



# *Official documents*

## Policy on Integrity and Conflicts of Interest in Research

Version française

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## 0 Identification ▲

**Title:** Policy on Integrity and Conflicts of Interest in Research

**Person in charge:** Dean of Research and Innovation

**Approvals:**

- Recommended by the Assemblée de direction on June 9, 2009 (ADD-500-351)
  - Adopted by the Board of Directors on November 5, 2009 (CAD-1011-5242)
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## P Preamble ▲

Polytechnique Montréal is known for the intensity of its research work, which ranks it among the best engineering schools and faculties in Canada. In keeping with its vision, which is to be a world-class institution for training engineers and researchers, recognized for its active role in technological, economic and social development, Polytechnique's research mission is to carry out relevant, high-level research as the basis for a top-quality education at the master's and doctoral levels that takes into consideration the needs of industry and society.

Polytechnique Montréal advocates a climate of openness and respect in order to foster learning and the responsible exercise of thought, free expression and critical judgment. Polytechnique Montréal plays a front-line role in maintaining the highest standards of integrity in research and in research training. As a university-level institution, it provides a guarantee to society of the integrity of the research for which it is responsible. As an organization, it is accountable to its partners for the use of the funds they provide for university research. In return, it expects its researchers to act with integrity and to devote their skills to accomplishing this mission. These conditions are indispensable to Polytechnique Montréal's specific contribution to the well-being of society.

In the past, research was mainly an individual activity, but today it encompasses the characteristics of a complex system requiring ever more time, human resources and costly scientific equipment. Competition in research, which often has a stimulating effect on creativity, can turn into competition between researchers to gain the recognition of their peers and the necessary funds to pursue their work and remain competitive.

While recognizing that researchers are generally known for their high level of intellectual integrity, the universities and organizations that finance research are aware that researchers may, more than ever before, be placed in delicate situations.

With a view to respecting the most rigorous standards of integrity and conflict of interest in research, Polytechnique Montréal has developed the present Policy, which sets out the values and principles to which the institution adheres and the rules it expects the community to follow in terms of integrity and conflict of interest in research.<sup>1</sup> The Policy also outlines the responsibilities and duties of researchers and all other people working, directly or otherwise, to carry out or manage research activities. The rules encompass consultation and the disclosure of conflicts of interest, as well as an investigation procedure for allegations of misconduct.

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## 1 Scope and objectives ▲

This Policy (hereinafter referred to as "the Policy") describes Polytechnique's expectations in regard to integrity and conflicts of interest in research. It situates integrity as one of the fundamental elements of research and research training activities in order to prevent conflicts of interest and ensure that scientific integrity is respected in all forms of research, whether free or contractual, funded or non-funded.

In order both to preserve the general public's trust in Polytechnique and to meet the expectations of society and of Québec, Canadian and international granting agencies, the Policy:

- identifies the values and general principles that underpin the Policy and its field of application;
- frames research-related activities with standards that follow these principles;
- sets out the respective responsibilities of all university partners involved in research activities with regard to the application of this Policy;
- educates and raises awareness within the Polytechnique community with regard to the importance of respecting these principles and their related standards;
- creates a mechanism for managing conflicts of interest;
- creates a mechanism for processing allegations of failure to respect the principles and standards set out in this Policy.

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## 2 Legal framework ▲

This Policy follows the publication of the *Tri-Agency Framework: Responsible Conduct of Research* by the three major federal research councils (NSERC, SSHRC and CIHR) in 2011 and of the *Politique sur la conduite responsable en recherche* (policy for the responsible conduct of research) by the three Fonds de recherche du Québec (FRQNT, FRQS, FRQSC) in 2014. These documents constitute the frame of reference into which this Policy fits.

A number of laws, policies, directives, procedures and standards may also apply, including:

- the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS 2);
- the standards and guidance documents of the Canadian Council on Animal Care;
- the *Laboratory Biosafety Guidelines* from the Public Health Agency of Canada;
- the Controlled Goods Program of Public Works and Government Services Canada;
- the *Food and Drugs Act* of the Canadian Food Inspection Agency;
- the *Canadian Environmental Assessment Act* from the Canadian Environmental Assessment Agency;
- the laws and regulations of the Canadian Nuclear Safety Commission.

