

Science Foundation Ireland Conflicts of Interests Policy for Staff Members

I. PREAMBLE

This policy sets out principles for minimising and managing potential conflicts of interests for individuals involved in decision-making for Science Foundation Ireland (the “Foundation” or “SFI”).

In setting its policy on conflicts of interests the Foundation must strike a balance, considering the regulatory environment, standards of ethical conduct and its own operational requirements and strategic objectives. The aim of the Foundation is to achieve effective management of conflicts of interests, without over-prescriptive regulation.

While the Foundation has endeavoured to identify the main conflicts of interests that may arise for individuals covered by the policy, it is impossible to foresee every eventuality. The Foundation relies on voluntary disclosure of potential conflicts of interests by its staff members to ensure the integrity of its decision-making processes. Individuals covered by this policy, therefore, have a duty to disclose all potential conflicts of interests that arise in the course of performance of their duties for the Foundation, as well as to comply with the specific requirements of the policy.

II. OBJECTIVES AND COVERAGE OF THE POLICY

A. OBJECTIVES OF THE POLICY

The objectives of the policy are:

1. To protect the Foundation against conflicts of interests that may be detrimental to its activities, by ensuring that individuals covered by the policy make decisions free from any external influences, either personal or fiduciary.
2. To protect the Foundation and those individuals covered by the policy against impropriety or the appearance of impropriety, including reputational risk.
3. To earn and maintain the confidence of the research community, the Government and of the general public in the integrity, effectiveness and impartiality of its decision-making processes. It will not do so if these processes are seen to be compromised by conflicts of interests.

B. COVERAGE OF THE POLICY

The policy applies to the management and staff members of the Foundation, both referred to below as “staff members”.

C. CODE OF BUSINESS CONDUCT

The Foundation has also adopted a *Code of Business Conduct for SFI Employees*, in accordance the *Code of Practice for the Governance of State Bodies*.

This policy is intended to supplement the general principles of ethical conduct set forth in the *Code of Business Conduct*.

III. MAIN ISSUES

A. AWARDS

Two types of problems could affect the judgment of staff members who handle proposals and administer awards:

- The individual might possess outside interests, affiliations, or relationships that could create a bias; or
- Another member of staff of the Foundation (or prospective or recent staff member) could have an involvement or interest in the proposal or award.

Subsections (1) and (2), below, describe the responsibilities of staff members that arise in connection with the above situations.

1. Potentially Biasing Affiliations

Staff members who would normally handle a proposal, or administer an award or other matter, but possess a potentially biasing affiliation, should bring the matter to the attention of their Director (or, in the case of a Director, to the attention of the Director General).

Where a *reasonable person with knowledge of the relevant facts would question the impartiality of the staff member in the matter*, the staff member should prepare a written statement describing the situation and any action taken to manage the conflict.

A sample statement is at **Appendix I** to this Policy.

- (a) Automatic Disqualification. If the affiliation is automatically disqualifying, the matter must be assigned to another member of staff. In case of the disqualification of a Director, that Director's decision-making responsibilities will be assigned to another Director.
- (b) Discretionary Disqualification. If the affiliation is not automatically disqualifying, re-assignment is not mandatory, if the Director (or, in the case of the disqualification of a Director, the Director General) determines that the Foundation's interest in the original staff member's participation in the matter outweighs concerns that a reasonable person may question the integrity of the Foundation's programmes and operations.

Examples of potentially biasing affiliations, including automatically disqualifying affiliations, are at **Appendix II** to this Policy.

2. Involvement of Current, Prospective or Recent Staff Members

The Foundation benefits from the expertise of scientists, engineers and educators, who may interrupt active research and teaching careers to join the Foundation. Such individuals may have been principal investigators under SFI awards before coming to the Foundation, and may retain some interest or association with the work while engaged by the Foundation.

The guidelines below are intended to facilitate this transfer of knowledge and experience to the Foundation, while effectively managing potential conflicts of interests.

- (a) Substitute Principal Investigator. Before coming to the Foundation, a staff member who is a principal investigator or equivalent under an SFI award and the host institution must designate, subject to approval of the Foundation, a substitute principal investigator – i.e., another person who will be responsible for the project, and who will represent the project and the host institution in any dealings with representatives of the Foundation, while the staff member is engaged by the Foundation.

- (b) Renewal Proposals. The Foundation will not accept an application for an award on which a current staff member is a principal investigator or equivalent, unless it is a proposal for continuation or extension of support for work on which the staff member was a principal investigator or equivalent before the first day of his or her engagement with the Foundation.
- (c) One-Year Post-Employment Restriction. As soon as his or her engagement with the Foundation ceases, a former staff member may again be listed as principal investigator on an SFI award. However, if the staff member has performed work for the Foundation on more than 60 days in the previous 12 months, he or she and the host institution must formally designate in writing, subject to the approval of the Foundation, a substitute principal investigator (as described in subsection (a), above), to act for 12 months from the last day of the staff member's engagement with the Foundation.
- (d) Restricted Access. Internal access to electronic and financial records relating to awards under which a current SFI staff member is a principal investigator or equivalent must be limited, and paper records held within the Office of the Director General.

B. OUTSIDE ACTIVITIES AND INCOME

SFI staff members are restricted from engaging in outside employment under the terms of their employment contract with SFI.

In addition to the restrictions set forth in the employment contract, the following restrictions also apply:

- (a) Compensation from SFI Awards. Current staff members may not receive from an SFI award, either directly or indirectly, any salary, consulting fee, expense reimbursement, honorarium or other form of compensation for services. This restriction applies to projects that are supported in whole or in part by funding provided from an SFI award.
- (b) Pensions and Other Employee Benefits. These rules do not preclude staff members from continuing to participate in a bona fide pension or other employee benefit scheme maintained by a current employer, subject to any restrictions imposed by law or benefit scheme rules.

