

UNIVERSITY OF GUJRAT

OFFICE OF THE REGISTRAR

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NOTIFICATION

The Competent Authority (the Syndicate), in exercise of powers vested under Section 22(2) of University of Gujrat Act IX of 2004, vide decision of Agenda Item No. 16 of its 45th Meeting held on 21-06-2022, is pleased to approve the draft of following policies for further course of action:

- i. Intellectual Property Rights and Technology Transfer Policy 2022**
- ii. Conflicts of Interest Policy**

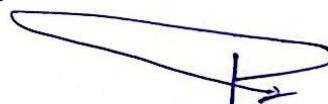


**VICE CHANCELLOR/
CHAIRPERSON SYNDICATE**

NO. & DATE EVEN.

A copy for information & necessary action is forwarded to:

1. The Director ORIC, University of Gujrat
2. The Director QEC, University of Gujrat
3. The Additional Registrar (Estb.), University of Gujrat
4. The SSO to the Vice Chancellor, University of Gujrat
5. Syndicate File (REG/20/45)



ADDITIONAL REGISTRAR (ESTB.)

CONFLICTS OF INTEREST POLICY

As an employer, the University of Gujrat trusts the professionalism of the staff. To protect individual staff members and the university from compromise, it is necessary to settle a policy to deal with conflict of interest. The university has therefore decided to issue:

- i. Conflict of Interest Policy statement
- ii. Guidelines for staff, Heads of Academic departments, and offices
- iii. Conflict of interest regulations

1- Conflict of Interest Statement

A conflict of interest may be defined as:

‘A conflict between the official responsibilities of a person working at any position of trust and any other interests the particular individual may have, e.g. where the individual could be seen to be influencing University matters for actual or potential personal benefits, or seeking such an advantage or gain at the expense of the university’.

The aforesaid definition is not restricted to other cases in which an individual betrays the trust; it can be just as damaging for the conflict to exist or appear to exist. The university staff should feel they are in a position giving rise to an actual or potential conflict of interest; they must contact their academics/ administrative heads as a matter of urgency. Appropriate steps will then be taken to deal with the conflict of interest situation in line with the University’s Conflict of Interest Policy. Conflict of interest policy is a threefold approach.

- i. Always disclose
- ii. Manage the conflicts
- iii. Stop the activity when necessary to protect the public interest or the interests of the university.

The fact that the university has adopted such a policy does not in any way cast a doubt on the integrity or professionalism of the University’s employees. The purpose of the policy is to put in place a mechanism to protect its employees and itself, from reputational damage and other liabilities.

2- Guidelines for staff, Heads of Academic departments and Administrative offices

The purpose of these Conflict of Interest Guidelines is to set out examples of activities that can be managed (and how they can be managed), and other examples that the University would consider unmanageable (and therefore cannot allow). The staff should always disclose an activity if they are in doubt about whether it represents a conflict of interest. The Guidelines describe how such disclosure should be made at the time (i.e. before staff engages in the activity).

A. Introduction

Universities and their employees engage in a wide range of activities. The traditional academic roles, such as teaching and supervising students and conducting grant-funded academic research, are nowadays often supplemented by commercial collaborations including consultancy, commercial research and development, intellectual property licensing, and involvement in 'spin-out' companies.

The University recognizes that involvement in such commercial activities carries many advantages, including the practical application of new technologies, the provision of an additional source of research funding and insights into commercial and societal needs, and the receipt of royalty income for the University and its departments.

These activities can produce positive benefits, but they also have the potential for diverting the University and its employees from their primary educational, research, and service missions. For example, conflicts of interest can arise when the interests of a commercial venture, from which a University employee derives direct benefit, differ from the interests and primary obligations of the University as a whole, or when the commercial venture consumes an undue share of the employee's attention. The University believes it to be essential that its employees should manage or avoid, and be seen to manage or avoid, such conflicts. Moreover, many funding agencies, are now seeking assurance that universities are properly managing conflicts as a condition of grant funding.

The University is keen to encourage relevant outside interests but staff will need to ensure that such work or consultancy complies with all relevant policies of the University of Gujrat subject to the approval of the concerned quarters.

