

Conflict of Interest Guidelines

In pursuit of TAC's mission to be a neutral forum for gathering or exchanging ideas, information and knowledge, open and vibrant discussion is encouraged at all levels of the association. In those discussions, especially where funded projects are considered, it is essential that a transparent and equitable process be preserved that offers no unfair advantage to any participants. To that end, it is expected that all participants in activities and meetings of the Transportation Association of Canada will act to avoid real or apparent conflicts of interest.

As defined by the Canadian Society of Association Executives (December 2001):

Conflict of interest arises when an individual or organization considers choices in which conflicting interests or benefits exist. A duality of commitment exists. Conflict is present when the choice which provides personal benefit is selected over the choice most in accord with ethical principles and public interest. Such conflicts may involve financial benefits, enhancement of position, or other benefits to the individual. Disclosure of such conflicts prior to the process of choice is essential. Disclosure however per se, is inadequate if other means are used to inappropriately influence decision making.

The following sections provide examples of situations where conflicts of interest could arise, particularly in the development and conduct of funded projects. The lists should not be considered exhaustive. In such situations, the onus for declaration of real or perceived conflicts of interest rests with the individual. The fundamental requirement is to ensure that unfair advantage is not gained by one individual or organization¹ over another. Therefore, where appropriate and necessary to eliminate conflicts of interest, individuals are expected to withdraw from discussions or work that give rise to the conflict.

These guidelines are offered as a code of practice for individuals participating in the activities and meetings of TAC. The guidelines should be reviewed periodically by councils and standing committees, and specifically when new members join the discussions, to ensure that all members understand their content and have an opportunity to disclose potential conflicts of interest. Steering committees are expected to review the guidelines at the initiation of each project. In the event that an undisclosed conflict is discovered, the matter should be referred to the oversight council or the TAC Board of Directors for resolution.

Council, Task Force, Standing, Sub-Committee and Working Group Members

Discussion of potential projects should be open and inclusive of all members to the greatest extent possible. However, conflicts of interest could exist for council, standing, subcommittee or working group members in the following circumstances.

- The development of statements of project scope² or project descriptions³ is generally the responsibility of councils, standing committees, subcommittees or working groups. In such

¹ In the context of these guidelines, "organization" can refer to an individual's employer(s), company(ies) agency(ies), association(s), or institution(s) which the individual represents at TAC meetings.

² The project scope provides a brief statement of a project to be undertaken, identifying the subject area and purpose of the project in terms of major deliverables (guideline, synthesis of practice, research report, etc.)

³ The project description is a brief document used to solicit funding for the project. It defines the project in general terms, explains the need for the project and highlights other relevant research or development activities relating to the subject matter of the project. The project description identifies the project objective(s), suggests goals for the project and recommends a level of effort for the consultant assignment.

discussions, the onus for declaration of conflicts of interest rest with the individual members if participating in the development of project scope or descriptions would give the individual or his/her organization an unfair advantage over others. For example:

- The member or the member's organization might submit, or be included in, a proposal for the work.
 - The member is currently being advised or supervised by a professor who might submit a proposal for the work.
- Voting on project deliverables if:
 - The member or the member's organization acted as a consultant on the project.
 - The member or the member's organization was an unsuccessful proposer on the project.

Project Steering Committee Members

As a matter of principle, funding partners of a project have control over the scope and conduct of a project which they are funding, within the constraints of TAC's guidelines for pooled fund projects. Project steering committees are formed of representatives of the funding partners, and conflicts of interest would exist for project steering committee members when:

- Participating in the development of terms of reference⁴ for a project that would be pursued as a funded initiative with a consultant assignment if doing so would give the individual or his/her organization an unfair advantage over others. For example:
 - The member or the member's organization might submit, or be included in, a proposal for the work.
 - The member is currently being advised or supervised by a professor who might submit a proposal for the work.
- Submitting or helping to prepare proposals or receiving compensation for participation in a project under their jurisdiction.
- Participating in the proposal-evaluation process when any personal, corporate or financial gain is to be made. For example:
 - The member or the member's organization has a financial interest in one of the proposals.
 - The member or the member's organization is a contractor or consultant to one of the proposers.
 - The member serves on the Board of Directors (or similar policy-making body) of one of the proposers.
 - The member is currently being advised or supervised by a professor in one of the proposals.
 - The member is in the immediate family of one of the proposers.
- Serving on the steering committee if the contract is awarded to a proposer creating one of the situations listed above.

⁴ The project terms of reference are established by a project steering committee building upon the project scope and description. The terms of reference are issued to solicit letters of interest or proposals for consultant assignments and identify specific goals for the project, and may set out tasks to be undertaken or a recommended methodology to be followed, and establish a schedule for the consultant assignment.

- The member or the member’s organization has a commercial interest in the outcome of the research; for example, the member might work for a trade association or own a patent for a product that could be helped or hurt by the results of the research.
- Individuals are not disqualified from service on a project steering committee but are expected to disclose the following circumstances to the project steering committee and TAC staff:
 - The member serves, without compensation, on a committee providing technical advice to a proposer on matters unrelated to the project under the steering committee member’s jurisdiction.
 - The member is employed by the same agency as an individual listed as an independent consultant in one of the proposals.
 - The member is personally acquainted with a member of a proposing team.
 - The member’s agency currently employs one of the proposers as a contractor or consultant.
 - The member or the member’s organization was previously a contractor or consultant to one of the proposers.
 - The member appears to be in a position of control relative to an individual in one of the proposals; for example the member might be a thesis adviser or research sponsor to a member of the proposing team.

TAC Staff Members

To avoid conflicts of interest, TAC staff members do not:

- Help a proponent with proposal preparation or provide assistance that could jeopardize a fair competition; for example by reviewing parts of a proposal before submittal. Providing clarifications and general guidance to potential proposers would not be considered a conflict of interest.
- Accept compensation from potential proposers. This includes honoraria, consulting fees, or payment for teaching.
- Serve in unpaid advisory roles.
- Manage a particular project when a special relationship exists between the staff member and the project’s contractor or a member of the research team.

TAC Contractors

To avoid conflicts of interest, potential TAC contractors are required to:

- Include in their proposals a section labeled “Disclosure” including information on possible sources of significant financial or organizational conflict of interest in conducting the research. For example, under certain conditions, ownership of the proposing agency, other organizational relationships, or proprietary rights and interests could be perceived as jeopardizing an objective approach to the research effort, and proposers are asked to disclose any such circumstance and to explain how they will be accounted for in the study. The project steering committee considers this information when evaluating proposals.