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This document is published by UBC Human Resources. It is maintained as an information resource for UBC employees and the general public and is intended to provide an overview of existing UBC policies and procedures. It is not a replacement for existing UBC Policies and, if there is any conflict between this document and UBC Policies, the applicable UBC Policies will govern.

Summary of UBC Policies and Expectations for UBC Faculty and Staff

1. Statement of purpose and application of this document

The University of British Columbia (UBC or the University) is committed to the core values of academic freedom, advancing and sharing knowledge, excellence, integrity, mutual respect, equity, and the public interest. These values are outlined in UBC's Place and Promise strategic plan. The UBC Stewardship Statement further underlines that all UBC persons are expected to adhere to the highest ethical standards when engaging in UBC related activities. The University expects all UBC persons to adhere to its core values in their professional and personal conduct and exercise sound stewardship of public resources.

This document summarizes the standards of behaviour expected of all UBC persons. It highlights the key principles and rules which UBC persons are expected to follow and provides links to relevant policies and other documents. It is the responsibility of every UBC person to comply with the underlying policies and procedures.

This document also summarizes the various compliance mechanisms within UBC and highlights where concerns about possible breaches of UBC policies and procedures can be reported.

In this document, "UBC persons" means all full-time and part-time faculty members and staff members of the University, and any other person who teaches, conducts research, or works at or under the auspices of the University (including but not limited to students, adjunct and sessional faculty, librarians, program directors, post-doctoral fellows, emeriti and those holding a visiting appointment).

"Faculty member" means a person employed by the University in a professor, instructor, lecturer, sessional lecturer or clinical appointment, or in an equivalent appointment designated by the University's Vancouver or Okanagan Senates.

- Place and Promise: The UBC Plan
<http://strategicplan.ubc.ca/files/2009/11/UBC-PP-Layout-Aug2012.pdf>
- UBC Stewardship Statement
<http://universitycounsel.ubc.ca/ubc-stewardship-statement/>

2. Conflict of Interest

2.1 General Statement

The University's core purpose is the pursuit and dissemination of knowledge. UBC persons are encouraged to seek and participate in research, to consult widely, and to engage in activities outside the University, so long as such activities do not interfere with their obligations to the University. While recognizing these activities may benefit the participants, the University, and the public at large, the University is committed to ensuring that they are conducted in a manner consistent with its interests and mission and which maintains the wider community's trust and confidence.

UBC persons must act with integrity and adhere to the highest ethical standards at all times.

Occasionally, and often as a result of normal and productive engagements inside and outside the University, UBC persons may find themselves in an actual, potential or perceived conflict of interest. In fact, many beneficial initiatives, such as the University's commitment to liaise with industry and to transfer technology, the growth of industry-sponsored research, and the substantial increase in the University's interactions with outside organizations, lead to an increase in conflicts of interest.

Those conflicts of interest that go unnoticed or are improperly managed threaten to impugn the reputation and integrity of the persons involved and, potentially, the University as a whole. They undermine the public's confidence in the University's and the UBC person's ability to pursue and disseminate knowledge devoid of bias and personal interests. Without that public confidence, the effectiveness of the University as a public institution and of UBC persons as intellectual leaders is diminished. In addition, conflicts of interest threaten UBC's continued funding from outside agencies such as the Tri-Council agencies which require the identification and management of conflicts of interest in specific ways.

UBC persons are therefore expected to vigilantly guard against, or appropriately disclose, conflicts of interest – actual, potential or perceived – including conflicts of commitment.

UBC has two conflict of interest policies. One is the Code of Conduct for the Board of Governors; the second is UBC Policy #97, *Conflict of Interest and Conflict of Commitment*, which covers all other UBC persons. The Board of Governors is also covered by provincial government guidelines on General Conduct Principles for Public Appointees.

Policy #97 addresses conflict of interest as it manifests in the university setting, and conflicts of commitment (a subset of conflict of interest) specifically.

- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>

2.2 Conflict of Interest Principles

“Conflict of interest” means a situation in which a UBC person, or persons related to him/her, have a personal interest that conflicts, or could conflict with, the UBC person's obligations to the University.

A “perceived conflict of interest” is a situation where an actual or potential conflict of interest may or may not exist, but where there may be, nonetheless, from the perspective of a reasonably well-informed, impartial observer, a perception of a conflict of interest.

A “conflict of commitment” occurs where a UBC person engages in non-University activities that are substantial or demanding of the UBC person's time and attention and adversely affect the discharge of the UBC person's responsibilities to the University.

Conflicts of interest and perceived conflicts of interest fall into one of two categories: those that are permissible if appropriately managed; and those that are prohibited because they cannot be appropriately managed.

