

FONDS DE LA RECHERCHE EN SANTÉ DU QUÉBEC

Code of ethics and professional conduct

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Adopted on first reading
FRSQ Board of Directors
February 14, 2003

Code of ethics and professional conduct of the Fonds de la recherche en santé du Québec (FRSQ)

Introduction

The Fonds de la recherche en santé du Québec (hereafter called the "FRSQ") is a public-sector organization committed to promote and fund health research. It benefits from the same public trust enjoyed by all public institutions.

In accordance with its mandate, the FRSQ is a driving force for health research development, especially through its funding of institutions and scientific investigators. The FRSQ is fully cognizant of the importance that the public attaches to health and health-related professional activities. The practices of the FRSQ and the conduct of all persons involved in accomplishing its mission must fully warrant the public trust, expressed in the legislation by which the FRSQ was established.

The FRSQ Board of Directors has adopted this *Code of Ethics and Professional Conduct* (hereafter called the "Code") as a guiding document intended for the members of the Board, the executive staff, the scientific advisors, the members of the scientific evaluation committees, the staff members, and the directors of research centres and networks. This Code seeks primarily to advise the people concerned to perform their duties in light of the specific values that the FRSQ considers basic to the fulfillment of its mandate. All such persons shall conduct themselves in accordance with this Code. The FRSQ Board of Directors nevertheless makes it clear that the content of this Code shall not override personal judgment.

Where members of the Board of Directors are concerned, adoption of this Code fulfils the expectations set out in article 3.0.2, paragraph 1, clause 4 of the *Act relating to the ministère du Conseil exécutif* (R.S.Q., c. M-30). Moreover, this Code complements and clarifies the meaning of the *Regulation concerning the Ethics and Professional Conduct of Public Office Holders*, with article 5, paragraphs 1 and 2 reading as follows:

"In the performance of his duties, a public office holder is bound to comply with the ethical principles and the rules of professional conduct prescribed by law and by this Regulation, as well as by the principles and rules set forth in the code of ethics and professional conduct applicable to him. In case of any discrepancy, the more stringent principles and rules shall apply."

"In case of doubt, he shall act in accordance with the spirit of those principles and rules. He shall, in addition, arrange his personal affairs in such a manner that they cannot interfere with the performance of his duties."

This Code is not intended to replace statutes and regulations. In case of any discrepancy between the Act, the Regulation and this Code, the most stringent rules shall apply.

Moreover, the *Regulation respecting the Ethics and Professional Code of Public Office Holders* underlines that the members of the Board of Directors shall arrange their personal affairs in such a manner that they cannot interfere with the performance of their duties.

The FRSQ Board of Directors has chosen to go further than the legislative and regulatory requirements and make the provisions of this Code applicable to all persons involved in accomplishing its mission. The persons listed hereinafter are required to take cognizance of this Code at the time of taking office or commencing work and are further required to respect it in its entirety: the members of the Board, the executive staff, the scientific advisors, the members of the scientific evaluation committees, the staff members, and the directors of research centres and networks.

This Code is also considered as an additional regulation for research scientists and students funded by the FRSQ in the event that their respective home institutions have not adopted a similar document. In that case, it should be applied as required under the circumstances.

This Code bears upon the conduct of all persons (physical or legal entities) having a contractual relationship with the FRSQ. The person within the FRSQ responsible for that contractual relationship shall see to it that the contracting party receives a copy of this Code and that the contract includes a provision that clearly sets out the obligation of the contracting party to comply with its provisions in keeping with any adjustments required under the circumstances.

1. FRSQ MANDATE

Given that the activities of the FRSQ form the context for the implementation of this Code, we define here under the mandate of the FRSQ in order to highlight the aspects of ethics and professional conduct outlined herein.

Article 15.32 of the *Act relative to the ministère de la Recherche, de la Science et de la Technologie* (R.S.Q., c. M-19, 1.2) describes the mandate of the FRSQ as follows:

"The functions of the Fonds de la recherche en santé du Québec are

1. to promote and provide financial support for all areas of research in the field of health, including basic, clinical and epidemiological research, research in the field of public health and research in the field of health services;
2. to promote and provide financial support for the dissemination of scientific knowledge in fields of health research;
3. to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community, and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;
4. to create any necessary partnership, in particular with universities, colleges and health care institutions, government departments, as well as public and private bodies concerned."

