



UNIVERSITY OF TORONTO GOVERNING COUNCIL

Policy on Conflicts of Interest – Administrative Staff

Approval Date	June 20, 2023
Approving Authority	Business Board
Effective Date	July 1, 2023
Responsible Office	Office of People Strategy, Equity & Culture

PURPOSE

Administrative staff of the University of Toronto (the “**University**”) are fundamental to the operation of the University and the realization of its commitment to the pursuit of truth, the advancement of learning, and the dissemination of knowledge.

Administrative staff may also engage in personal or professional activities from time-to-time that result in the staff member’s interests coming into conflict with—or *appearing* to come into conflict with—those of the University. Staff members have an obligation to perform their duties and responsibilities in a way that is consistent with the University’s best interests.

The purpose of this Policy is to set out what constitutes a conflict of interest, assist administrative staff in recognizing and disclosing a conflict of interest, and establish a process to manage and respond to a conflict of interest.

APPLICATION/SCOPE

This Policy applies to all administrative staff members employed by the University, including employees represented and not represented by a union, and both casual and staff-appointed employees (*i.e.*, all University employees, save and except faculty members and librarians who are subject to the *Policy on Conflict of Interest – Academic Staff* and *Policy on Conflict of Interest – Librarians*, respectively).

This Policy will be interpreted in accordance with all applicable laws, including but not limited to the Ontario *Human Rights Code*.

DEFINITIONS

Conflict of Interest: A potential or actual conflict between a staff member's non-University interest (or the interests of a Related Person or Related Business) and the staff member's duties and responsibilities as an employee of the University.

Perceived Conflict of Interest: A reasonable perception of a conflict between a staff member's non-University interest (or the interests of a Related Person or Related Business) and the staff member's duties and responsibilities as an employee of the University, [even if the staff member does not actually exercise influence or decision-making authority that would constitute a Conflict of Interest.](#)

Related Business: Any business or organization in which a staff member or Related Person:

- a) has a financial interest;
- b) acts as trustee, director, or officer; or
- c) occupies a position as an employee or agent of the business or organization, or otherwise has responsibility for a segment of the operation or management of the business or organization.

Related Person: Any person with whom a staff member is engaged (or has recently been engaged) in a familial, intimate, sexual, or otherwise close personal relationship that gives rise to a reasonable apprehension of bias or favouritism. For clarity, bias or favouritism in the workplace between a staff member and a Related Person (i.e., nepotism) may amount to a Conflict of Interest or a Perceived Conflict of Interest.

Serious Financial Improprieties: As defined in the University's [Reporting Incidents of Suspected Financial Impropriety Procedure](#)

POLICY

PROCEDURES AND OBLIGATIONS

Staff Member Obligations

1. A staff member is prohibited from engaging in a Conflict of Interest or a Perceived Conflict of Interest.
2. A staff member has an obligation to self-disclose, in writing, any situation that could reasonably give rise to a Conflict of Interest or Perceived Conflict of Interest to their direct manager as soon as the situation arises. Without limiting the generality of the foregoing, a staff member is specifically required to disclose any situation involving nepotism or the potential for nepotism. If the manager is implicated, a report should be made to the person at the next higher level of authority.

3. In cases involving Serious Financial Improprieties, staff members should also follow the University's Reporting Incidents of Suspected Financial Impropriety Procedure, which details the University's protocol for responding to allegations of financial impropriety, including procedures for individual staff members.

Manager Obligations

4. A manager has an obligation to carefully review this Policy and any related Human Resources Guidelines, and to communicate all applicable requirements, on an annual basis, to any staff members that report to them.
5. A manager is obligated to identify Conflicts of Interest, Perceived Conflicts of Interest, and situations that could reasonably give rise to a Conflict of Interest or Perceived Conflict of Interest with respect to the staff members who report to them.
6. A manager (in consultation with Human Resources) shall investigate the disclosure or identification of a situation to determine whether a Conflict of Interest or Perceived Conflict of Interest exists.
7. If a manager (in consultation with Human Resources) concludes that the situation gives rise to a Conflict of Interest, the Conflict of Interest must be resolved and the manager will set out the steps required to eliminate the Conflict of Interest.
8. If a manager (in consultation with Human Resources) concludes that a Conflict of Interest does not arise, but a Perceived Conflict of Interest is present, the manager shall make one of the following determinations:
 - a. approve the circumstances giving rise to a Perceived Conflict of Interest with or without conditions; or
 - b. not approve the circumstances giving rise to the Perceived Conflict of Interest and set out the steps required to eliminate the Perceived Conflict of Interest.
9. The decision of a manager with respect to paragraphs 7 and 8, above, will be in writing and the written decision will be communicated to the staff member.

Reprisal

There will be no reprisals against any person who, in good faith, acts in accordance with this Policy or seeks the enforcement of this Policy.

Confidentiality

All information about a staff member gathered under this Policy will be held in strict confidence and not divulged to any other person, except as required by law or by this

Policy, or as needed to investigate, resolve, and/or manage a Conflict of Interest or Perceived Conflict of Interest.

Violations

A staff member who fails to abide by this Policy (including the failure to make a self-disclosure required by this Policy) may be subject to discipline up to and including termination for cause.

Review of Decisions

If a staff member is unsatisfied with a manager's decision regarding a Conflict of Interest or Perceived Conflict of Interest, the available channels for review will depend on that staff member's relationship with the University. For example, a unionized or confidential staff member may file a grievance in accordance with the applicable collective agreement and/or employment policy. Staff members in the professional/managerial or research associate groups may use the applicable Problem Resolution policies.

ASSOCIATED GUIDELINES/PROCEDURES

- *Statement on Conflict of Interest and Conflict of Commitment*
- *Guideline on Conflicts of Interest – Administrative Staff*
- *Reporting Incidents of Suspected Financial Impropriety Procedure*
- *Policies for Professionals and Managerial Staff*
- *Policies for Senior Research Associates and Research Associates*
- *Policies for Confidential Staff*
- *Policy on Sexual Violence and Sexual Harassment*
- *Collective Agreements*
- *Procurement Policy*

RELATED DOCUMENTS

N/A

Should a link fail, please contact governing.council@utoronto.ca.

REVISION HISTORY AND UPDATES

Date	Description of Change
<i>TBD</i>	New Policy

