



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy on Conflict of Interest - Librarians

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Policy on Conflict of Interest - Librarians

1. Preamble

Librarians at the University of Toronto are committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. While the pattern of a librarian's professional activity, research (which includes both scholarly and creative professional activity), and service to the University may vary from individual to individual, these three activities constitute a librarian's principal responsibilities. A full-time librarian appointment entails a year-round commitment to these responsibilities, unless the individual librarian has a written agreement with the University to the contrary.

It is often intrinsic to this commitment that librarians will engage in professional activities from which they may derive supplementary income. These activities represent an important mechanism for disseminating the knowledge and expertise of librarians to the community and for contributing to the librarian's intellectual and professional development.

The freedom that librarians properly enjoy to engage in these activities and to earn supplementary income means that, on occasion, their personal interests might seem to conflict with those of the University. All librarians have an obligation to report and discuss with the person to whom they report all real or apparent significant conflicts of interest; that is, all conflicts that the librarian believes—or an objective observer would believe—to be significant. The purpose of this Policy is, therefore, to set out what constitutes a conflict of interest, to describe the procedures to be followed when librarians engage in professional work from which they derive supplementary income, and to establish procedures for other situations which could give rise to an apparent conflict of interest.

2. Conflict of Interest

No librarian shall engage in activities which create for that librarian a conflict of interest as defined in this Policy; however, where approval of an activity has been sought and received from the person with the authority to grant such approval, the activity shall be deemed not to be a conflict of interest.

3. Definitions

Academic Year

"Academic Year" means the period from July 1 of any calendar year to June 30 of the following calendar year.

Conflict of Interest

A conflict of interest exists when:

- (a) a librarian's paid professional activities undermine rather than enhance the librarian's ability to meet the librarian's responsibilities to the University; or
- (b) a librarian's non-professional activities which are engaged in for personal gain undermine rather than enhance the librarian's ability to meet the librarian's responsibilities to the University; or
- (c) a librarian's personal or financial interest conflicts with the librarian's responsibilities to the University.

Supervisor

"Supervisor" means the person to whom the librarian normally reports.

"Gifts" includes not only articles of value, but also includes, and is not limited to, travel, accommodation, extravagant meals, and the like, including those that might be provided by commercial external sponsors of conferences in which the librarian is playing no role other than that of an attendee.

Paid Professional Activity

A paid professional activity is an activity funded by sources other than the University which (1) arises from the librarian's academic position and expertise, and (2) confers a financial benefit.

Major Paid Professional Activity

A paid professional activity is a major paid professional activity if it involves:

- (a). working as a librarian outside the University, or
- (b). work which requires the librarian to be engaged in that work during the librarian's normal working hours.

Minor Paid Professional Activity

A minor paid professional activity is any paid professional activity that is not a major one but which, nevertheless, involves more than a minimal amount of the librarian's time.

4. Activities Requiring Prior Approval

The following activities require the prior written approval of the librarian's supervisor:

- (a). All major paid professional activities;
- (b). The use of University facilities, supplies, University support staff, or students whenever privately undertaken work or work of a paid professional activity entails more than trivial use of those facilities, supplies, support staff or students.
- (c). Where the funds involved are administered by the University, the hiring, supervising, or evaluating of, purchasing from, selling to, engaging in any commercial transaction with, or conferring or denying any financial or commercial benefit on any member of the librarian's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship;
- (d). The academic evaluation of, or the conferring or denying of any academic or administrative benefit on any member of the librarian's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship; and
- (e). Where the funds involved are administered by the University, any research undertaken by a librarian for a company or organization in which a significant financial interest is held by the librarian, any member of the librarian's immediate family, or any person with whom there exists, or has recently existed, an intimate personal relationship.

5. The Approvals Process

Major Paid Professional Activities

- (a) The request for approval of a major paid professional activity shall be made in writing to the librarian's supervisor and shall specify:
 - (i). the category or type of client;
 - (ii). the nature of the work;
 - (iii). an estimate of the time required to perform the work;

