

PEQAB Policy 8: Conflict of Interest for Board Members Policy & Procedure

As advisors to the Ontario Government, the Chair and the members of the Postsecondary Education Quality Assessment Board must adhere to the conflict of interest guidelines established by the government. In addition, Management Board guidelines for public appointees state that a “government appointee shall not use information obtained as a result of his or her appointment for personal benefit.”

Members of the Postsecondary Education Quality Assessment Board are expected to avoid conflicts or the appearance of conflicts between their duties as public appointees and their personal or business interests.

Conflict of Interest

An actual or potential conflict of interest arises when a member is placed in a situation in which his or her personal interests, financial or otherwise, or the interests of an immediate family member or of a person with whom there exists, or has recently existed, an intimate relationship, conflict or appear to conflict with the member's responsibilities to the Board, the Minister and the public interest. No Board member shall knowingly participate in any decision that directly or preferentially benefits the member or any individual with whom the member has an immediate family, intimate or commercial relationship. In addition:

If any member of the Board is an employee of or otherwise engaged with an applicant institution, that member will declare such interest to the Chair.

If any member of the Board is an employee of or otherwise engaged with an institution that has a degree program that may compete with a proposal made by an applicant, that member will declare such interest to the Chair.

If any member of the Board is an employee of or otherwise engaged with an institution that has received or is seeking Ministerial consent under the *Post-Secondary Education Choice and Excellence Act, 2000* and that may benefit from a new or revised PEQAB standard, benchmark, guideline or process being considered by the Board, that member will declare such interest to the Chair.

Disclosure of Conflict of Interest

Should any member of the Board have any interest in a proposal by virtue of a past or current connection to either the applicant institution or private sector partner, that member will declare such interest to the Chair at the beginning of the relevant Board Meeting under the agenda item, “Declaration of Conflict of Interest.”

Board Response to Conflict of Interest Disclosure

In consultation with the Board member, and in the light of the specific nature of the conflict, the Chair and member may determine the appropriate response to the circumstance, as follows:

- Member must withdraw from any discussion or decision-making process leading to a Recommendation on the application or
- Member may remain in the meeting and participate in the discussion but refrain from voting or
- Member may remain in the meeting and participate in the discussion and in the voting.

In all cases the Chair will advise Board members of the conflict and of the outcome above, with reasons.

Should the Chair of the Board have any interest in a proposal by virtue of a connection to either the applicant institution or private sector partner, the Chair will either (a) withdraw from any discussion or decision-making process leading to a Recommendation on the proposal, or (b) ask the Board to decide whether the Chair may remain in the meeting, participate in the discussion while refraining from voting, or (c) ask the Board to decide whether the Chair may remain in the meeting, participate in the discussion and in the voting.

Procedure

In determining whether a member of the Board who is an employee or otherwise engaged with an applicant institution has a conflict of interest as regards a particular Board agenda item, the Board has adopted a two factor guideline. The first factor is a consideration of whether the applicant institution is sufficiently proximate to the member's institution. Institutions which fall within the Central Region of Ontario (combining Central-GTA and Central-Non-GTA) will be considered proximate to one another. In Southern Ontario this will include those postsecondary institutions within a circle bordered by Oshawa (Durham) to the East, Barrie (Georgian) to the North, encompassing Kitchener (Conestoga) to the West and Hamilton (Mohawk) to the South. For other Regions, a similar sized circle will be used. The other factor will be a consideration of whether the member's institution has currently or has in preparation a degree proposal in the same area as that of the applicant. The Secretariat will provide advice on these factors prior to each Board meeting, and the agenda package of any affected member will be redacted as appropriate.

November 19, 2024