A number of institutional policies, procedures and rules may also apply, including:

- the [Probity Policy](#);
- the [Politique sur l'administration des fonds de recherche](#) (policy on the administration of research funds);
- the [Politique sur les relations avec les entreprises dérivées](#) (policy on relations with related businesses);
- the [Policy on Technological Intellectual Property](#);
- the [Copyright Policy](#);
- the [Supervision Policy for Graduate Students](#);
- the [Policy on the Ethical Conduct of Research Involving Human Subjects](#);
- the [Procedure for the Certification of Research Projects Involving Biohazards](#);
- the [Procedure for the Ethical Certification of Research Projects Involving Animals](#);
- the [Certification Procedure for Research Projects Involving \(or Potentially Involving\) IT Risks](#).
- the [Règlement sur les conflits d'intérêts des membres du personnel](#) (regulation on conflicts of interest among staff);
- the [Harassment Regulation](#);
- the [Declaration of Student Rights and Responsibilities](#).

The policies and rules of granting agencies, both federal (NSERC, SSHRC, CIHR, CFI, etc.) and provincial (FRQNT, FRQSC, FRSQ, etc.), may also apply.

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## 3 Definitions ▲

### 3.1 Research

The term “**research**” includes all activities related to scientific discovery, creation or development that require a rigorous and systematic process, that aim to increase knowledge, and that can be carried out in the context of training or knowledge transfer.

Research activities generally include the development of a research question, the establishment of a protocol or research process, and the dissemination of results. It also includes other elements such as funding applications to external organizations, the signing of contracts, and participation in various evaluation processes.

A research activity may be financed by means of a grant, a contract or a sponsorship allocated to a researcher-professor by one or more external organizations (e.g.: granting agencies, businesses, foundations, individuals, etc.) or by Polytechnique Montréal itself. The research activity may also not benefit from any specific funding.

### 3.2 Research Integrity

Research integrity is the coherent and consistent application of values essential to encouraging and achieving excellence in the search for, and dissemination of, knowledge.<sup>2</sup> These values are set out below.

### 3.3 Failure to respect

Failure to respect occurs when a person covered by the Policy does not respect the laws, policies, directives and specific regulations (federal, provincial, institutional or other) that govern certain aspects of research.

### 3.4 Conflict of interest

The term “**conflict of interest**” refers to any situation that may place a person to whom this Policy applies to in a real, perceived or potential conflict between his or her personal, professional or financial interests or benefits, including those of his or her immediate family, and the obligations and responsibilities he or she holds toward Polytechnique Montréal or toward his or her research partners.

The term “**immediate family**” designates spouses (married, de facto or civil union), immediate ancestors and descendants, brothers and sisters, fathers- and mothers-in-law, sons- and daughters-in-law, brothers- and sisters-in-law, of the person to whom this Policy applies.

The concept of “**conflict of interest**” covers a broad range of situations in which the decisions and actions of a given person may be influenced by the existence of multiple, contradictory interests.

### 3.5 Granting agencies

The term “**granting agency**” designates organizations that distribute research funds principally on the basis of peer-evaluated competitions. This includes, among others:

- Provincial organizations such as the Fonds de recherche du Québec - Nature et technologies (FRQNT), the Fonds de recherche du Québec - Santé (FRQS) and the Fonds de recherche du Québec - Société et culture (FRQSC);
- Federal organizations such as the Natural Sciences and Engineering Research Council of Canada (NSERC), the Canadian Institutes of Health Research (CIHR), the Social Science and Humanities Research Council of Canada (SSHRC), the Canada Foundation for Innovation (CFI) and the Canada Research Chairs (CRC);
- International organizations such as the National Institutes of Health (NIH) or the National Science Foundation (NSF).

### 3.6 Researcher

The term “**researcher**” means all individuals who, regularly or occasionally, carry out research, creation, development or research training activities, including professors<sup>3</sup> employed by Polytechnique Montréal, lecturers, visiting professors (including visiting researchers), salaried research staff, post-doctoral interns and students..