Conflicts of interest and perceived conflicts of interest can arise naturally from a UBC person's engagement inside and outside the University, and the mere existence of a conflict of interest or the perception of a conflict of interest does not necessarily imply wrongdoing on anyone's part. Nonetheless, conflicts of interest and situations that give rise to perceptions of a conflict of interest must be recognized, disclosed, and assessed.

2.3 Conflict of Interest Disclosure

UBC persons are responsible for seeking guidance from their "Initial Reviewers" (the Head of unit or other designate) before engaging in any activity that may be questionable. Where a UBC person intends to engage in any activity that gives rise to a conflict of commitment, the UBC person must disclose that activity and obtain the prior written approval of his or her Initial Reviewer.

Prior to undertaking any activity that may give rise to a conflict of interest or a perceived conflict of interest, whether or not that activity is within the scope of the UBC person's work at the University, a UBC person must disclose that activity. Where prior disclosure is impossible, disclosure must be made as soon as possible after commencement of the activity.

In addition, at least annually and whenever there is a material change, all faculty members or UBC persons who have signing authority over an actual account that is used for a research purpose must disclose circumstances (if any) that give rise to a conflict of interest or a perceived conflict of interest.

Where the Initial Reviewer determines that a proposed action or activity, including a proposed research project, is permissible as disclosed with no further action, the Initial Reviewer's determination will be recorded and the UBC person may proceed with the action or activity, subject to obtaining all other applicable approvals.

Where the Initial Reviewer determines that an action or activity, including a proposed research project, is permissible only if appropriately managed, the Initial Reviewer will develop and implement a protocol to manage the conflict of interest or perceived conflict of interest (as the case may be) and the UBC person, subject to obtaining all other applicable approvals, may proceed with the proposed activity provided that he or she complies with the management protocol.

Where the Initial Reviewer determines that an action or activity, including a proposed research project, is not permissible, the UBC person must not proceed with the action or activity.

Where a UBC person seeks approval for a conflict of commitment, the Initial Reviewer, Dean or Dean's delegate (as applicable) may, in his or her discretion, grant approval and may impose conditions, taking into consideration the following:

- whether the activity interferes with the UBC person's obligations to the University; and

- if so, whether the activity nonetheless contributes to or benefits the University in such a way that warrants the interference.

Where a UBC person disagrees with the assessment of the Initial Reviewer he or she may appeal to a Conflict of Interest Committee.

In any case, any person who knows or suspects that a conflict of interest or a situation giving rise to a perception of a conflict of interest has gone unreported, or has not been managed properly, may contact the Chair of the COI Committee. For conflicts of commitment any person may contact the Administrative Head of their Unit or UBC's Conflict of Interest Administrator.

3. Future employment restrictions

UBC is a public institution with a public mandate, but it has many varied relationships with private sector and other entities. The University recognizes UBC persons may leave UBC to take up jobs with outside entities. In doing so, the University expects all UBC persons to avoid any actual, potential or perceived conflicts of interest in keeping with Policy #97 principles.

For example, employees who have access to the University's proprietary or donor information are expected to keep that information confidential where it is not widely known. Senior employees in the University's Administration with significant decision-making authority are expected to observe a cooling off period of 12 months before taking up work with private sector employers who might benefit financially or otherwise from the employee's inside knowledge or connections at UBC.

Specific future employment restrictions may be laid out in employees' contracts of hire, but conflict of interest principles should be assumed to always apply in future employment situations.¹

- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>

4. Acceptance of gifts, entertainment, benefits and favours, accumulated travel points

UBC recognizes that the use of gifts, entertainment, benefits and favours, as well as accumulated travel points, occurs in the support of the University's mission. Such practices however must not, either directly or indirectly, compromise or influence the UBC person in their official functions or duties.

UBC persons accepting gifts, entertainment, benefits and favours must consider the application of Policy # 97 *Conflict of Interest and Conflict of Commitment* and whether it creates an actual, potential or perceived conflict of interest. In particular, the policy deems a conflict of interest exists where a UBC person accepts gifts with a value of \$500 or more that would not have been offered if not for the UBC person's position at the University, or work within the scope of a UBC person's employment with the University.

¹ This future employment restriction will be communicated and implemented through employment contracts to be enforceable. A provision will be added to contracts for senior excluded staff including members of the UBC Executive).