By and large, the University leaves individual departments and academic staff to develop their own balanced 'portfolio' of activity, including external collaborations of one kind or another. However, by engaging in such external activities, employees may place themselves in a difficult position in which an outside interest may conflict, or appear to conflict, with their University duties. The employee may then be open to suspicion that decisions they take as a University employee are influenced by personal financial interest - even when, as is almost universally the case, the employee is acting with neutrality and complete professional integrity. In other cases, the employee may appear to be engaging in external activities which compete with the University.

These guidelines provide some practical assistance to its employees on how they should manage potential or actual conflicts of interest. The primary obligation rests with the employee to recognize situations in which he or she potentially has a conflict of interest and to disclose and discuss that conflict with their Head of Department or concerned office.

Within the University two categories of conflict may arise: a) personal (those faced by individuals), b) and institutional (those faced by the University as an institution). This document addresses personal conflicts.

B. Types of Conflict of Interest and Guidelines

"Conflicts of Interest" arise where there is a conflict between the official responsibilities of a person in a position of trust and any other interests the particular individual may have, e.g. where the individual could be seen to be influencing University matters for actual or potential personal benefit.

Afore stated conflict arises, for instance, when a member of staff is in a position to influence, directly or indirectly, University business, research, or other decisions in ways that could lead to gain for them, their family, or others in the detriment of the University's integrity and its missions of teaching, research and public service. These are situations in which financial or other personal considerations may compromise, or have the appearance of compromising, an employee's professional judgment in administration, management, instruction, research, and other professional activities.

Conflicts of interest may also include "Conflicts of Commitment" which exist when the external activities of a member of staff are so substantial or demanding in terms of time and/or attention to interfere with their responsibilities to the University. Conflicts of this type

primarily involve questions of obligation and effort, but may often be tied to financial remuneration or other inducements and as such may also constitute a conflict of interest.

The main categories of conflicts of interest are;

- (i) Educational Mission (especially concerning supervision)*
- (ii) Research Integrity*
- (iii) Financial Interest*
- (iv) Commitment and Loyalty*

i. Conflicts of Educational Mission

The University's employees who are involved in educating, training, supervising, or directing the work (education) of students, should ensure that the education they provide is appropriate to the student. The University has a primary objective to educate and train students. For example, special care must be taken to assure that the choice of a student's research project and the direction of that research is not, and does not appear to be influenced by, their supervisor's personal or financial interest. Similarly, teaching provided to another institution should not compete with the University's department's courses. Henceforth, the faculty members/staff shall comply with the following:

- a) Whereas, the faculty member shall declare if he/she is allocated a course to a class wherein his/her any relative (blood relation) is studying. The faculty member shall withdraw teaching to the aforementioned class and Chairperson/HOD shall ensure the replacement.
- b) Whereas, the faculty member shall declare and inform the Registrar or concerned Dean or Chairperson or all if he/she is involved in any academic activity with an external organization (e.g. Evaluation of Research Thesis/Projects, Attending meetings as a member/subject expert, or carry out any other academic activity). The leave of the kind due shall be granted to the faculty member through proper channels for performing such academic activities subject to prior approval.
- c) Whereas, the faculty member shall declare if he/she is involved in any business/teaching/research activity outside the parent institution if it is not contradictory to the performance of primary duties. Any such teaching/research/training activity outside the parent institution may only be carried out after office hours or on the weekends subject to prior approval of the competent

authority. An undertaking shall be mandatory to declare that any such activity shall not adversely affect the business/interest/reputation or any other gains of his/her parent institution.

ii. Conflicts of Research Integrity

The University's employees should maintain the highest standards of integrity in the conduct of research. The complete, objective and timely dissemination of new findings through publications are essential for research integrity. In this context, 'publication' means any means of dissemination of research findings, including publication in a journal, information placed on the web, conference presentations, or any other kind of scholarly communication. Note that if a particular research project is covered by a contract with an external sponsor then care should be taken to follow agreed procedures for publication.