### 3.7 Collaborator

The term “**collaborator**” refers to any other person involved, closely or distantly, in the carrying out or management of research, creation or development activities.

### 3.8 Research supervisor

The term “**research supervisor**” means any person who supervises or co-supervises a research project carried out by a student with a view to obtaining a university diploma.

### 3.9 Administrator and support staff

The term “**administrator and support staff**” refers to any person who, as part of their functions, is involved in the general administration of research at Polytechnique Montréal.

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## 4 Scope of application ▲

### 4.1 Activities covered ▲

This Policy applies to all research and research training activities carried out by the people covered, regardless of the funding sources and the location where the research takes place. These activities include, among others, research development, production, dissemination, evaluation, promotion, management, support and training.

## **4.2 People covered ▲**

This Policy applies to all researchers, research collaborators, research supervisors, administrators and support staff at Polytechnique Montréal, as well as to all people using Polytechnique Montréal resources in conducting or supervising research activities.

Polytechnique Montréal also expects that the values, principles and standards set out in this Policy will be respected by researchers, research collaborators, and research supervisors and co-supervisors who are not employed by Polytechnique Montréal but who are nevertheless involved in any of its research activities.

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## **5 Responsibilities ▲**

This Policy involves a large number of partners, who all share responsibilities in relation to it, in varying degrees.

### **5.1 Chief Innovation and International Officer ▲**

The Chief Innovation and International Officer assumes the following responsibilities:

- Communicate and disseminate this Policy to the people covered and remind them of the importance of respecting the fundamental values and principles of research integrity;
- Organize information and discussion sessions in order to raise awareness, both initial and repeated, among the people covered by the Policy about conflicts of interest and the principles and rules of research integrity that must guide their actions);
- Make sure the people covered by this Policy are attentive to the risks of conflicts of interest;
- Guide and advise the people covered by this Policy regarding questions of integrity and conflicts of interest;
- Receive complaints about failure to respect research integrity, form investigation committees, and take temporary measures when needed;
- Inform granting agencies about allegations that concern them, according to the terms set out in the agreements that link Polytechnique Montréal to these organizations, and that could lead to financial, health, safety or other risks;
- Communicate to the concerned parties the conclusions reached and measures or sanctions taken.

If, in applying this Policy, the Chief Innovation and International Officer cannot function impartially and independently in the situation in question, the Chief Executive Officer will function in lieu of the Chief Innovation and International Officer.

### **5.2 Department directors ▲**

Department directors help disseminate this Policy within their departments and advise the people covered by this Policy on all questions concerning integrity or conflicts of interest in research.

### **5.3 Researchers ▲**

Researchers must learn about the principles, standards and rules relative to research integrity and conflicts of interest that are in effect at Polytechnique Montréal as well as in their field of research. As well, they must make sure to respect the requirements of the granting agencies that are funding their work. They educate and advise their collaborators and the people under their authority.

### **5.4 Research supervisors ▲**

Research supervisors educate their students and postdoctoral interns about the various principles, standards and rules relative to integrity and conflicts of interest in research.

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## 6 Integrity in conducting research activities ▲

### 6.1 Values ▲

Polytechnique Montréal requires the people covered by this Policy to adopt responsible behaviour at all times in conducting their research activities.

The expected behaviours rest on values such as honesty, reliability and rigour, objectivity, impartiality and independence, justice, trust, responsibility and benevolence, openness and transparency.

### 6.2 Principles ▲

Polytechnique Montréal and society in general expect researchers to demonstrate integrity. Researchers have an obligation both to be competent and to act in good faith, with the understanding that the research process may give rise to errors committed in good faith, to contradictory data, or to valid differences between experiment protocols or in the interpretation of information. Research integrity rests, among others, on the following principles:

- **Advancement of knowledge:** Research activities have the primary goal of advancing and disseminating knowledge, and fall under Polytechnique Montréal's training and knowledge development mission.
- **Equity:** The contribution of each partner involved in a research process must be recognized in a fair and equitable manner.
- **Probity:** Every step of a research process, from the initial design until the dissemination of results, including the management of research funds, must be characterized by intellectual rigour and honesty.
- **Transparency:** The information associated with research-related activities must be accessible in such a way as to allow for consultation and verification. This access right is, however, limited by the respect for confidentiality, as well as by the respect for the authorship of results or productions and their related patents and copyrights.
- **Competence:** The research-related activities that the covered people are called upon to carry out or to evaluate must normally be closely related to their field of expertise.
- **Independence:** Research-related activities must not have any financial, professional or personal incidence likely to compromise the independence and objectivity of the judgments and decisions that must be made by the covered people.