Gifts, entertainment, benefits and favours, as well as accumulated travel points, accepted by UBC persons are also subject to the following policies and the statutory requirements of the *Income Tax Act*:

- Policy # 83 Travel and Related Expenses
<http://universitycounsel.ubc.ca/files/2013/04/policy83.pdf>
- Policy # 84 Entertainment <http://universitycounsel.ubc.ca/files/2012/06/policy84.pdf>
- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>
- Policy # 114 Donations <http://universitycounsel.ubc.ca/files/2010/08/policy114.pdf>
- Policy # 115 Gifts <http://universitycounsel.ubc.ca/files/2010/08/policy115.pdf>
- Policy # 122 Purchasing <http://universitycounsel.ubc.ca/files/2010/08/policy122.pdf>

5. Personal conduct

5.1 Core Values

The University embraces integrity and sound stewardship of public resources as core values. It expects that all UBC persons adhere to the highest ethical standards when engaging in UBC related activities.

- UBC Stewardship Statement <http://universitycounsel.ubc.ca/ubc-stewardship-statement/>

5.2 Specific Situations of Conflict of Interest and Commitment

UBC persons are expected to vigilantly guard against conflicts of commitment, actual and potential conflicts of interest, and perceived conflicts of interest.

The University has not attempted to develop an exhaustive list of conflicts of interest since each situation depends upon its specific facts. However, Policy #97 on *Conflict of Interest and Conflict of Commitment* provides the following examples of situations where a conflict of interest exists:

- Where a UBC person's responsibility to instruct and evaluate students in a fair, unbiased and effective manner is or could be impeded or compromised. The inherent power imbalance that exists between a UBC person and a student must not be used for personal benefit.
- Where a UBC person or a related party of the UBC person has a financial interest in the outcome of his or her research.
- Where a UBC person or a related party has a financial interest in their teaching activities at the University, other than their annual salary from the University.
- Where a UBC person has influence over a decision about a proposed relationship between the University and a business in which the UBC person or a related party has a financial interest or holds an executive position.
- Where a UBC person or a related party obtains a financial interest or an executive position in a business with which the University has an existing relationship and the business is related to the UBC person's work at the University.

- Where a UBC person is in a position to influence human resource decisions (such as recruitment, offer of employment, evaluation of performance, promotion, granting of tenure, or termination of employment) or admission decisions with respect to a person with whom the UBC person has a relationship that might reasonably be perceived as creating a Conflict of Interest.
- Where a UBC person uses his or her position with the University to solicit students, other UBC persons, government agencies, private companies, or members of the public for Non-University Activities, including employing or soliciting employment from students and other UBC persons for services in a personal or commercial matter.
- Where a UBC person uses information that is acquired as a result of his or her relationship with the University and not in the public domain for Non-University Activities unless the UBC person has proprietary rights to that information.
- Where a UBC person's obligations to a board of directors, advisory boards, or the like of an outside organization interfere with or compromise the UBC person's obligations to the University.
- Where personal considerations compromise a faculty member's professional judgment in conducting or reporting research, teaching, or carrying out administrative activities.

Further conflicts of interest are identified in specific policies or procedures. See:

- Policy #115 Gifts <http://universitycounsel.ubc.ca/files/2010/08/policy115.pdf>
- Policy #122 Purchasing <http://universitycounsel.ubc.ca/files/2010/08/policy122.pdf>
- Supply Management Procedures <http://www.supplymanagement.ubc.ca/procure-pay-client-services>

All conflicts of interest, actual, potential or perceived, must be avoided or disclosed to an Initial Reviewer who will make an assessment of whether they can be appropriately managed or must be prohibited.

Conflicts of commitment are a subset of conflicts of interest. Policy #97 deems the following situations as conflicts of commitment:

- Where a full-time faculty member's total involvement in Outside Professional Activities is greater than 52 days per year, including evenings, weekends and vacations.
- Where a full-time faculty member will be away from his or her place of University work for a period of 30 consecutive days (excluding holidays) as a result of the faculty member's Outside Professional Activities.
- Where a UBC person engages in Non-University Activities during his or her normal work hours at the University.
- Where a UBC person employed on a full-time basis by the University enrolls in a degree or diploma program at the University, or any other educational institution.
- Where a UBC person uses University resources for Non-University Activities.

Conflicts of commitment must be avoided or disclosed to, and authorized by, the appropriate Administrative Head of Unit.

5.3 Scholarly Integrity

The University is committed to providing an environment that supports the best research and scholarly practices in the search for and dissemination of knowledge.

UBC persons are responsible for familiarizing themselves with generally accepted scholarly standards and practices. These include:

- complying with the requirements of all applicable funding applications and agreements, University and other policies, standards of the relevant profession or discipline, and laws and regulations;
- using a high level of scholarly rigour and integrity in proposing and performing research;
- if they are a principal investigator in any research project, ensuring that the research conditions applicable to the research project, including compensation and practices around supervision, authorship and recording data, are properly articulated in writing and shared with all members of the research team prior to engagement in the project;
- keeping complete and accurate records of data, methodologies and findings;
- engaging in original work, and referencing (and where applicable, obtaining permission for) the use of all published and unpublished work, including data, material, methodologies, findings, graphs and images;
- acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors;
- providing true, complete and accurate information on documentation for expenditures from grant or award accounts;
- obtaining any necessary approvals, permits or certifications before conducting certain types of research, such as research involving humans or animals.