Applications for funding, grants and fellowships, which are central to the mission of the FRSQ, are subject to scientific evaluation by peer review committees. It is essential that the evaluation process and the conduct of the evaluators be consistent with the highest standards of competence, integrity and impartiality and that they be seen as such.

2. ETHICS AND PROFESSIONAL CONDUCT

Article 35 of the *Regulation relating to the Ethics and Professional Conduct of Public Office Holders* shows discernment in that it makes a distinction between ethics and professional conduct. Part of it reads as follows:

"The ethical principles shall reflect the agency's or corporation's mission, the values underlying its operations and its general principles of management.

"The rules of professional conduct shall pertain to the duties and obligations of public office holders."

The philosopher Paul Ricœur proposes a convention for distinguishing between "*ethics*" and "*morality*." His proposal is useful for clarifying the meanings that we ascribe to "*ethics*" and "*professional conduct*" within the context of this Code.

"Must one distinguish between morality and ethics? Actually, neither the etymology nor the history of the use of these words requires a distinction: one word comes from the Greek and the other from the Latin, and both of them refer to the idea of morals (*ethos, mores*). There is, however, a subtle but discernable difference, depending on whether the emphasis is on what is considered good or what is imposed and obligatory. It is by convention that I will use the term 'ethics' to designate a life lived with emphasis on actions that are considered good and the term 'morals' to designate the obligatory aspect, marked by norms, obligations and prohibitions characterized by a requirement of universality and a constraining effect."¹

This Code per se has two main sections. The first describes the values propounded by the FRSQ. This is the ethical, and most inspiring part of the Code that outlines the general expectations and benchmarks seeing as reference for the persons concerned in performing actions that are considered honorable. It encourages personal reflection about any action before adopting it. The second section is concerned with professional conduct and sets out a series of specific rules and duties that shall govern the activities of the various groups of individuals involved in accomplishing the mission of the FRSQ.

3. PREFERENTIAL VALUES

Within the meaning of this Code, a value is an ethical benchmark whereby one can reflect upon and decide which types of behaviour to espouse and which to reject. The FRSQ shares the perception defined below, whereby the values emphasized and exhibited by public organizations inform citizens about their mission and the significance of their routine activities:

"Values form the foundation of public service. Values are the collectively shared principles that guide judgment about what is good and proper. Values stated in public documents provide the basis for an environment where citizens know about the mission and the vision of public organizations and they also give overall guidance for daily public service operations."²

The FRSQ has decided to favour the five values of professionalism, impartiality, discretion, transparency and integrity as constituting the environment in which it shall accomplish its mission. These values shall be reflected in the conduct of all persons concerned by this Code.

3.1 Professionalism

There are two aspects to professionalism, which refer to a level of competence to be achieved and an attitude of community service. With respect to competence, professionalism denotes the quality of a person who engages in an activity requiring a specific level of knowledge in order to perform adequately. The professional has acquired theoretical knowledge and practical know-how under the supervision of a person regarded as an expert in a given field of endeavour. Furthermore, professionals take the necessary steps to maintain their knowledge at the level needed to perform their duties.

1. Paul Ricœur, Lectures 1: *Autour du politique*, Paris: Éditions du Seuil, 1991, p. 258.

2. OECD, *Trust in Government: Ethics in OECD Countries*, OECD Publishers, Paris, 2000, p. 31.

As regards the attitude towards community service, professionalism requires doing one's tasks efficiently and with respect for individuals. All situations, and especially problem situations, are resolved competently, impartially and discretely.

As regards competence, professionalism is a value that requires all persons to maintain their knowledge at a reasonably prudent and diligent professional level similar to that of competent persons assigned to such duties. Professionalism also requires that all persons concerned prepare suitably for their participation in the activities of the FRSQ, e.g. by being sufficiently informed to make appropriate use of recent scientific data. At all levels, professionalism encourages everyone to do their best as to the intellectual quality of their contribution.

3.2 Impartiality

Impartiality denotes an attribute of a person who is fair, without bias and disinterested. This attribute is especially important with respect to scientific evaluation committees since the confidence of research scientists rests on their recognition that the judgment made is at the same time competent and disinterested.

The exercise of impartiality prevents anyone from acting with a preference or bias incompatible with justice or equity. Prohibited reasons for discrimination include gender, race, colour, ethnic origin, religion and political convictions.