Appendix I: Conflicts of Interests Statement



CONFLICTS OF INTERESTS STATEMENT

1. INTRODUCTION

Under the SFI *Conflicts of Interests Policy*, individuals who would normally handle a proposal, or administer an award or other matter, but possess a potentially biasing affiliation, should bring the matter to the attention of their Director (or, in the case of a Director, to the attention of the Director General).

Where a *reasonable person with knowledge of the relevant facts would question the impartiality of the staff member in the matter*, the staff member should prepare a written statement describing the situation and any action taken to manage the conflict.

If the affiliation is automatically disqualifying¹, the matter must be assigned to another member of staff. If the affiliation is not automatically disqualifying, re-assignment is not mandatory, if the Director (or, in the case of the disqualification of a Director, the Director General) determines that the Foundation's interest in the original staff member's participation in the matter outweighs concerns that a reasonable person may question the integrity of the Foundation's programmes and operations.

2. STATEMENT

I, _____ [NAME], declare a conflict of interests that I have in relation to the performance of my duties as _____ [TITLE] at SFI.
The nature of the conflict is as follows:
This conflict will be managed as follows:
Signed: _____ Date: _____
Approved: _____ Date: _____

¹ See the SFI *Conflicts of Interests Policy*, Appendix II, for a list of automatically disqualifying affiliations and examples of other potentially biasing affiliations.

APPENDIX II: Examples of Potentially Biasing Affiliations

1. YOUR AFFILIATIONS WITH AN APPLICANT INSTITUTION

You will/may have a conflict if you have/hold/are:

- Current appointment at the institution as a professor, adjunct professor, visiting professor, or similar position (**automatically disqualifying**).
- Current employment or negotiation for employment with the institution (**automatically disqualifying**).
- Current informal employment arrangement with the institution (**automatically disqualifying**).
- Current membership on a visiting committee or similar body at the institution (**automatically disqualifying**, but only as to proposals or applications that originate from the department, school, or facility that the visiting committee or similar body advises).
- Receipt or retention of an honorarium or award from the institution, within the last 12 months, unless received before you began your service with the Foundation (**automatically disqualifying**).
- Any current office, governing board membership, or relevant committee chairpersonship at the institution (ordinary membership in a professional society or association is not considered an office).
- Current active participation in the institution, such as chairing a committee or subcommittee, serving as a spokesperson, helping direct its activities, spending significant time promoting its specific programs, or coordinating its fundraising efforts.
- Current business, commercial or other financial relationship (or currently seeking such a relationship) with the institution, outside of routine transactions.
- Current enrolment as a student at the institution (only a potential conflict for proposals or applications that originate from the department or school in which one is a student).
- Any affiliation (as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee) with the institution, within the last 12 months.
- Currently seeking employment, but not yet negotiating for employment, at the institution.
- Ownership of securities of firms involved in the proposal or application.
- Previous employment with the institution, within the last 12 months.
- Receipt, within the last 24 months, of a severance payment from the institution of more than €10,000.00.

2. YOUR RELATIONSHIP WITH AN INVESTIGATOR, PROJECT DIRECTOR, OR OTHER PERSON WHO HAS A FINANCIAL OR PERSONAL INTEREST IN THE PROPOSAL OR OTHER APPLICATION

- Known family relationship (**automatically disqualifying** if such person is your parent, spouse, partner, sibling or child).
- Business or professional partnership (**automatically disqualifying**).
- Past or present association as thesis advisor or thesis student.
- Collaboration on a project or on a book, article, report, or paper within the last 48 months.
- Co-editing of a journal, compendium, or conference proceedings within the last 24 months.

3. AFFILIATIONS OR RELATIONSHIPS OF CONNECTED PERSONS

Any known or sought after connection with the institution (as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, employee or student) by your **spouse, parent or dependent child**.

4. ATTRIBUTION OF AFFILIATIONS OR RELATIONSHIPS OF CONNECTED PERSONS

Affiliations or relationships of your **parent, spouse, partner, sibling or child or any relative living in your immediate household**, which are covered by any of the items below, are to be treated if they were your own. Interests that are attributed to you in this manner are **not** automatically disqualifying.

- Current appointment at the institution as a professor, adjunct professor, visiting professor, or similar position.
- Current employment or negotiation for employment with the institution.
- Current informal employment arrangement with the institution.
- Current membership on a visiting committee or similar body at the institution.
- Any current office, governing board membership, or relevant committee chairpersonship in the institution (ordinary membership in a professional society or association is not considered an office).
- Current active participation in the institution, such as chairing a committee or subcommittee, serving as a spokesperson, helping direct its activities, spending significant time promoting its specific programs, or coordinating its fundraising efforts.
- Current business, commercial or other financial relationship (or currently seeking such a relationship) with the institution, outside of routine transactions.
- Current enrolment as a student at the institution (only a potential conflict for proposals or applications that originate from the department or school in which one is a student).
- Any affiliation (as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee) with the institution, within the last 12 months.
- Currently seeking employment, but not yet negotiating for employment, at the institution.
- Ownership of securities of firms involved in the proposal or application.
- The following relationships with an investigator, project director or other person who has a financial or personal interest in the proposal or other application:
 - Known family relationship.
 - Business or professional partnership.
 - Past or present association as thesis advisor or thesis student.
 - Collaboration on a project or on a book, article, report, or paper within the last 48 months.
 - Co-editing of a journal, compendium, or conference proceedings within the last 24 months

5. YOUR OTHER AFFILIATIONS OR RELATIONSHIPS

Any other relationship, such as close personal friendship, that you think might tend to affect your judgment or be seen as doing so by a reasonable person familiar with the relationship.