UBC persons who have failed to exercise reasonable care in directing and supervising others found to have committed Scholarly Misconduct may share in responsibility and also be subject to discipline.

- Policy # 85 Scholarly Integrity <http://universitycounsel.ubc.ca/files/2013/04/policy85.pdf>

5.4 Academic Freedom

The University, as a community of scholars, recognizes that academic freedom is essential to carry out its core purpose: the pursuit and dissemination of knowledge and understanding through research and teaching.

UBC is a member of the Association of Universities and Colleges of Canada (AUCC) and has adopted and signed the following AUCC Statement on Academic Freedom:

“What is academic freedom?”

Academic freedom is the freedom to teach and conduct research in an academic environment. Academic freedom is fundamental to the mandate of universities to pursue truth, educate students and disseminate knowledge and understanding.

In teaching, academic freedom is fundamental to the protection of the rights of the teacher to teach and of the student to learn. In research and scholarship, it is critical to advancing knowledge. Academic freedom includes the right to freely communicate knowledge and the results of research and scholarship.

Unlike the broader concept of freedom of speech, academic freedom must be based on institutional integrity, rigorous standards for enquiry and institutional autonomy, which allows universities to set their research and educational priorities.

Why is academic freedom important to Canada?

Academic freedom does not exist for its own sake, but rather for important social purposes. Academic freedom is essential to the role of universities in a democratic society. Universities are committed to the pursuit of truth and its communication to others, including students and the broader community. To do this, faculty must be free to take intellectual risks and tackle controversial subjects in their teaching, research and scholarship.

For Canadians, it is important to know that views expressed by faculty are based on solid research, data and evidence, and that universities are autonomous and responsible institutions committed to the principles of integrity.

The responsibilities of academic freedom

Evidence and truth are the guiding principles for universities and the community of scholars that make up their faculty and students. Thus, academic freedom must be based on reasoned discourse, rigorous extensive research and scholarship, and peer review.

Academic freedom is constrained by the professional standards of the relevant discipline and the responsibility of the institution to organize its academic mission. The insistence on professional standards speaks to the rigor of the enquiry and not to its outcome.

The constraint of institutional requirements recognizes simply that the academic mission, like other work, has to be organized according to institutional needs. This includes the institution’s responsibility to select and appoint faculty and staff, to admit and discipline students, to establish and control curriculum, to make organizational arrangements for the conduct of academic work, to certify completion of a program and to grant degrees.

Roles and responsibilities

University leadership: It is a major responsibility of university governing bodies and senior officers to protect and promote academic freedom. This includes ensuring that funding and other partnerships do not interfere with autonomy in deciding what is studied and how. Canada's university presidents must play a leadership role in communicating the values around academic freedom to internal and external stakeholders. The university must also defend academic freedom against interpretations that are excessive or too loose, and the claims that may spring from such definitions.

To ensure and protect academic freedom, universities must be autonomous, with their governing bodies committed to integrity and free to act in the institution's best interests.

Universities must also ensure that the rights and freedoms of others are respected, and that academic freedom is exercised in a reasonable and responsible manner.

Faculty: Faculty must be committed to the highest ethical standards in their teaching and research. They must be free to examine data, question assumptions and be guided by evidence.

Faculty have an equal responsibility to submit their knowledge and claims to rigorous and public review by peers who are experts in the subject matter under consideration and to ground their arguments in the best available evidence.

Faculty members and university leaders have an obligation to ensure that students' human rights are respected and that they are encouraged to pursue their education according to the principles of academic freedom.

Faculty also shares with university leadership the responsibility of ensuring that pressures from funding and other types of partnerships do not unduly influence the intellectual work of the university."

5.5 Responsibility for a Respectful, Inclusive, Harassment-free Environment

Freedom of expression and the promotion of free inquiry cannot exist without an equally vigorous commitment to recognition of, and respect for, the freedoms of others, and concern for the well-being of every member of the University community. Excellence in scholarship, teaching and employment activities flows from active concern and respect for others, including their ability to participate meaningfully in the exchange of information, ideas, beliefs and opinions. The best possible environment for working, learning and living is one in which respect, civility, diversity, opportunity and inclusion are valued.

In the context of an academic community, responsibility for maintaining a respectful environment falls on all community members, including students, faculty, staff, and members of the public who participate in University-related activities.