The potential for personal gain must not jeopardize nor appear to jeopardize the integrity of research activities, including the choice of research, its design, the interpretation of results, or the reporting of such results. Henceforth, the faculty members/staff shall comply with the following:

- a) The faculty member shall declare if he/she is allocated a project/thesis supervision of his/her relative (blood relation). The faculty member shall withdraw from the supervisory role to the aforementioned student and Chairperson/HOD shall ensure the replacement.
- b) The faculty member/research supervisor shall declare if any of his/her blood relation, classmate, Ex-teacher, Ex-student, Co-Principal Investigator, Co-author of a publication, or a person otherwise closely associated with him/her by any means is assigned to evaluate his/her own or his/her supervisee's research thesis/project. The concerned Dean/Chairperson/HOD shall arrange an alternate reviewer to evaluate the thesis/project or conduct any kind of examination.

iii. Conflicts of Financial Interest

The University's employees have a responsibility to respect and promote the financial interests of the University. Staff should wherever possible ensure that the University:

- (i) Receives appropriate financial benefits from the provision of research services, including consultancy and other services conducted through the University

- (ii) Receives appropriate financial benefits from the use or commercialization of its intellectual property
- (iii) Receives appropriate financial benefits from the use of other resources and assets, including equipment, technical staff, and facilities
- (iv) Makes responsible use of its financial resources for the purchase of goods as specified in the University's Financial Regulations.

iv. Conflicts of Commitment and Loyalty

The University's employees owe their primary commitment and allegiance to the University. Membership of Committees, Boards, Advisory Groups etc (External Appointments) implies an obligation (and sometimes a statutory duty) to act in the best interests of the external body. These duties may conflict with those duties and obligations as employees of the University. Where an External Appointment is allowed under the Consultancy Guidelines or otherwise allowed by the University, this does not absolve the employee from ensuring that he or she continues to give their primary commitment and allegiance to the University. **Managing conflicts of commitment is primarily a matter for individual staff and their Head.**

Further guidance: Appendix 1 contains for guidance a list of some (but not all) possible situations which may arise and extract from University Terms and Conditions and may help in deciding whether a particular circumstance does represent a conflict of interest.

REMEMBER: THE OVERRIDING PRINCIPLE IS THAT IF IN DOUBT, DISCLOSE.

C. Appointment/Promotion of BPS/TTS Faculty

- a) Whereas, the concerned Dean/Director/Chairperson/HOD or any other concerned officer shall consider the following points while nominating a person or group of persons for evaluation of the dossier of a faculty member for BPS/TTS appointment or promotion:
 - i. The external reviewer/panel member/ committee member does not belong to any organization where the candidate had been serving or studying.
 - ii. The reviewer/panel member/committee member has no blood relation with the candidate. Furthermore, it must be assured that the external reviewer/panel member/

committee member has never remained a classmate, Ex-teacher, Ex-student, Co-Principal Investigator, Co-author of a publication, or a person otherwise closely associated with him/her (reviewee) by any means.

- iii. The external reviewer/panel member/ committee member shall submit a declaration along with the evaluation report that he/she has never remained a classmate, Ex-teacher, Ex-student, Co-Principal Investigator, Co-author of a publication, or a person otherwise closely associated with him/her (reviewee) by any means. The external reviewer/panel member/ committee member shall withdraw/regret to review any such dossier/case and an alternate reviewer/panel member/ committee member shall be nominated/deputed by the authority concerned.

3. PROCESS OF DISCLOSURE AND REVIEW

The formal process of managing individual instances of actual or potential conflicts of interest is described in detail in the Conflicts of Interest Regulations. In essence, any individual who believes they may have a conflict of interest should consult their Head of Department or office or senior designation in the official hierarchy of heads of Departments or offices and will report to Deans and Deans/ Registrar to the Vice-Chancellor.

a. Conflicts of Interest Regulations

This document, together with the Conflicts of Interest Policy Statement and Conflicts of Interest Guidelines, forms the Conflicts of Interest Policy of the University of Gujrat.

1. Purpose

1.1 A conflict of interest is a conflict between the official responsibilities of a person in a position of trust and any other interests the particular individual may have, where the individual could be seen to be influencing University matters for actual or potential personal benefits or seeking such an advantage or gain at the expense of the University.

1.2 To enable the University to safeguard against potential conflicts of interest, Human Resources maintain a Register of Interests for all relevant staff and in addition to codes of conduct. **The Register of Interests is covered in detail in Appendix 2.**

1.3 Any action or involvement or interest which may be seen to lead to a conflict of interest should be disclosed where requested and acted upon as appropriate as described in the following paragraphs.