### 6.3 Integrity standards ▲

The integrity standards are based on the principles set out above. They describe more specifically, though not exhaustively, the expectations held by Polytechnique Montréal in regard to the people covered by this Policy. These standards apply at all steps of the research process.

#### 6.3.1 Honesty and integrity in carrying out research activities

The people covered by this Policy must, among others:

- ensure that the research activities are in keeping with Polytechnique Montréal's mission;
- assume scientific and ethical responsibility for choosing and carrying out research activities, and see that the work deals appropriately and justifiably with the questions raised by the problem under study;
- in all research activities, respect the principles of rigour and scientific integrity and not commit any act of fraud, falsification or fabrication, among others, when obtaining, recording and analyzing data or information, as well as in the communication of research results;
- make all research results available, visible and accessible, as far as possible, while respecting the right to the protection of confidentiality and intellectual property, and while respecting the policies and rules in effect at Polytechnique Montréal;
- conserve the data and tangible products of the research to make it possible to verify the validity of the research results;

- ensure that they do not disclose confidential information, and respect the right to protection of personal information in keeping with the requirements of the *Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* (R.S.Q., c. A-2.1);
- strictly respect the laws, rules, standards and regulations that frame the management and use of identifying data, including biobanks;
- respect the research-related standards and requirements with regard to human beings, animal experimentation, and the prevention of biological, IT and environmental risks;
- not commit any act of misconduct, deception or dishonesty;
- report, when necessary, errors committed in the research process;
- use only for the planned purposes any confidential information obtained in carrying out an evaluation or expertise provision mandate;
- examine others' work with integrity;
- prioritize Polytechnique Montréal's interests in technology-transfer operations and research activities carried out for third parties, and fulfil all applicable obligations in respect of the related laws, policies, rules and agreements;
- produce original research documents containing no false declarations or results that are plagiarized, fraudulent, fabricated or falsified.

### **6.3.2 Recognition of contributions and intellectual property**

The people covered by this Policy must, among others:

- recognize appropriately and at their true value all intellectual or physical contributions by other researchers, particularly students and postdoctoral interns, to the research activities;
- ensure that all people who have contributed substantially to the content of a publication and who share responsibility for it – and only these people – appear on the list of authors of published works;
- cite all sources and references, and obtain the express authorization of the author(s) of original works or materials to cite them or use them for the purposes of a project;
- respect the *Policy Regarding Technological Intellectual Property* and the *Copyright Policy*.

### **6.3.3 Respect and equitable treatment of people**

The people covered by this Policy must, among others:

- show open-mindedness appropriate to intellectual exchange and necessary for the furthering of knowledge;
- in keeping with the *Québec Charter of Human Rights and Freedoms*, show no discrimination based on, among others, race, colour, sex, language, religion, political convictions, national origin or social condition, in regard to the people involved directly or indirectly in the various steps of carrying out or managing the research activities, including in the selection of students and postdoctoral interns, in hiring research staff, or in supervising these people;
- exercise their authority, as needed, without abusing their power over the staff assigned to the research and the students and postdoctoral interns;
- offer students and postdoctoral interns research projects that take into account their educational goals.

### **6.3.4 Transparent and rigorous use and management of funds**

The people covered by this Policy must, among others:

- be honest and transparent in their applications for and management of research funds;
- use public or private research funds for the purposes for which they were granted by the granting agency, donors, funders or research partners

concerned, and take part in providing accounts of the use of these funds.

- respect the contractual agreements defining the treatment and work conditions of research staff hired through a grant or research contract;
- respect the conditions of the funding agreement in regard to admissible expenses.