3.3 Discretion

Discretion denotes an attribute of persons able to maintain the secrecy of confidential information that comes to their knowledge. The FRSQ members of the Board, executive staff, scientific advisors, scientific evaluation committee members and staff members are likely to gain knowledge of confidential information owing to their duties within the FRSQ.

Confidential information that is both most intimate and sensitive relates to individual privacy. Note that the right to privacy is a fundamental right, and the Québec legislation includes provisions that guarantee respect for the right to privacy.

In a knowledge-based society, scientific knowledge has economic and financial impacts that are often unforeseeable. Research scientists rightly expect the FRSQ to guarantee protection of the secrecy of privileged information contained in grant and fellowship applications.

3.4 Transparency

Transparency generally designates the accessibility of information in areas of interest to the public. It comprises three basic requirements for genuine accountability to the public and the State:

- an operation that is clear and easily accessible to the public;
- the obligation to explain and substantiate peer review committee decisions;

- a presumption that all information must be accessible to the public and that any exception of this rule must be motivated solely by the public interest or the need to safeguard the privacy of the persons concerned.

The FRSQ acknowledges its special obligation of transparency, especially as regards the award of research grants and fellowships. More especially, preserving the trust of the public and research scientists requires accessibility of information regarding certain aspects of the work of peer review committees, i.e. the deliberation procedure, decision making criteria and disclosure to those concerned of the reasons supporting the decisions taken.

3.5 Integrity

Integrity is an attribute of a loyal, upright person. This value attracts attention to financial and other situations in which a person would become a debtor of a third party who is likely to benefit from influence brought to bear on the performance of this person.

All granting organizations are in a position that requires special vigilance with regard to actual or apparent conflict of interest. The basic credibility of such organizations depends on their conduct and the image they project with respect to the requirements of integrity. For this reason, loyalty to the mission of the FRSQ is the highest principle governing the members of the Board of Directors, the executive staff members, the scientific advisors, the members of the scientific evaluation committees and the staff members.

4. CONFLICT OF INTEREST

There are three types of conflict of interest, i.e. actual conflict, apparent conflict and potential conflict. Actual conflict involves a situation in which persons are exposed to favouring their own interest or that of their allies (relative, friend or business partner) to the detriment of any other interest that they have the duty or mandate to safeguard. Apparent conflict of interest occurs when the public could reasonably interpret a situation as constituting an actual conflict, and it may exist whether or not there is an actual conflict. There is potential conflict when a situation is likely to occur, i.e. a situation that exists virtually.

Conflict of interest may be financial, psychological or professional.

The mere existence of a conflict of interest in no way implies dishonesty on the part of the person involved. Nor does it prove that such persons would put their personal interest ahead of a higher interest. Nevertheless, given the nature of its mission, the FRSQ strictly requires that situations of actual, apparent or potential conflict of interest be taken seriously and handled with diligence.

Whenever so required by this Code, the declaration of financial interests excludes participation in mutual funds.

5. MEMBERS OF THE BOARD OF DIRECTORS

5.1 Basic obligation

The members of the Board of Directors, or administrators, have a basic obligation to contribute, within the context of their mandate, to the accomplishment of the mission of the FRSQ. Members of the Board act with reference to the values that the FRSQ espouses through this Code, and they uphold the independence of the scientific evaluation process.

Members of the Board ensure the proper administration of the public resources entrusted to the FRSQ.

This Code also applies to persons who sit on Board committees but are not members of the Board of Directors *per se*.

5.2 Independence and objectivity

Members of the Board shall have the necessary objectivity and open-mindedness to perform their duties. They shall sit in their own name and take part in the work of the Board of Directors in this capacity only. No members of the Board may represent a group or an organization the interests of which they would be expected to promote.

Members of the Board cannot promise to a third party to support a given position or to obtain a certain decision.

5.3 Availability and commitment

Members of the Board shall devote the necessary time to discharge their mandate and shall take cognizance of the relevant documents in order to make enlightened decisions.

5.4 Discretion

Members of the Board are bound to discretion with regard to any information obtained during the performance of their duties and are bound at all times to maintain the confidentiality of information thus received. They are not entitled to use that information for their personal advantage or for the particular advantage of others.