1.3.1 Full disclosure followed by aggressive monitoring and conflict management is the key to preventing and resolving conflict situations. Full disclosure of relevant information and the establishment of a public record is in the best interest of both the institution and the staff members. It demonstrates good faith on the part of the employee and protects his or her reputation and that of the University.

1.3.2 Disclosure will not necessarily restrict or preclude an employee's activities. Activities that may at first appear questionable may be deemed acceptable and permissible when all facts regarding the activity are examined.

2. Process

2.1 Employees are responsible for disclosing potential conflicts of interest, and/or commitment. Reporting mechanisms for disclosure should begin with the Heads of Departments/directors through them to the Dean and Registrar in case of academic and administrative staff respectively. In cases where an employee has multiple reporting responsibilities, disclosure shall be reported to the primary unit head, and the next superiors shall be informed of the disclosure in writing. In all cases, the disclosure and its outcome shall be noted. **Where a real or potential conflict of interest exists this, together with the agreed outcome, shall be noted on the individual's personnel file.**

2.2 Consultants to the University are also required to reveal any personal or family financial holdings or situations that could create a conflict of interest and/or introduce bias into their professional judgment. Such disclosures should be made to the concerned university office contracting for the service, and appropriate determination shall be made on the management of any conflict.

2.3 Disclosure in all cases shall include the type of potential conflict (conflict of interest or commitment), the nature of the activity, a description of all parties involved, the potential financial interests and rewards, possible violations of legal requirements, and any other information which the employee feels necessary to evaluate the disclosure. The Head of Department or Director of the office shall advise the Dean or Registrar of all disclosures. **The Dean or Registrar also may serve as an advisor to staff members who are uncertain regarding the appropriateness of a given activity or management of a given disclosure issue.** It is, therefore, incumbent upon the Dean or Registrar to be familiar with University policy, and with general legal requirements

to understand fully the implications of the situation in question. The Dean or Registrar may need to consult or engage the offices of Legal Services, Research & Innovation Services, Quality Enhancement Cell, Treasurer, and Registrar offices. In addition, when presented with a questionable situation, the Dean or Registrar should reflect on issues raised by the questions in the appendices to this document as a way of evaluating the nature and acceptability of the situation. Such an evaluation should be supplemented with personal knowledge of institutional policy and government requirements.

2.4 After appropriate evaluation, the Head of Department or Director may find that a proposed or ongoing research or consultancy agreement and the employee's interests show no conflict or apparent conflict and are accepted without further review. Conversely, the head of the department or director of the office may determine that a given situation raises some questions of propriety and requires a higher level of review. For each situation, the Head of Department or Director of the office shall create a written record of his or her determination that the situation either is acceptable, unacceptable, or requires review at a higher level.

2.5 The tables below indicate the levels at which review should take place for all staff, with any individual always disclosing to the Head of Department or Director of the office referring the case to the next higher level of management as appropriate:

Within Academic Departments:

- Faculty Member
- Chairperson/ Head of the department
- Dean of Faculty
- Vice Chancellor

Within Administrative Offices:

- Member of staff
- Director or similar designation
- Registrar
- Vice-Chancellor

The Vice-Chancellor will report to the Syndicate.

3 Evaluating Disclosures

3.1 Those evaluating disclosures at each level of review need a framework for determining the permissibility of activities and for assessing the degree to which disclosed activities may pose risk to the staff member, the institution, and other entities that may be affected. The appendices to this document list sample questions for use in evaluating potential conflicts of interest or commitment. The lists are not exhaustive and other questions related to special circumstances should be added as appropriate.

3.2 When presented with the facts of a given situation, the reviewer must first determine if there is legitimate cause for concern related to the inappropriateness of behavior or evidence of bias by the professional activities of the staff member. The list of questions in Appendix 1 is suggested for this initial determination.

3.3 If it appears that there is genuine cause for concern, the reviewer must ascertain whether appropriate controls are in place to deal with possible conflicts. Questions the reviewer should ask, as relevant, are listed in Appendix 2 of this document.

3.4 If the reviewer is uncertain as to the correct way in which to deal with a situation, they should refer the matter to the next level of management or consult the appropriate Professional Services director for advice.