Personal harassment, or bullying, is harmful and has no place at UBC. This expectation is set out in UBC's *Statement on Respectful Environment for Students, Faculty and Staff*. It is also the law: recent changes to the *B.C. Workers Compensation Act* and Occupational Health and Safety (OHS) policies issued by

WorkSafeBC prohibit bullying and harassment and require employers to take steps to prevent and address workplace bullying and harassment and to investigate incidents and complaints.

UBC's *Statement on Respectful Environment* defines personal harassment as objectionable and unwanted behaviour that is verbally or physically abusive, vexatious or hostile, that is without reasonable justification, and that creates a hostile or intimidating environment for working, learning or living. It may be intentional or unintentional. While personal harassment usually consists of repeated acts, a single incident that has a lasting or harmful effect may constitute personal harassment.

Personal harassment behaviour includes persistent demeaning or intimidating comments, gestures or conduct; threats to a person's employment or educational status, person or property; persistent comments or conduct, including ostracism or exclusion of a person, that undermines an individual's self-esteem so as to compromise their ability to achieve work or study goals; unwarranted or excessive supervision or criticism of an individual; abuse of power, authority or position; sabotage of a person's work; hazing; spreading of malicious rumours or lies; or making malicious or vexatious complaints about a person.

The University also expects all UBC persons to comply with the *B.C. Human Rights Code* (the Code). The Code prohibits discrimination or harassment based on race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age, and criminal conviction unrelated to the employment. These are also addressed by UBC's Policy #3 on *Discrimination and Harassment*. It reflects the Code and current human rights case law, and provides internal University mechanisms for investigation and compliance.

The University' Equity and Inclusion Office has a role in administering Policy #3 and also takes initiative in promoting equity and inclusion across the University campus.

- UBC Statement on Respectful Environment for Students, Faculty and Staff
<http://www.hr.ubc.ca/respectful-environment/files/UBC-Respectful-Environment-Statement.pdf>
- Policy # 3 Discrimination and Harassment
<http://www.universitycounsel.ubc.ca/files/2013/08/policy3.pdf>
- Bullying and Harassment Prevention at UBC <http://bullyingandharassment.ubc.ca/>
- UBC Social Media Guidelines <http://brand.ubc.ca/working-with-our-brand/social-media/before-you-start/>
- B.C. Human Rights Code
http://www.bclaws.ca/Recon/document/ID/freeside/00_96210_01
- B.C. Workers Compensation Act
http://www.bclaws.ca/Recon/document/ID/freeside/96492_00
- WorkSafeBC OHS Policies for Workplace Bullying and Harassment
<http://www2.worksafebc.com/Topics/BullyingAndHarassment/RegulationAndGuidelines.aspx>

5.6 Participation in Political Parties

The University recognizes its employees may wish to exercise their rights as citizens to seek political office.

Those who stand for election to public office will be granted a leave of absence without pay upon request provided the leave does not create serious difficulties for the employee's academic or administrative unit, colleagues or students.

An employee who is elected to a public position requiring a full-time commitment will be placed on a further leave of absence without pay. Maximum limits apply, after which time, the employee will be deemed to have resigned his or her position.

- Policy # 50 Leave to Take Political Office
<http://universitycounsel.ubc.ca/files/2013/04/policy50.pdf>

6. Use of UBC Property

6.1 General Principles

All UBC property is to be used for legitimate University purposes and not for the personal benefit or gain of a UBC person or any other party, except in very limited circumstances as authorised by the relevant policies listed below. UBC is committed to maintaining sound management of public resources with integrity and honesty.

6.2 Physical assets

The principles of transparency and accountability underpin the use and management of University physical assets. All equipment, goods and supplies purchased by UBC for any purpose from University funds, remains the property of the University. Different policies address the specific details for the use and management of different types of assets, such as the purchase and humane treatment of animals in research and teaching.

All UBC persons must use and manage UBC physical assets in accordance with the following policies:

- Policy # 16 Non-University Use of University Services and Facilities
<http://universitycounsel.ubc.ca/files/2010/08/policy16.pdf>
- Policy # 87 Research <http://universitycounsel.ubc.ca/files/2010/08/policy87.pdf>
- Policy # 91 Purchase of Animals for Research and Teaching
<http://universitycounsel.ubc.ca/files/2010/08/policy91.pdf>
- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>
- Policy # 104 Acceptable Use and Security of UBC Electronic Information and Systems
<http://universitycounsel.ubc.ca/files/2013/06/policy104.pdf>
- Information Security Standards <http://cio.ubc.ca/securitystandards>