5.5 Use of public resources

Members of the Board shall use the resources of the FRSQ in accordance with the purpose for which those resources are intended. They shall not treat the resources of the FRSQ as though they were their own property and may not use them for their own benefit or for the benefit of a third party. (art. 11, provincial regulation)

5.6 Partisanship

Members of the Board shall make decisions without regard for partisan political considerations of any kind. (art. 7, provincial regulation)

5.7 Gift or advantage

Members of the Board may not accept any gift, hospitality or other advantage, except what is customary and is of modest value. Any other gift, hospitality or advantage received shall be returned to the giver or remitted to the State. (art. 14, provincial regulation)

5.8 Favour or undue advantage

Members of the Board may not directly or indirectly grant, solicit or accept a favour or an undue advantage for themselves or for a third party. (art. 15, provincial regulation)

5.9 Conflict of interest

The basic rule in matters of conflict of interest is that members of the Board shall conduct themselves in a manner that can in no way cast doubt on their integrity. Board members shall therefore do what is necessary to avoid situations involving actual or apparent conflict of interest.

Certain circumstances or events may nevertheless put a Board member in a situation of conflict of interest. Without narrowing the definition of conflict of interest provided in this Code, such a situation exists when Board members hold a direct or indirect interest in an agency, corporation or association that puts their own interest in conflict with the interests of the FRSQ.

If an actual or apparent conflict of interest exists or becomes unavoidable, the situation shall be handled with transparency, and the member of the Board involved shall advise promptly and in writing President and Executive Director of the FRSQ.

In particular, members of the Board shall give President and Executive Director of the FRSQ written notice concerning all direct or indirect interest that they have in an agency, corporation or association likely to put them in a situation of conflict of interest, as well as any rights that they may assert against the FRSQ, and shall indicate, where applicable, the nature and value of such interests. (art. 9, provincial regulation)

This member of the Board shall abstain from participating in any deliberation or any decision relating to the situation representing a conflict of interest. In particular, they shall withdraw from the session for the duration of deliberations and decision making concerning that matter. (art. 10, provincial regulation)

At the start of every session of the Board of Directors, the chair shall ask the members of the Board present whether any of them consider themselves to be in actual or apparent conflict of interest with any item on the agenda. Members of the Board to whom this applies shall disclose any situation of conflict of interest in which they find themselves.

The President and Executive Director shall deal with the matter and may consult the other members of the Board before making a decision.

5.10 Declaration

A Conflict of Interest Declaration for Members of the Board of Directors of the Fonds de la recherche en santé du Québec is completed at the time a member of the Board takes office. Every member of the Board shall renew this declaration annually and shall complete a new form whenever new circumstances invalidate his or her most recent declaration.

5.11 End of term

Members of the Board whose term in office has ended shall abstain from disclosing confidential information that they obtained and giving anyone advice based on information not available to the public concerning the FRSQ or any other organization with which they had a direct and substantial relationship during the year preceding the end of their term in office.

Members of the Board shall not act, within one year after leaving office, for or on behalf of anyone else in connection with a proceeding, negotiation or other transaction to which the FRSQ is a party and about which they have information not available to the public.

Members of the Board may not, in the circumstances outlined in the foregoing paragraph, deal with members of the Board for one year following the end of their term in office. (art. 18, provincial regulation)

5.12 Role of President and Executive Director

The President and Executive Director, as chair of the Board of Directors, shall ensure that the members of the Board adhere to the ethical principles and rules of professional conduct set out in this Code. (art. 19, provincial regulation)

5.13 Obligatory confidentiality of Board of Directors

The Board of Directors shall take the necessary steps to ensure confidentiality of the information received from all persons concerned by this Code. (art. 36, provincial regulation)

6. EXECUTIVE STAFF

The FRSQ executive staff is comprised of the President and Executive Director, the Executive Vice-President, the Scientific Director and the Director of Administrative Services.

6.1 Accountability

The executive staff shall be fully accountable to the Board of Directors for their management of the FRSQ.

6.2 Deference to Board of Directors

The executive staff shall ensure that they do not substitute for the Board of Directors and shall respect the prerogatives of the Board.

6.3 Information to Board of Directors

All executive staff shall provide the Board of Directors with all relevant information so that the Board members are able to deliberate with full knowledge.

6.4 Official spokesperson

The President and Executive Director, or the person whom he designates, is the official spokesperson of the FRSQ.