#### 6.4 Declaration of all conflicts of interest ▲

The people covered by this Policy must, among others:

- avoid conflicts of interest, or, when they are inevitable, handle them ethically;
- promptly disclose and declare any real, perceived or potential conflict of interest, be it physical, financial or other, according to the following procedure, in such a way that they can be carefully examined and managed in order to avoid any perversion of the research process;
- demonstrate the greatest transparency in any real, perceived or potential conflict of interest situation;
- disclose, to funding organizations and partners, university research establishments, and specialized journals, all real, perceived or potential conflicts of interest, be they physical, financial or other, that could influence their decision to ask a person to review manuscripts or scholarship or grant applications or to test products, or to provide authorization to undertake work underwritten by external sources.

#### 6.5 Cases constituting a violation of the Policy ▲

The people covered by this Policy must abstain from the following actions, which constitute acts of failure to respect the Policy. The following list is not exhaustive.

- **Fabrication:** Making up data, source material, methodologies or findings, including graphs and images.
- **Falsification:** Manipulating, changing, or omitting data, source material, methodologies or findings, including graphs and images, without acknowledgement and which results in inaccurate findings or conclusions.
- **Destruction of research records:** The destruction of one's own or another's research data or records to specifically avoid the detection of wrongdoing or in contravention of the applicable funding agreement, institutional policy or applicable laws, regulations and professional or disciplinary standards.
- **Plagiarism:** Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission. Involuntary errors and divergences in the realm of methods, theories, paradigms or the interpretation of certain results are not considered to be fraudulent;
- **Redundant publications:** The re-publication of one's own previously published work or part thereof, or data, in the same or another language, without adequate acknowledgment of the source, or justification.
- **Invalid authorship:** Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for the intellectual content, or agreeing to be listed as author to a publication for which one made little or no material contribution.
- **Inadequate acknowledgement:** Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications.
- **Mismanagement of conflict of interest:** Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the Institution's policy on conflict of interest in keeping with this Policy.

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## 7 Procedure for dealing with conflicts of interest in research ▲

The conducting of research activities may give rise to situations of conflict of interest. The existence of a conflict of interest does not necessarily prevent the person in question from being



involved in the situation in which the conflict is taking place or may take place, as long as this conflict is declared, evaluated and managed according to the procedures set out in this Policy. These measures preserve and strengthen the climate of trust needed for maintaining Polytechnique's reputation for integrity and objectivity, and those of its researchers, administrators and staff.

For appropriate management to be possible, it is important that all real, perceived and potential conflicts of interest be declared, examined and resolved in the most objective possible manner in order to meet the expectations of granting agencies and of society and to protect Polytechnique Montréal's interests and reputation.

### **7.1 Declaration regarding conflicts of interest ▲**

All people covered by this Policy must fill out the *Conflict of Interest in Research Declaration* form, as needed, declare any real, perceived or potential conflict of interest that risks influencing their actions or decisions within research-related activities. Upon the decision of the Assemblée de direction, some categories of employees may also be required to fill out the *Conflict of Interest in Research Declaration* form annually.

All people covered by this Policy who find themselves in real, perceived or potential conflict of interest must disclose the facts related to such situation and propose the necessary measures to manage the declared conflict of interest

These measures may include, among others:

- The modification of a research project or the terms of a contract;
- Resignation from the position of director of the research project or from a position that may influence the research direction;
- The establishment of a supervision process for the situation by independent people;
- The obligation for the person in question, or their family, to divest themselves of their interests in a business or place them in trust.

The hierarchical superior of the person covered then determines whether the proposed measures suit the nature of the declared conflict of interest and may, if necessary, complete the proposed measures to manage the declared conflict of interest. If the hierarchical supervisor has a personal interest in the conflict of interest situation, the person in question must address the person at the next highest hierarchical level.

As well, any administrator or support staff handling files that could give rise to real, perceived or potential conflicts of interest may bring to the attention of the hierarchical superior of the person covered by this Policy any situation that may require a *Conflict of Interest in Research Declaration*.