- Policy # 107 Short-Term Use of University Space
<http://universitycounsel.ubc.ca/files/2012/09/policy107.pdf>
- Policy # 108 Disposal of Surplus Equipment and Materials
<http://universitycounsel.ubc.ca/files/2010/08/policy108.pdf>
- Policy # 109 Ownership <http://universitycounsel.ubc.ca/files/2010/08/policy109.pdf>
- Policy # 117 Records Management
<http://universitycounsel.ubc.ca/files/2010/08/policy117.pdf>

6.3 Human Resources

UBC values and respects all members of its communities. The utilisation of UBC's human resources must be in accordance with UBC's values, its policies and procedures and applicable legislation. UBC human resources are not to be utilised for the personal benefit or gain of individuals. UBC strives to provide a safe, healthy and secure environment for all UBC persons in which to carry out UBC related activities.

All UBC persons that are in a position to influence human resource decisions or admission decisions with respect to a person with whom the UBC person has a relationship, must be mindful of potential actual or perceived conflicts of interest.

UBC in furthering its core mandate, being the pursuit and dissemination of knowledge through research and teaching, recognises that the use of human participants is indispensable to progress in many areas of research. All research involving human participants must be conducted in accordance with the highest ethical standards in ways that protect, and respect the dignity and rights of all human participants involved.

The following policies are particularly relevant to the use of UBC human resources:

- Policy # 7 University Safety <http://universitycounsel.ubc.ca/files/2010/08/policy7.pdf>
- Policy #14 Response to At-Risk Behaviour
<http://universitycounsel.ubc.ca/files/2011/06/policy14.pdf>
- Policy # 61 Postdoctoral Fellows
<http://www.universitycounsel.ubc.ca/files/2012/04/policy61.pdf>
- Policy # 87 Research <http://universitycounsel.ubc.ca/files/2010/08/policy87.pdf>
- Policy # 89 Research Involving Human Participants
<http://universitycounsel.ubc.ca/files/2012/06/policy89.pdf>
- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>

6.4 Intellectual property

6.4.1 General Principles

Intellectual property is a valuable University asset.

The University's policies around ownership and use of intellectual property reflect its identity as a community of scholars and its core mandate: the pursuit and dissemination of knowledge through research and teaching.

The policies also reflect the University's goal to maximize the impact of its inventions and discoveries in society, whether through non-commercial or commercial means.

Earning revenue from the commercialization of knowledge is not a significant factor for the University. At the same time, as a publicly funded institution the University seeks to recover a fair share in any gains realized through the commercialization of research or teaching materials created with University resources, as well as overhead costs for research funded by external grants.

6.4.2 Inventions and Discoveries

The University treats any knowledge, information, tool, material or 'know-how' of a proprietary nature (whether patentable or not) as an invention or discovery. It excludes teaching materials, lecture notes, textbooks, music, films, plays and other dramatic works or writings that are scholarly in nature from this category.

Inventions and discoveries developed or conceived in the course of research by faculty and other academic staff and a) while acting with the scope of their employment or b) involving the University's facilities, equipment or financial aid, are considered "University Research Products". University Research Products are owned by the University. Typically they are produced by academic staff.

The University gives all academic staff a non-exclusive license to mobilize their University Research Products in non-commercial ways. This allows for the dissemination of discoveries and ideas without barrier or delay.

At the same time, the University requires that academic staff disclose research they wish to commercialize or which is subject to a sponsored research agreement. The University has the right of first refusal to seek commercialization of University Research Products. If it decides not to exercise this option, it may assign ownership to the 'inventor(s)'. Any profits gained from the commercialization of University Research Products are shared between the University and the 'inventor(s)'.

6.4.3 Work Product of Administrative Staff

The University treats the intellectual product typically produced by non-academic staff as a requirement of their employment, as Work Product. Work Product can include patents, copyrights, industrial designs, trademarks, trade secrets and web sites and is owned by the University. Work Product may not be publicly disclosed without the University's prior written approval.

6.4.4 Use of University Resources for Research

The University requires that all funding arrangements from external sources for research or initiatives include an allowance for cost recovery of the University's overhead (currently at a rate of 25%).

No secret or classified research is permitted at the University. Academic staff may apply for short delays in publication of research results only if the public interest is served or if patent protection is being sought.

6.4.5 Teaching Materials

The University encourages, but does not require, the free and open distribution of teaching materials within and beyond the UBC community through digital repositories, Creative Commons licenses and the like. If a UBC instructor makes his or her teaching materials available for use by others, UBC may use and revise the materials (with proper attribution to all contributors) in the ongoing development of credit course offerings, unless the instructor places restrictions on their use.

A UBC instructor may not place restrictions on, or publish commercially, teaching materials that have been developed with special UBC investment (beyond the ordinary salary and infrastructure provided to employees).