6.5 Partisanship

The executive staff shall conduct themselves without regard for partisan political considerations of any kind.

6.6 Interest of President and Executive Director

The President and Executive Director may not, on penalty of dismissal, have a direct or indirect interest in an agency, corporation or association giving rise to conflict between his or her personal interest and the interest of the FRSQ. Notwithstanding the foregoing, such dismissal shall not occur if that interest devolves on the President and Executive Director by succession or gift, provided that they promptly renounce or dispose of it. (art. 10, provincial regulation)

6.7 Declaration

A Conflict of Interest Declaration for Executive Staff of the Fonds de la recherche en santé du Québec is completed at the time an executive staff member takes office. Every executive staff member shall renew this declaration annually and shall complete a new form whenever new circumstances invalidate his or her most recent declaration.

7. SCIENTIFIC ADVISORS

7.1 Basic obligation

Scientific advisors, who come under the responsibility of the Scientific Director, shall ensure that the highest level of competence and integrity is reached and maintained as

regards the program administration and the scientific evaluation of grant and fellowship applications.

7.2 Availability and commitment

Scientific advisors shall devote the necessary time to discharge their mandate and shall diligently respond to all queries from the general public, the scientific community and the partners of the FRSQ.

7.3 Independence and objectivity

Scientific advisors shall, when acting on behalf of the FRSQ, espouse a conduct loyal to the mission of the FRSQ. That loyalty shall at all times take precedence over the ties stemming from their affiliation with any particular academic community. Scientific advisors may not, in the performance of their duties for the FRSQ, represent a group or organization whose interests they would be expected to promote.

7.4 Impartiality of evaluation process

Scientific advisors shall ensure that the entire scientific evaluation process provides satisfactory guarantees of impartiality.

7.5 Composition of scientific evaluation committees

Scientific advisors shall see that the composition of the scientific evaluation committees is consistent with the usual criteria of scientific competence. That composition shall be as representative as possible of the community served by the FRSQ.

Scientific advisors shall choose the committee members and the committee chair objectively and without regard for outside pressures. The committee members shall be chosen without discrimination and in light of the scientific discipline covered by the committee.

7.6 Information to scientific evaluation committee members

Scientific advisors shall inform evaluation committee members of their responsibilities and duties with respect to ethics and professional conduct. They shall ensure that the committee members complete and sign the declarations prescribed in this Code.

7.7 Discretion

Scientific advisors are bound to discretion with regard to any information obtained during the performance of their duties and are bound not to disclose that information during or after the mandate entrusted to them by the FRSQ. Particular discretion shall be exercised with respect to evaluations, recommendations, evaluator identity and application ratings.

Scientific advisors shall store in a safe location all documents forwarded by the FRSQ for evaluation purposes. They may not use the information provided under their mandate with the FRSQ for any purpose other than that mandate.

7.8 Conflict of interest

The basic rule in matters of conflict of interest is that scientific advisors shall conduct themselves in a manner that can in no way cast doubt on their integrity. Scientific advisors shall therefore do what is necessary to avoid situations involving actual or apparent conflict of interest.

Certain circumstances or events may nevertheless put a scientific advisor in a situation of conflict of interest. If an actual or apparent conflict of interest exists or becomes unavoidable, the situation shall be handled with transparency, and the scientific advisor involved shall give prompt written notice thereof to the FRSQ Scientific Director, who will deal with the matter. These scientific advisors shall abstain from participating in any decision relating to the situation related to their conflict of interest.

7.9 Declarations

A Conflict of Interest Declaration for Scientific Advisors of the Fonds de la recherche en santé du Québec is completed at the time a scientific advisor commences work. Scientific advisors shall renew this declaration upon renewal of their contract with the FRSQ and shall complete a new form whenever new circumstances invalidate their most recent declaration.

A Confidentiality Agreement for Scientific Advisors of the Fonds de la recherche en santé du Québec is completed at the time a scientific advisor commences work. Scientific advisors renew this declaration upon renewal of their contract with the FRSQ.

8. EVALUATION COMMITTEE MEMBERS

8.1 Basic obligation

The members of the scientific evaluation committees, whether those committees are permanent or not, shall have the basic obligation to make objective decisions based on scientific criteria. It is essential that the decisions of the evaluation committee members be impartial and that they be perceived as such.