All people covered by this Policy must submit updates to their *Conflict of Interest in Research Declaration* as soon as a new real, perceived or potential conflict of interest risks influencing their actions or decisions as part of a research-related activity.

### **7.2 Confidentiality ▲**

All conflict of interest in research declarations made in keeping with this Policy are treated confidentially and kept on file at the Research, Innovation and International Affairs Office.

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## **8 Procedure in case of failure to comply ▲**

Any failure to comply with this Policy constitutes an error or misconduct whose level of gravity and whose damaging or reprehensible character depend on the specific context of each situation.

Complaints of failure to respect scientific integrity may come from various sources, both internal and external to Polytechnique Montréal. They may be well-founded or erroneous, honest or in bad faith. Regardless of the motivation, source or accuracy, these complaints, and the way they are treated, may cause damage to the person covered, to the person who makes an allegation, to Polytechnique Montréal, and to the scientific community in general. This is why complaints must be processed with diligence and with respect for the rights of the people concerned.

To protect the privacy of the person who is the subject of the complaint and to protect its author, all information concerning a complaint, as well as on the process and conclusions of the preliminary verifications and investigations of cases of failure to respect scientific integrity, is confidential. This information must be processed in respect of the *Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* (R.S.Q., c. A-2.1). As such, this information may not be disclosed unless the law authorizes it or the person concerned consents.

Cases of failure to respect scientific integrity are managed as follows:

### **8.1 Informal process ▲**

When the situation lends itself to this, Polytechnique Montréal encourages the people concerned to resolve the problems equitably through frank discussion or with mediation from a colleague.

Cases of failure to comply that are criminal in nature may not be subject to an agreement between the people in question. Such cases must be referred to the appropriate authorities, and Polytechnique Montréal may not stand in their place.

### **8.2 Submission of a complaint ▲**

Any person may submit to the Chief Innovation and International Officer a signed and dated complaint alleging failure to respect scientific integrity.

Allegations of failure to respect scientific integrity must be submitted in writing, and be signed and dated. Anonymous complaints cannot be accepted. The person or people who are the subject of the complaint must be identified. Furthermore, the complaint must contain sufficient facts about the alleged lack of integrity to permit the evaluation of those facts, and must be accompanied, as appropriate, by relevant documents.

### **8.3 Preliminary analysis ▲**

Once a complaint is submitted, the Chief Innovation and International Officer and one other person in a management position summarily examine the complaint in order to immediately reject any complaints that are futile or that cannot be processed under this Policy. If the complaint is judged futile or unreceivable, the file is closed right away and the Chief Innovation and International Officer informs the complainant in writing.

The preliminary analysis of a complaint may also allow for the efficient, equitable resolution of simple cases. In this situation, the Chief Innovation and International Officer can close the file if the solution is agreed to by everyone concerned

For the preliminary analysis, the Chief Innovation and International Officer can be assisted by the department director or the hierarchical supervisor of the complainant, or by any other person who may be useful.

As soon as possible, the Chief Innovation and International Officer informs the person who is the subject of the complaint of its existence, of its content, and of the fact that a preliminary analysis is underway. He or she ensures that the identity of the person who submitted the complaint is not disclosed without consent. If the person who submitted the complaint refuses to have their identity disclosed, the Chief Innovation and International Officer decides whether the preliminary analysis must be abandoned or whether the information provided makes it possible to continue the analysis without the benefit of this disclosure.

If appropriate, the Chief Innovation and International Officer discusses with the complainant about the opportunity to take special measures to avoid any form of reprisal against them.

If necessary, the Chief Innovation and International Officer may take temporary measures to preserve the health or safety of people, or to prevent funds administered by Polytechnique Montréal from being used inappropriately. No disciplinary measures are taken at this step.

When the Chief Innovation and International Officer judges that a deeper investigation is necessary, he or she forms an investigation committee and communicates in writing with the complainant, as well as with the person who is the subject of the complaint, to explain the rules of confidentiality and the way the process will take place.

The preliminary analysis of the complaint must, as far as possible, be carried out within 30 days following its submission.