6.4.6 Use of University Trade Marks

The University has exclusive authority to regulate the use of University trademarks. All third parties wishing to use one or more of these must secure a written license to do so from the University. Use of University marks by academics and administrative units for University-related activities do not require a license agreement, but must be done in accordance with the University's Policy #94 on *Visual Identity*.

Faculty and staff should understand that their personal endorsement of any product does not constitute University endorsement and should not be given in a manner that might lead a member of the public to believe it does.

Relevant Policies

- Policy # 81 Use of Teaching Materials in UBC Credit Courses
<http://universitycounsel.ubc.ca/files/2014/02/policy81.pdf>
- Policy # 85 Scholarly Integrity <http://universitycounsel.ubc.ca/files/2013/04/policy85.pdf>
- Policy # 87 Research <http://universitycounsel.ubc.ca/files/2010/08/policy87.pdf>
- Policy # 88 Inventions and Discoveries
<http://universitycounsel.ubc.ca/files/2013/06/policy88.pdf>
- Policy # 94 Visual Identity <http://universitycounsel.ubc.ca/files/2011/10/policy94.pdf>
- Policy #105 Acceptance, Management and Sale of Technology Licensing Equity
<http://www.universitycounsel.ubc.ca/files/2010/08/policy105.pdf>

- Policy # 110 Third-Party Use of University Trade-Marks
<http://universitycounsel.ubc.ca/files/2010/08/policy110.pdf>

7. Protection of Privacy

All UBC faculty members, staff, volunteers and service providers must adhere to the requirements of the *Freedom of Information and Protection of Privacy Act* (FIPPA).

Requests received by UBC for information that is not sensitive or confidential are routine requests. UBC persons responding to routine requests should make every reasonable effort to follow their units' established procedures or protocols they have set up with the Office of the University Counsel (OUC). Requests for records that may contain sensitive or confidential information are FOI requests. FOI requests are processed by the OUC in accordance with procedures set out in the FIPPA.

UBC must collect, use and disclose personal information in a lawful and appropriate manner. "Personal information" is defined as "recorded information about an identifiable individual." Collection of personal information must only occur with proper authority, using a privacy notification. Personal information must only be used for the purpose it was collected, or for a use consistent with that purpose. UBC persons must only share personal information within UBC on a need-to-know basis and must not share personal information outside UBC without approval.

UBC must make "reasonable security arrangements" to safeguard personal information in UBC's custody or under its control. Where personal information is stored in electronic format it should be stored on secure servers wherever possible. If it is essential to store personal information on portable devices, it must be encrypted. Personal information may not be stored or accessed outside Canada. UBC service providers with access to personal information must sign contracts requiring them to protect the information.

Personal information must be retained for at least one year after it is used to make a decision that directly affects the individual. If the information has not been used to make a decision, this retention requirement does not apply.

UBC treats the unauthorized collection, use, disclosure or disposal of personal information as serious matters. Any such privacy breaches must be reported immediately to the OUC for investigation.

Relevant Legislation, Policies and Procedures

- FIPPA http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00
- FIPPA Regulations <http://universitycounsel.ubc.ca/files/2012/08/June-2012-FIPPA-Regulation.pdf>
- Access and Privacy at UBC – A Guide for Faculty and Staff
<http://universitycounsel.ubc.ca/files/2012/08/Access-and-Privacy-brochure.pdf>
- UBC Privacy Fact Sheets <http://universitycounsel.ubc.ca/access-and-privacy/privacy/>
- Policy # 104 Acceptable Use and Security of UBC Electronic Information and Systems
<http://universitycounsel.ubc.ca/files/2013/06/policy104.pdf>

- Information Security Standards <http://cio.ubc.ca/securitystandards>
- UBC Social Media Guidelines <http://brand.ubc.ca/working-with-our-brand/social-media/before-you-start/>

8. Protection of General UBC Information

The protection of general corporate information must take place particularly within the context of the UBC values of academic freedom and advancement and sharing of knowledge. Notwithstanding this, UBC persons must not use data or information to which they have access for their own personal benefit or in a way that could be of detriment to UBC. UBC persons must maintain the confidentiality of general corporate information including human resources records and must not disclose information to an internal or external person unless necessary in the discharge of their university obligations. This applies to both the period of employment with UBC as well as any time after the end of employment with UBC.²

