

BAQAI MEDICAL UNIVERSITY

POLICY ON

CONFLICTS OF COMMITMENT

&

CONFLICTS OF INTEREST

Version 1

2019



Baqai Medical University

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1. SCOPE

The University firmly expects and trusts on the professionalism and loyalty of the staff it employs. Consistent with the university's mission, it is possible that a staff member's interests may at times give rise to an actual, potential or perceived conflict of interest and/or conflict of commitment with their role and responsibilities at the university.

This policy extends to all the university, faculties, colleges, institutes, departments, and hospitals which are under the umbrella of Baqai Foundation and also to the personnel including faculty, staff, and students working therein as full time, part time or on an honorary basis.

2. PURPOSE

BMU recognizes that not all conflicts of interest/commitment are inherently problematic, and it is the policy of the organization to seek to identify and manage all actual and potential conflicts with transparency and integrity. Addressing conflict is the process of identifying and implementing practices to minimize the risk that may be associated with the conflict. Ensuring that conflicts of interest or conflicts of commitment are properly managed is crucial to reducing legal and reputational risk and demonstrating the integrity of individual staff members and the university. To protect the personnel as well as the university from any compromise, the following policy of conflicts of commitment and conflicts of interest has been formulated.

This policy does not imply any lack of trust or integrity of employees, but it is being prepared to give a great deal of freedom to its employees to engage in external activities. In getting themselves involved in such activities the university needs to put in place a mechanism to protect its employees and itself from reputational damage and other liabilities.

3. DATE OF IMPLEMENTATION

This policy shall be effective from January 1, 2019.

4. DEFINITIONS

- i. **BF** means Baqai Foundation.
- ii. **BMU / University** means Baqai Medical University.
- iii. **COC** means conflicts of commitment.
- iv. **COI** means conflicts of interest.
- v. **Employee** includes faculty and staff working therein as full time, part time or on an honorary basis for BF and BMU.
- vi. **Personnel** includes faculty, staff, and students working therein as all full-time and part-time employees of the BF and BMU. It also includes fellows and residents, interns, volunteers, and any non-employees who receive university support and/or utilize university resources, including visiting faculty, in respect of their work at the university.

- vii. **Signing Authority**, in all cases, will be the Chancellor, Vice Chancellor and/or Director of Planning and Development. However, the Chancellor/Vice Chancellor can authorize the Registrar/Deputy Registrar to act as the signing authority on behalf of the university to deal with the routine matters.
- viii. **University Support** means financial or any other support including but not limited to salaries, personnel, facilities, equipment, data, materials or technological information, regardless of origin, which is used in the discovery or development of intellectual property and is provided through university channels.

5. POLICY STATEMENT

5.1. Conflicts of Commitment

- i. This policy statement deals with the conflicts of commitment (COC). COC usually involve issues of time allocation. Personnel owe their primary professional loyalty and commitment to the university. Their primary professional commitment of time and intellectual energies, therefore, is for the education, research, and other academic/professional programs supporting the university's mission.
- ii. Attempts to balance university responsibilities with outside activities either paid or unpaid – such as consultation, government service, public service, or pro bono work – can result in conflicts regarding the allocation of time and energy.
- iii. Personnel intending to engage in an external activity that involves significant effort outside the university and that may present a COC must take prior written approval from the respective Head of the Department, Director/Principal/Dean, or any other relevant administrative head therein of the institution/faculty/hospital to forward the application to the Signing Authority.
- iv. Individuals may be required to take a leave of absence to proceed with the external activity if it cannot be managed appropriately. Permitted leaves and relevant policies are already established and described in the Service Rules of BMU.
- v. Personnel showing dishonesty in terms of their attendance, i.e., marking fake/proxy attendance by any means or marking the attendance properly for entering and leaving but not present physically on duty during the assigned working hours without any notice are also committed to COC. In such cases, the university can take action as per its disclosure policy or any other relevant policy approved by the university.
- vi. Any personnel showing dishonesty or lack of concern/enthusiasm/boredom/commitment towards the assigned duties whether it is related to teaching, research, administration, or any other official matter is considered as COC. In such cases, the university can take action as per its disclosure policy or any other relevant policy approved by the university.
- vii. Any employee or personnel showing a lack of concern/enthusiasm/boredom towards the assigned duties/commitments resulting in a delay of that work or affecting the progress of

that work is also considered as COC. In such cases, the university can take action as per its disclosure policy or any other relevant policy approved by the university.

- viii. Any employee or personnel showing dishonesty and fraudulence in any matter related to examination paper and copies, it's checking, copy/assignment checking, invigilation, tabulation, transcript and degree preparation or any other relevant matter is considered as a serious offense/crime and COC. The university shall take action as per its disclosure policy or any other relevant policy approved by the university.