3.5 The consequences of a failure to comply with these regulations will be dealt with by the Chairperson/ Head of Department or Director of the administrative office, including where necessary via appropriate disciplinary procedures.

APPENDIX 1

Conflict of Interest Regulations

A- Questions for evaluating potential conflicts of interest and relating to the control of a conflict of interest situation.

1. Has all relevant information concerning the Faculty/staff member's activities been acquired (i.e., has there been full disclosure)?
2. Do the Faculty/staff member's relevant financial interests suggest the potential for conflicts or the appearance of conflicts or bias?
3. Do the Faculty/staff member's reported external time commitments exceed permissible levels?
4. Is there any indication that the Faculty/staff member in his or her professional role has improperly favored any outside entity or appears to have incentive to do so?
5. Has the Faculty/staff member inappropriately represented the University to outside entities?
6. Does the Faculty/staff member appear to be subject to incentives that might lead to conflicts or bias?
7. Is there any indication that obligations to the University are not being met?
8. Is the Faculty/staff member involved in a situation that might raise questions of bias, inappropriate use of University assets, or other impropriety?
9. Could the Faculty/staff member's circumstances represent any possible violation of applicable legal requirements?
10. Do the current engagements of the Faculty/staff member represent potential conflicts between outside interests (e.g. working on projects simultaneously for competing business entities)?
11. Could the proposed activity withstand public scrutiny?
12. Any other relevant questions may be added.

B- **Questions Relating to The Control of a Conflict of Interest Situation in A Research Context**

1. Will the negotiation of relevant research affiliations or other contracts be handled by disinterested representatives of the institution?
2. Will the research work plan receive independent peer review prior to its initiation?
3. Are there mechanisms in place to prevent the introduction of bias into research projects (i.e., is the protocol double-blinded? Are research subjects randomly selected?)?
4. Will the project be supervised by someone with no conflicting interests?
5. Are there means to verify research results (e.g., independent corroboration in another laboratory, expert review)?
6. Will data and materials be shared openly with independent researchers? If not, who determines accessibility to such resources?
7. Will the product of a collaborative effort with an outside party be published in the peer-reviewed scholarly literature?
8. Will the sponsor and/or relevant parties receive acknowledgement in public presentations of the research results?

The goal in applying these questions should be to determine the correct mode of dealing with any real or apparent conflicts.

APPENDIX 2

Conflicts of Interest Regulations

Introduction

In keeping with its academic aims and purposes, the University encourages close liaison between its staff and industry, commerce, and government departments through the acceptance by the staff of personal directorships, partnerships, consultancies, and membership in official committees.

The University encourages such interaction but is mindful of its obligation to provide safeguards, wherever possible, against anything arising from these links which could be detrimental to the University or individual members of staff. One area of concern is that of potential conflicts of interest; another is legal liability and indemnity insurance cover.

Where the possibility of conflicts of interests exists, it is universally accepted that prior declaration by all parties of their interests is essential. A Register of Interests is kept of the personal interests of Faculty/staff, both full and part-time, which may overlap with the interests of the University. Thus, members of staff/ faculty, in addition to declaring their interests as Directors, Retained Consultants etc, are asked to provide details of membership of major external committees whose work may be related in a significant way to that of the University. Routine committee membership which would be seen as a normal part of academic duties should not be entered on the Register: if in doubt about whether to include a committee member then consult your Dean.

The Register is kept on a secure computer and is subject to the provisions of the Data Protection Act of the land or data protection policy of University.

Annual Return: All members of staff/ faculty concerned (i.e. engaged in such activities due to which conflict of interest arises) are required to complete and submit, or review and confirm, an Annual report at the end of each academic year. Please note a null return is required if there are no relevant external interests.

Before submission, the Return may be discussed with your Head of Department/ Director, who is best placed to understand how any external activities overlap with your University activities.

Important Note: This Return does not in any way replace or supersede the requirement for Faculty/ staff to seek permission from their Head of Department for certain activities, as set out in the terms and conditions of private consultancy work as per University policy.

In addition, Faculty/staff are reminded that failure to declare a significant interest is potentially a disciplinary matter and therefore staff is advised to declare such an interest if they are in any doubt about its relevance or materiality.