Relevant Policies

- Code of Conduct for members of UBC's Board of Governors
http://universitycounsel.ubc.ca/files/2010/08/BOG_Code_120309.pdf
- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>
- Policy # 104 Acceptable Use and Security of UBC Electronic Information and Systems
<http://universitycounsel.ubc.ca/files/2013/06/policy104.pdf>
- Information Security Standards <http://cio.ubc.ca/securitystandards>
- Policy # 117 Records Management
<http://universitycounsel.ubc.ca/files/2010/08/policy117.pdf>
- Policy # 127 University Archives at UBC Vancouver
<http://universitycounsel.ubc.ca/files/2010/08/policy127.pdf>

9. Commitment, Compliance and Reporting

9.1 Compliance

UBC is committed to the core values of academic freedom, advancing and sharing knowledge, excellence, integrity, mutual respect and equity and public interest. Compliance with the various aspects of this document is carried out through various enforcement mechanisms within UBC. Each UBC policy has a responsible Executive and certain policies have specific enforcement and reporting mechanisms.

UBC Policy on # 1 *Administration of Policies* clearly states that it is the responsibility of all members of faculty and staff to familiarize themselves with the contents of the Policy and Procedure Handbook and to conduct themselves accordingly. Adherence to all UBC policies and procedures, and the UBC

² It is noted that not all employees sign confidentiality agreements. Certain employees such as BCGEU employees at UBC-Okanagan sign confidentiality agreements at the commencement of employment which clearly states that the requirement to maintain confidentiality extends beyond the termination of their employment. This is also an explicit provision in all employment contracts for excluded senior management. For other employees this obligation to maintain confidentiality of information stems from policies.

Statement on Respectful Workplace Environment for Students, Faculty and Staff is part of each employee's terms and conditions of employment. Supervisors and managers are responsible for enforcing these terms and conditions on a daily basis through management directions and discipline with respect to their employees. Deans, Directors and Administrative Heads of Departments are also responsible for enforcing these terms and conditions within their respective faculties and departments.

- Policy # 1 *Administration of Policies*
<http://universitycounsel.ubc.ca/files/2010/09/policy1.pdf>
- Link to Index of all policies, guidelines and rules passed by the Board of Governors currently in effect <http://universitycounsel.ubc.ca/policies/index/>

Various UBC Offices support compliance with specific aspects of this document:

- Access and Privacy Manager and the Freedom of Information Specialist
<http://universitycounsel.ubc.ca/access-and-privacy/useful-resources/>
- Campus Security
UBC Vancouver <http://security.ubc.ca/>
UBC Okanagan <http://security.ok.ubc.ca/welcome.html>
- Conflict of Interest Administrator and Conflict of Interest Committee
<http://universitycounsel.ubc.ca/coi/coi-committee/>
- Equity and Inclusion Office
UBC Vancouver Equity and Inclusion Office <http://equity.ubc.ca/>
UBC Okanagan Equity and Inclusion Office
<http://www.ubc.ca/okanagan/equity/welcome.html>
- Information Security Office
<http://it.ubc.ca/services/security/ubc-information-security-office>
- Internal Audit
<http://www.intaudit.ubc.ca/>
- Office of the Ombudsperson for Students
<http://ombudsoffice.ubc.ca/>
- Vice President Research and International (compliance issues regarding scholarly integrity)
<http://www.research.ubc.ca/vpri/vpri-home>
- Risk Management Services <http://riskmanagement.ubc.ca/>

9.2 Protection for Whistleblowers

The University maintains an electronic portal that brings together University policies that provide for whistleblower protection in specific areas, including financial transactions; scholarly activity; equity; and health, safety and working environment. Disclosures must be made in good faith and in accordance with the procedures set out in the relevant policy.³

Relevant portal and policies

- UBC Stewardship Statement electronic portal
<http://universitycounsel.ubc.ca/ubc-stewardship-statement/>
- Policy # 3 Discrimination and Harassment
<http://www.universitycounsel.ubc.ca/files/2013/08/policy3.pdf>
- Policy # 85 Scholarly Integrity <http://universitycounsel.ubc.ca/files/2013/04/policy85.pdf>
- Policy # 89 Research Involving Human Participants
<http://universitycounsel.ubc.ca/files/2012/06/policy89.pdf>
- Policy # 97 Conflict of Interest and Conflict of Commitment
<http://universitycounsel.ubc.ca/policies/policy97.pdf>
- Policy # 111 Internal Audit, Investigations and Financial Whistleblower
<http://universitycounsel.ubc.ca/files/2014/04/policy111.pdf>

9.3 Compliance with the law

UBC is governed in accordance with the *University Act* and *Regulations*. All UBC persons must comply with the *University Act* and *Regulations* and also comply with all other applicable statutes, regulations and common law. The various policies highlight the applicable laws and regulations.

³ Protection for whistleblowers is contained in the main policies as listed however it should be noted that there is currently no free-standing whistleblower policy providing comprehensive protection.