The Chief Innovation and International Officer informs the granting agencies, donors, funders and research partners concerned, as per the terms set out in the agreements that link them to Polytechnique Montréal, about the receivability of the allegation, taking care to remove identifying details in his or her communications. He or she also informs these partners if urgent intervention by Polytechnique Montréal is needed, for example to protect research project participants, ensure the safety of laboratory animals, or limit environmental damage.

## **8.4 Formal investigation ▲**

### **8.4.1 Composition of the investigation committee**

The investigation is led by a committee formed of at least three impartial members, who have not taken part in verifying the complaint. The committee members are appointed by the Chief Innovation and International Officer and are bound by confidentiality.

The investigation committee is made up of, at minimum:

- One professor chosen by the Chief Innovation and International Officer;
- One person from the area of research or of professional competency in which the person who is the subject of the complaint operates;
- One person from outside the Polytechnique community.

When the subject of the complaint is a student, a student may be added as a member of the investigation committee.

At the time the investigation committee members are chosen, the Chief Innovation and International Officer considers, among others, the subject of the investigation and the advantage of having people with skills in a given area of research on the committee.

The Chief Innovation and International Officer informs the person who is the subject of the complaint and the complainant of the composition of the investigation committee. They must, within five business days of receiving this information, provide written notice of any objection, as appropriate, with regard to the impartiality or the possibility of conflict of interest on the part of any member of the committee. The Chief Innovation and International Officer takes such objections into consideration and takes the necessary measures

### **8.4.2 Mandate of the investigation committee**

The Chief Innovation and International Officer appoints the chair of the investigation committee and informs its members of the mandate with which they are being entrusted. He or she reminds them of the principles of procedural equity and ensures they are informed, if need be, of the applicable elements of the law.

The investigation committee chair determines the specific rules regarding the investigation process. The application of these rules must be sufficiently flexible to deal with special situations.

At least 21 days before the hearing is held, the committee chair informs the person who is the subject of the complaint:

- of its decision as to whether or not to recommend that the provisory measures imposed by the Chief Innovation and International Officer be maintained, as appropriate;
- of the list of people who should normally be heard;
- of the day, time and location of the hearing;
- of the decision, as appropriate, to record the hearing by audio device or by note-taking;
- of the opportunity for the person who is the subject of the complaint to present a written statement summarizing his or her point of view;
- of the opportunity for him or her to submit documents or other proof or witness accounts in support of his or her point of view;

- of the opportunity for him or her to read any documents submitted to the committee as elements of proof on the part of the complainant;
- of the opportunity to be accompanied by an advisor of his or her choice, this person's role being limited to providing advice and not intervening directly during the hearing;
- of the opportunity for him or her to invite people to witness and submit tangible proof in support of his or her point of view;
- of the opportunity to question the witnesses on any aspect of their statements;
- of the opportunity to invite a union or association representative to attend the hearing as an observer, with no right to intervene.

As part of its work, the investigation committee may consult experts and, with the authorization of the Chief Innovation and International Officer, incur costs in this regard. A copy of all expertise reports is submitted to the person who is the subject of the complaint.

If the investigation committee has reasonable grounds to believe that measures must be taken without delay in order to preserve the health or safety of individuals or to prevent funds administered by Polytechnique Montréal from being used inappropriately, it must inform the Chief Innovation and International Officer, who will ensure that appropriate provisory measures are put into place.

The person who is the subject of the complaint must collaborate with the investigation committee members so that the hearing may take place without undue delay and so that the committee may submit its report by the deadline.

The committee carries out a closed-door hearing. All people taking part in the investigation, as witnesses, advisors or observers, must sign confidentiality agreements.

At the end of the investigation, the committee must conclude as to whether or not a lack of scientific integrity or a conflict of interest took place. Outside exceptional circumstances, the committee submits its report within 110 days following the assignment of its mandate.

#### **8.4.3 Investigation committee report**

The investigation committee submits its written report, along with all the documents it gathered as part of the investigation, to the Chief Innovation and International Officer. The committee indicates in its report whether a failure to respect scientific integrity occurred, and as needed, provides its opinion on the gravity of the failure(s).