- (iv). the extent, if any, of the use of University facilities, supplies, support staff or students;
 - (v). any other major paid professional activities that have already been approved in that year or which are continuing from an earlier year; and
 - (vi). the impact the activity will have on the librarian's normal responsibilities.
- (b) In exceptional circumstances and with the written approval of the Provost, the supervisor may require that the identity of the client and any pertinent financial details of any specific activity be revealed by the librarian to the supervisor on a strictly confidential basis.
 - (c) The librarian's supervisor shall evaluate the request in light of the extent to which the activity will undermine rather than enhance the librarian's normal responsibilities, while at the same time recognizing that librarians are not to be discouraged from nor unduly restricted in this sort of activity, as it represents an important mechanism for disseminating the knowledge and expertise of librarians to the community and for contributing to the librarian's intellectual and professional development.
 - (d) In evaluating the request, the supervisor may seek the advice of an advisory committee, although information received under 5(b), above, may not be revealed by the supervisor to anyone, including members of any advisory committee. Members of such a committee shall be directed by the supervisor to comply strictly with the rule on confidentiality set out in section 12, below.
 - (e) The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days. The decision must, of course, reflect consistency of treatment among the librarians in the division or department.
 - (f) If it is advisable for a librarian to be permitted to undertake a major paid professional activity that would undermine the meeting of the librarian's primary obligations and responsibilities, the supervisor may require in granting approval that the librarian take full or partial release time without pay; moreover, if a librarian wishes to continue such activity indefinitely, the librarian may be required to relinquish his or her status as a full-time appointee.
 - (g) If approval is denied, the librarian shall be provided with the reasons for the denial in the letter of denial. The reasons for the denial shall be expressed in the same terms as the evaluation criteria set out in 5(c), above.

Use of University Resources

- (a). A librarian who wishes to carry out any of the activities listed in 4(b), above, shall make a request to do so in writing to the librarian's supervisor. The request shall outline the nature of the use to be made of the facilities, supplies, support staff, or students.
- (b). The supervisor shall evaluate the request in light of the extent to which the request can be accommodated without interfering with work being carried out by others as part of their University work.
- (c). The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.
- (d). Absent exceptional circumstances, the supervisor shall require payment to the University by the librarian for the use of the facilities, supplies, or support staff, but only to the extent of the actual cost, including overhead, to the University of the use of the facilities, supplies, support staff, or students.

Dealings With Family Members

- (a). A librarian who wishes to carry out any of the activities listed in 4(c) or (d), above, shall request permission to do so in writing from the librarian's supervisor. The request shall set out the activity

to be carried out and shall indicate why it is desirable for the activity to be carried out, despite the apparent conflict of interest.

- (b). The supervisor shall evaluate the request having regard to the extent to which special procedures could be instituted in the particular circumstances which would ameliorate the effects of the conflict of interest.
- (c). The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

Research in Which the Librarian Has a Financial Interest

- (a). A librarian who wishes to carry out University-administered research as described in 4(e), above, shall request permission to do so in writing from the librarian's supervisor. The request shall specify the nature of the research and the extent of the interest held in the company or organization for which the research is to be done by the librarian or the librarian's immediate family or person with whom there exists or has recently existed an intimate relationship.
- (b). The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

6. Conflict of Interest for Supervisor

If the person to whom reports are normally made has a personal interest in the matter to be discussed or approved, that supervisor shall refer the matter in writing to the person at the next higher level of authority, who shall respond in writing within 10 days.

7. Activities Requiring Disclosure

If a librarian has recently received or is receiving supplementary income from a company, or if the librarian, any member of the librarian's immediate family, or a person with whom there exists, or has recently existed, an intimate personal relationship has a significant financial interest in a company, the librarian must disclose the nature of the involvement with the company in any situation in which the librarian is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

8. Source of Support for Research

When publishing the results of any research for which funding was supplied, the librarian shall name the source or sources of funding in the publication, unless explicit approval to do otherwise has been obtained from the librarian's supervisor.

9. Paid Activities Report

Every librarian shall submit a Paid Activities Report as part of the general annual activity report. The Paid Activities Report shall include:

- (a). the total time involved in each major paid professional activity, if any major activities were undertaken;
- (b). the aggregate number of days devoted to minor activities, if any, and, if greater than 12 days in total, a brief description of the activities involved; and
- (c). any use other than trivial made of University resources in any paid professional activity.

10. Approval of Expenses

All expense claims made by librarians involving funds administered by the University require the signature of the librarian's supervisor.

11. Acceptance of Gifts

The acceptance of gifts from individuals or organizations which are associated with the University activities of the librarian, with the exception of minor gifts as token courtesies, is not normally permitted. If a librarian has any doubts about the propriety of accepting a particular gift, the librarian should discuss the matter with the librarian's supervisor.

12. Confidentiality

Any information gathered about an individual librarian under this Policy shall be held in strict confidence and shall not be divulged to any other person, except for internal University administrative purposes, without the express written consent of the librarian or under compulsion of law.

13. Application

All librarians must abide by this Policy.

14. Grievances

Any complaint by a librarian about the application of this Policy may be raised in accordance with Article 7 of the Memorandum of Agreement between the University of Toronto Faculty Association and the Governing Council of the University of Toronto.

15. Distribution

This Policy shall be distributed to each librarian upon initial appointment.