5.2. Conflicts of Interest

- i. This policy statement deals with conflicts of interest (COI). COI is a situation in which a person or the university is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another. Typically, this relates to situations in which the personal interest of an individual or the university might adversely affect a duty owed to make decisions for the benefit of a third party.
- ii. COI arises where there is a conflict between the official responsibilities of a person in a position of trust and any other interests a particular individual may have, e.g., where the individual could be seen to be influencing the university matters for actual or potential personal benefit.
- iii. COI arises when personnel is in a position to influence either directly or indirectly university business, research or other decisions in ways that could lead to gain for them, their family or others that are detrimental of the university's integrity and its missions of teaching, research and public service.
- iv. Selection of an entity as a university vendor by an individual who has a personal or economic interest in that entity may arise in a COI. This includes engaging a relative as an independent contractor, subcontractor, supplier, distributor or consultant.
- v. Acceptance of a gift or favor by any personnel from an entity (or representative of an entity) conducting (or seeking to conduct) business with BF/BMU could result in a COI.
- vi. When a personnel is in a position to influence or inform decision-making relative to engaging the entity on behalf of BF or BMU this could result in a COI.
- vii. COI may also include COC, 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 COI.
- viii. The commercialization of research or intellectual property typically involves issues of potential financial and other interests, and therefore, COI may occur. In such cases, the BMU policy on intellectual property may be consulted.

6. DISCLOSURE

- i. The staff should always disclose an activity if they are in doubt about whether it represents a COI/COC. Disclosure will provide transparency to the potential for actual or perceived conflicts and would be a necessary component to risk mitigation.
- ii. University employees are permitted to undertake privately paid work. However, under no circumstances, this should interfere with the university timings and assigned duties. The personnel needs to ensure that any such work must not interfere and comply with all university policies/assigned duties.
- iii. Any person with a COI/COC cannot be present at or participate in board or committee deliberations or vote on the matter giving rise to the conflict. That person is also prohibited from attempting to influence any board or committee deliberations.
- iv. In case of any COI/COC, efforts should be made to resolve it. The departmental heads/chairpersons shall look into the matter. If the matter is not resolved, the Director/Principal/Dean shall look into the matter. If it persists, the Registrar Office shall look into it. If the matter aggravates, the Vice Chancellor shall be approached to settle it down. The Vice Chancellor may form a committee to resolve the matter. The committee may submit its recommendation to the Chancellor/Vice Chancellor, for which the decision of the Chancellor/Vice Chancellor shall be considered final.
- v. The Signing Authority can debar/dismiss/terminate/expel/demote/transfer any person from any academic/administrative or any other post if found convicted of any COI/COC and can seize the salary or increment or any other related matter if deem necessary.
- vi. The Signing Authority can also temporarily release any personnel from performance of his/her assigned duties and/or withhold the salary or increment or any other related matter unless or until investigations are completed and any final decision/judgment is being made on the matter related to any COI/COC.
- vii. The annual increment(s) are awarded on the annual performance of the personnel that shall be judged as per the prescribed criteria of the university. It is the responsibility of the respective Heads of the Departments, Directors, Principals, Deans, and any other administrative posts therein of the institutions/faculties/hospitals to forward the applications on factual basis and on merit with uniformity in recommendation rather than on personal liking or disliking as it may give rise to COI/COC. However, the Signing Authority has the final right to make the decision.
- viii. The respective Heads of the Departments, Directors, Principals, Deans, and any other administrative posts therein of the institutions/faculties/hospitals shall not withhold the application or any other document of the personnel that is required to be submitted to the Signing Authority. In case of any disagreement, the valid reason or comments shall be written over it, and the application/document shall be forwarded as the Signing Authority holds the right for the final decision. Otherwise, in case of any COI/COC, the personnel can submit an advance copy directly to the Registrar / relevant Office.

- ix. The person convicted of any COI/COC or who is generally being replaced from any academic/administrative or any other post by the Signing Authority is ethically bound to transfer/share/provide all information and material that is related to that post and is also the property of BMU to the person who will be replacing him/her from the duties or as suggested. In case of any discrepancy, the university can withhold the salary or any other related matter if deemed necessary.
- x. The university holds the right to inform the conflicted personnel of the final decision, but not the details on any decision making, unless a follow up is required.
- xi. Any other exception can be dealt on a case-to-case basis by the university.
- xii. The university holds the right to revise its policy, whenever required. Any change/revision can be made by the Signing Authority and implemented on an emergency basis, which can later be presented to the statutory body for formal approval.

7. PERSONNEL RESPONSIBILITIES

- i. All personnel of BMU must act responsibly in conducting their duties to:
 - a. Avoid transactions (business or financial) or relationships that conflict with the interests of BMU or BF that divide one's loyalty to the organization.
 - b. Act in good faith, using a degree of diligence, care, and skill, which prudent people would use in similar positions and under similar circumstances thereby remaining loyal to and keeping the interests of the university paramount to all other interests as part of this decision making.
 - c. Bring any situation in which a conflict might arise or has arisen to the immediate attention of the Signing Authority, who will then escalate the matter to the appropriate COI committee to adjudicate.
- ii. All personnel of the university shall maintain the highest degree of honesty, transparency, and integrity in conducting their duties for BMU and BF.
- iii. In any circumstances, they shall not share any information, position, documents, intellectual property information or any other matter of the BMU or BF with any other third party without the approval of the Signing Authority.
- iv. University resources are to be used only in the interest of the University. All personnel shall not use university resources, including facilities, equipment, technology, or confidential information, as part of their outside consulting activities or for any other non-university purposes.
- v. Every personnel must make prompt and full disclosure in writing of any situation that may involve a COI.