Should the committee note that the complaint was unfounded or submitted in bad faith, it informs the Chief Innovation and International Officer of this, who sees that appropriate measures are taken. The file is then definitively closed, and the Chief Innovation and International Officer immediately informs the people concerned. Any reference to the complaint is withdrawn from the file of the person who is the subject of the complaint.

If, in the course of its work, the investigation committee observes that a situation that does not constitute a failure to respect this policy nonetheless requires corrective measures, it notes this in its report. The Chief Innovation and International Officer tells the people responsible what correctives must be applied and sets a deadline for doing so.

In keeping with the provisions set out in the *Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* (R.S.Q., c. A-2.1), no information concerning the investigation process and its conclusions may be made public except within the limits permitted by law or if the person concerned consents.

#### **8.4.4 Follow-up by the Chief Innovation and International Officer**

Upon receiving the investigation committee's report, the Chief Innovation and International Officer sends a copy to the person who is the subject of the complaint and to the complainant.

If the report concludes that the terms of this Policy have not been respected, the Chief Innovation and International Officer must, as appropriate, share the results of the investigation with the granting agency, donors, funders and research partners concerned, as per the terms set out in the agreements governing their relationships to Polytechnique Montréal.

As appropriate, sanctions or other appropriate measures are taken in respect of several factors, including the intentional nature of the failure, its gravity, its consequences and its repetitive character. These sanctions or measures are taken in respect of the statutes, regulations, collective agreements, protocols and all other agreements applicable to Polytechnique Montréal. The decisions may be reviewed according to a collective agreement, a protocol or any other applicable agreement.

If, in its report, the investigation committee mentions that general administrative corrective measures are required, the Chief Innovation and International Officer informs the Assemblée de direction, which ensures that appropriate measures are taken as needed. Polytechnique Montréal may among others impose measures intended to boost its researchers' training, repair the harm caused or rectify scientific facts, as needed.

If the complaint's existence has been publicly broadcast and the person who is the subject of the complaint is not responsible for this, Polytechnique Montréal, after discussion with the person in question, may take reasonable measures to mend the person's reputation.

Any failure to respect the confidentiality of a complaint may lead to sanctions in keeping with the rules, policies, directives, collective agreements or other applicable standards.

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## 9 Functional structure ▲

This Policy enters into effect at the moment of its adoption by the Board of Directors. It does not replace Polytechnique Montréal's other policies and directives, nor the terms of the collective agreements dealing with ethics or deontology, but the terms of this Policy prevail in regard to research.

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## 10 Minor changes ▲

Any minor changes to this Policy may be made by the Research, Innovation and International Affairs Office, which informs the members of the Assemblée de direction.

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## 11 Bibliography ▲

*Politique, règles et procédures sur l'intégrité en recherche et sur les conflits d'intérêts*, Université de Sherbrooke, dated May 30, 2006.

*Politique relative à l'intégrité scientifique*, Université Laval, dated May 15, 1995.

*Politique d'intégrité dans les activités de recherche et de création*, Université du Québec en Outaouais, dated November 21, 1995.

*Politique sur la probité intellectuelle en recherche*, Université de Montréal, dated December 13, 2004.

*Politique et règles en matière d'éthique et d'intégrité en recherche*, École de technologie supérieure, dated June 14, 1995.

*Politique sur la conduite responsable en recherche*, Fonds de recherche du Québec, September 2014.

*Tri-Agency Framework: Responsible Conduct of Research*, three major federal research councils, 2011.

## **A1 Appendix 1 Conflict of Interest in Research Declaration form ▲**

1 This policy is based on the relevant terms adopted by other university establishments, including Université de Sherbrooke's Politique, règles et procédures sur l'intégrité en recherche et sur les conflits d'intérêts adopted by its Board of Directors (Resolution CA-2006-05-30-08) on May 30, 2006, and Université Laval's Politique relative à l'intégrité scientifique adopted by its Board of Directors (Resolution CA-95-44) on March 15, 1995.

2 Definition proposed by the Council of Canadian Academies' Expert Panel on Research Integrity.

3 For the purposes of this document, the term "professor" incorporates the term "researcher" used as an employment status in the collective agreement governing Polytechnique professors.