The committee chairs are responsible for the proper working of their respective committees, including management of conflicts of interest with respect to committee activities. They shall ensure that a high level of professionalism is maintained throughout the discussions and that no irrelevant considerations enter into decision making.

8.2 Availability and commitment

Evaluation committee members shall devote the necessary time to discharge their mandate. They shall be acquainted with the relevant documents and provide objective, detailed reports within the prescribed time.

8.3 Discretion

Evaluation committee members are bound to discretion in anything that comes to their knowledge in the performance or during the performance of their duties and are bound not to disclose that information during or after the mandate entrusted by the FRSQ. Particular discretion shall be exercised with respect to evaluations, recommendations, evaluator identity and application ratings.

Evaluation committee members shall see that all documents received from the FRSQ for purposes of evaluation are kept in a safe location. Upon completion of their mandate, they shall destroy those documents by some efficient means (deletion of electronic files and proper disposal of hard copies) or return them to the FRSQ.

Evaluation committee members may use the information received or the new concepts contained in the transmitted documentation solely to evaluate the applications until such time as the researchers themselves have published that information.

8.4 Conflict of interest

The basic rule in matters of conflict of interest is that evaluation committee members shall conduct themselves in a manner that can in no way cast doubt on their impartiality. Given the nature of the mandate entrusted to evaluation committees, committee members shall be particularly attentive to this aspect of their duties.

If actual or apparent conflict of interest exists or becomes unavoidable, that situation shall be handled with transparency. Any evaluation committee members in this situation shall give the committee chair prompt written notice thereof and shall abstain from participating in any deliberation or any decision relating to the situation pertaining to the conflict of interest. In particular, they shall withdraw from the session for the duration of deliberation and decision making concerning that matter.

Evaluation committee members shall abstain from participating in the evaluation of any application submitted by

A researcher with whom they have previously collaborated or published;

- a former research student under their direct supervision;
- a person who was once their research director;
- a relative or close friend;
- a researcher with whom they entertain hostile professional or other relations.

At the start of every session of an evaluation committee, the chair shall ask the members present whether any of them consider themselves to be in actual or apparent conflict of interest with any item on the agenda. Any evaluation committee member to whom this applies shall disclose any situation of conflict of interest in which they find themselves.

The evaluation committee chair shall deal with the matter and may consult the other committee members before making a decision.

Evaluation committee chairs who find themselves in a conflict of interest shall report to the Scientific Director, who shall deal with the matter.

8.5 Declarations

A Conflict of Interest Declaration for Members of Evaluation Committees of the Fonds de la recherche en santé du Québec is completed at the time research applications are evaluated and submitted at the meeting of the evaluation committee.

A Confidentiality Agreement for Members of Evaluation Committees of the Fonds de la recherche en santé du Québec is also completed at that time.

9. PERSONNEL MEMBERS

9.1 Basic obligation

All FRSQ employees are staff members and thus have a basic obligation to provide work of professional quality. Professionalism is used here to mean an attitude typified by competence, assiduousness and integrity. It is not confined to persons belonging to a professional corporation, for indeed all staff members have an obligation to conduct themselves in a professional manner. Thus, staff members maintain their competence through continuing education activities. The obligation of assiduousness requires that employees be present at work and perform their duties with diligence.

9.2 Discretion

Personnel members are bound to discretion with regard to any information obtained in the performance or during the performance of their duties and are bound at all times to maintain the confidentiality of any information received. They are not entitled to use that information for their personal advantage or for the particular advantage of others.

9.3 Impartiality

The public perception that personnel members act with impartiality safeguards the reputation of the FRSQ. Staff members shall exercise their judgment independently without giving in to pressure or inferences which are neither legitimate or pertinent.

Impartiality shall guide staff members to make decisions in favour of the interests of the FRSQ, particularly decisions having financial or administrative consequences, i.e. selection of personnel, selection of professional firms, award of contracts, choice of suppliers, purchase of goods and services, and so forth.

9.4 Courtesy and respect

Personnel members shall relate to their co-workers, superiors and subordinates in a way that meets the requirements of courtesy and respect for others and shall exhibit that same behaviour in dealing with people outside the FRSQ.

9.5 Use of public resources

Staff members shall use the resources of the FRSQ in accordance with the purposes for which those resources are intended. They shall not treat the resources of the FRSQ as though they were their own property and may not use them for their own benefit or for the benefit of a third party.

