



Conflict of interests - Policy

Type :	Policy
No :	
Adopted by :	Board of Directors
Issuer :	General Administration
Recipients :	Employees of the Foundation Employees of the Research Center Employees of the Douglas
Date of adoption :	17 november 2010
Date effective :	20 january 2011

[Older versions of this document are available in the 'Archives' section](#)

Foreword

The following policy has been elaborated in regard to the articles 154, 197, 234 and 235 of the Act respecting health services and social services (L.R.Q., c. S-4.2), the article 89 of the Securities Act (L.R.Q., c. V-1.1) and the article 15 of the Organization and Management of Institutions Regulation (L.R.Q., c. S-5, r.3.01)

The objective of this policy is:

- To protect the interest of patients and the reputation of the Douglas;
- To prevent or stop conflicts of interests by implementing standards applicable to people covered in this policy;
- To ensure the impartiality, integrity and loyalty of people covered in this policy whether at the Institute, the Research Centre or the Foundation.

Definitions

Conflict of interest: situation where the interest of a person may:

- Constitute an obstacle to accomplishing his/her duty of loyalty, integrity or honesty linked to his/her office;
- To bring umbrage to the credibility of his/her office, administrative unit or the Douglas;
- To influence a decision, judgement or loyalty towards the Douglas.

There is however no conflict of interest for a person to be a minority shareholder in an organization that operates a business covered by the present policy if the shares of this organization are traded on a recognized stock exchange and if the person involved is not considered an insider of the organization as defined in article 89 of the *Securities Act* (L.R.Q., c. V-1.1).

Douglas: legal entity constituted of the Douglas Institute itself as well as any other associated legal entity, i.e. the Governors Office, the Douglas Institute Research Centre and the Douglas Institute Foundation.

Person who exercises his functions at the Douglas: any person, salaried or not, who exercises his profession or any function whether he is an employee, a physician, a volunteer, under contract, a student or any other person.

Relative: refers to the spouse (legal or de facto), child, father, mother, brother or sister of a person. It can also include the spouse and children of the previously mentioned people as well as an associate.

Statement

The Executive Director is responsible for applying this policy.

- a) Any person covered under this policy must avoid, at all times, placing themselves in a real, potential or apparent situation of conflict between his personal interest, including his relatives, and that of the Douglas.
- b) A person may not have a direct or indirect interest in a business which puts his/her personal interest, or the interest of a relative, in conflict with that of the Douglas. This person must also, if such is the case, abstain from taking part in a meeting, a discussion or a decision where his interest may be an issue.
- c) A person cannot use for his/her own profit or the profit of a third party, information obtained through his/her functions or activities at the Douglas.
- d) A person may not accept any gift, gratuity or any other benefit, except if they are a custom and of modest value, otherwise they must be returned to the giver or handed over to the Douglas.
- e) A person may not, directly or indirectly, accept an award, solicit or accept a favour or a benefit of any type whatsoever (ex.: material, monetary, personal, compensation, etc.) for himself/herself or for a third party in exchange for taking a stand, for intervening or for a service.
- f) Any person must abstain from using, or allow the use, of Douglas resources or services for purposes other than those for which they were intended or use authority stemming from his/her position for his/her own interest or that of a third party.
- g) Any person who no longer works or is no longer associated with the Douglas must conduct himself in such a way that he does not unduly profit from his past association with the Douglas or cause harm in any way the interests of the Douglas.
- h) Any person who no longer works at the Douglas may not divulge confidential or privileged information he/she has obtained while working at the Douglas.

The internal By-Law of the Board of Directors deals with all provisions related to conflicts of interests involving members of the Board as well as those pertaining to the Executive Director.

Sanction

Anyone in breach of the present policy may be faced with disciplinary measures up to dismissal or breach of contract.

Implementation - declaration

The implementation of the present policy and the declaration of interests are applied using the procedure: "Conflicts of interests – Declaration of interests".

Related Links

[Act respecting health services and social services](#)
[Securities Act](#)
[Organization and Management of Institutions Regulation](#)
[By-Law on Governance - Board of Directors](#)
[Conflict of interests - The declaration of interests procedure](#)
[By-law on the exclusivity of functions for the senior managers of the Douglas Institute](#)
[By-law on the Code of Ethics Applicable to Members of the Board of Directors](#)
[Code of Ethics of the Douglas Institute](#)