively advise CADTH on these matters.
14. It is acknowledged that individuals have varied backgrounds, ideas, personal experiences and influences that may affect how they view or react to someone or something. In certain instances, it may be advisable, or even essential that individuals contribute their experience, expertise and/or knowledge to



Conflict of Interest Policy

the resolution of the issues at hand. Expertise in an area, or familiarity with the relevant issues, is not in and of itself a disqualification on account of conflict of interest nor is the holding of tentative views on a matter of relevance to a committee's or panel's mandate; however, a bias capable of unfairly affecting the outcome of the case is considered a conflict of interest.

15. Where a conflict is identified, CADTH will work with the individual to assess the conflict. This will involve assessing all the relevant factors on a case-by-case basis, including:
- The role of the individual in a decision-making process (e.g., if the individual is an observer with no right to vote, the conflict is less material than if the individual is a committee member or chair).
 - The nature of the conflicting interest (e.g., a conflict based on a relationship to a past employer is less material than a conflict that could lead to a direct financial gain).
 - The closeness of the conflicting interest to the individual (e.g., if it relates to a grant co-applicant, it is less material than to a principal applicant).
 - The value and nature of any benefit the individual could receive from the proposal being considered (e.g., a conflict involving a large financial gain relating to advice on a relevant product will be more material than one involving an honorarium for travel to a conference).

General Principles for Managing Conflicts

16. In general, CADTH will not engage in an activity where there is a material conflict unless it can be managed or structured to avoid the conflict, or the decision can be made by the Board or a committee that has sufficient members without the individual being involved.
17. Dependent on both the nature of the conflict and structure of the activity, CADTH may consider measures including, but not limited to:
- Having the individual abstain from participation in discussions or deliberations.
 - Recusing the individual from voting or decision-making.
 - Requesting that the individual conclude involvement in the conflicting matter.
 - Using a different service provider.
18. Exceptions may be made in situations where CADTH believes a particular activity is sufficiently compelling (e.g., meets a pressing health system need or is in the best interest of the organization).

Publication of Conflict of Interest Declarations

19. As part of CADTH's commitment to enhance transparency of its processes and operations, conflict of interest declarations may be made publicly available on the CADTH website if such public disclosure is not prohibited by law, and CADTH determines, in its sole discretion, that such public disclosure is in the best interest of CADTH and the person or persons to whom the conflict relates. Such information may include the individual's title, name, organization (if applicable), nature of their affiliation with CADTH (e.g., Board of Directors, advisory committee, expert committee or panel members, contributors, contractors, etc.), and the nature of declared conflicts of interest.
20. If an individual has contributed expertise or authored a CADTH publication, a summary of the individual's expertise, experience, affiliations, and the nature of the conflict of interest may be included in that publication.



Monitoring

21. There may be situations when interests will not be identified, declared, or managed appropriately and effectively. This may happen innocently, accidentally or because of deliberate actions. Anyone who is aware of a contravention with this policy, or who is concerned that there has been, or may be, an issue of non-compliance, should follow the steps as set out in the CADTH Supplemental Conflict of Interest Guidance document, and may report these concerns to CADTH via email at requests@cadth.ca if there is not a satisfactory resolution.

CADTH will examine each reported instance of potential contravention according to its specific facts and merits and will provide relevant parties the opportunity to respond and amend the declaration, as appropriate.

Policy Owner and Review Period

22. CADTH's Vice-President, Corporate Services is responsible for overseeing the implementation of this policy. The policy will be reviewed every 3 years unless an earlier review is needed.

CADTH Board

23. Amendments to this policy are subject to approval of the CADTH Board of Directors. Amendments to and clarifications of the Policy and all related documents will be posted on the CADTH website.

Related Forms and References

- [CADTH Supplemental Conflict of Interest Guidance document](#)
- CADTH Conflict of Interest Declaration Form

Corporate Contact

Please direct any request for changes to this template to the Director, Strategy and Governance, at jocelync@cadth.ca.

Revision History Table

Section	Description of changes	Prepared by	Date
All	New Harmonized Policy Introduced Note: This policy replaces 5 policies (Board Conflict of Interest, Conflict of Interest Policy for CADTH Employees, CADTH Conflict of Interest Guidelines for CADTH Expert Committee and Panel Members, Conflict of Interest Guidelines for Contractors, Patient Group Conflict of Interest Declaration)	J. Chisamore	October 1, 2022