9.6 Partisanship

Staff members shall conduct themselves independently of partisan political considerations of any kind and shall abstain from any partisan activity during the performance of their duties.

9.7 Gift or advantage

Personnel members may not accept any gift, hospitality or other advantage, except what is customary and is of modest value. Any other gift, hospitality or advantage received shall be returned to the giver or remitted to the State.

9.8 Conflict of interest

If actual or apparent conflict of interest exists or becomes unavoidable, the situation shall be handled with transparency, and any personnel members involved shall give their superior prompt written notice so that the superior can determine what steps to take.

9.9 Declaration

A Conflict of Interest Declaration for Personnel Members of the Fonds de la recherche en santé du Québec is completed at the time a personnel member commences work. Every personnel member shall renew this declaration annually and shall complete a new form whenever new circumstances invalidate his or her most recent declaration.

10. DIRECTORS OF RESEARCH CENTRES AND NETWORKS

The FRSQ supports major research institutions, which are the institutional research centres accredited by the FRSQ. The FRSQ also supports as virtual institutions the fifteen theme-based research networks. Each such network generally comprises seventy-five to three hundred research scientists. The directors of those research centres and networks administer substantial research budgets allocated by the FRSQ and other financial partners.

Research centre directors shall first report on their management activities to the board of directors of their home institution. Consequently, they transmit all useful information to the executive director or the board of directors of their institution. The FRSQ considers,

however, that they are accountable to the FRSQ for their research management activities since a granting organization must ensure proper use of the public funds that it allocates.

Network directors are not part of the personnel or executive staff of the FRSQ. They are scientists who have a direct mandate from the FRSQ Board of Directors to contribute to the implementation of FRSQ initiatives with respect to the research networks.

10.1 Basic obligation

Directors of the FRSQ research centres and networks (hereafter called the "directors") have the basic obligation to carry out their activities in compliance with the mission of the FRSQ and pursuant to the provisions of this Code, including respect for the five values of professionalism, impartiality, discretion, transparency and integrity set out herein.

10.2 Protection of human research subjects

Protection of human research subjects relates to the dignity, well-being and rights of the persons concerned. It is the basis for all decisions made by the directors. More broadly, directors shall ensure compliance with generally accepted scientific principles and ethical standards that are justified by the nature and aim of the scientific investigations.

10.3 Use of public resources

Directors shall ensure proper use of the public resources entrusted to their management. Those public resources include grants and fellowships, which shall be used for the purposes for which they are awarded.

10.4 Regulatory framework

Directors shall act in accordance with the regulatory framework of good research practices espoused by their respective institutions.

10.5 Declaration

A Conflict of Interest Declaration for Directors of Research Centres and Networks is completed at the time a director enters service. Every director shall renew this declaration annually and shall complete a new form whenever new circumstances invalidate his or her most recent declaration.

11. DISCIPLINARY PROCESS

The disciplinary process shall be contemplated in terms of the legal relationship between the person concerned and the FRSQ.

From the perspective of their legal relationship with the FRSQ, the persons concerned fall into one of three categories, as follows:

- members of the Board of Directors;

- staff members;
- other persons mentioned in this Code.

11.1 Members of the Board of Directors

For the purposes of this Code, the Associate Secretary General for Senior Positions of the ministère du Conseil exécutif is the competent authority to deal with any member of the Board of Directors, including the President and Executive Director. (art. 37, provincial regulation)

Members of the Board accused of a breach of ethics or professional conduct may be temporarily relieved of their duties, with remuneration, by the competent authority, in order to allow for an appropriate decision in an urgent situation requiring rapid action or in a presumed case of serious misconduct. (art. 38, provincial regulation)

The penalties that may be imposed on of the members of the Board are reprimands, suspensions without remuneration for a maximum of three months or dismissals. (art. 41, provincial regulation) Dismissal of a member of the Board can be imposed by the government only. (art. 40, provincial regulation)

Any penalty imposed on members of the Board, as well as the decision to temporarily relieve them of their duties, shall be provided in a written notice stating the reasons for that penalty. (art. 42, provincial regulation)

11.2 Personnel members

The disciplinary process should be carried out in accordance with the provisions of the collective agreement.

11.3 Other persons mentioned in this Code

The disciplinary process applicable to the other persons mentioned in this Code may be modeled on the provisions that apply to members of the Board.

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