



VCU

Integrity and Compliance

Assessment Tool: Reviewing and Clearing Disclosed Interests

VCU invested in a new web-based interest disclosure tool (within the Convercent system) to identify internal and external interests that may impact university business decisions and ultimately our collective reputation. The Integrity and Compliance Office (ICO) developed the following overview and assessment guide to help clarify whether activities should be managed after disclosure and your responsibilities in the interest disclosure review process.

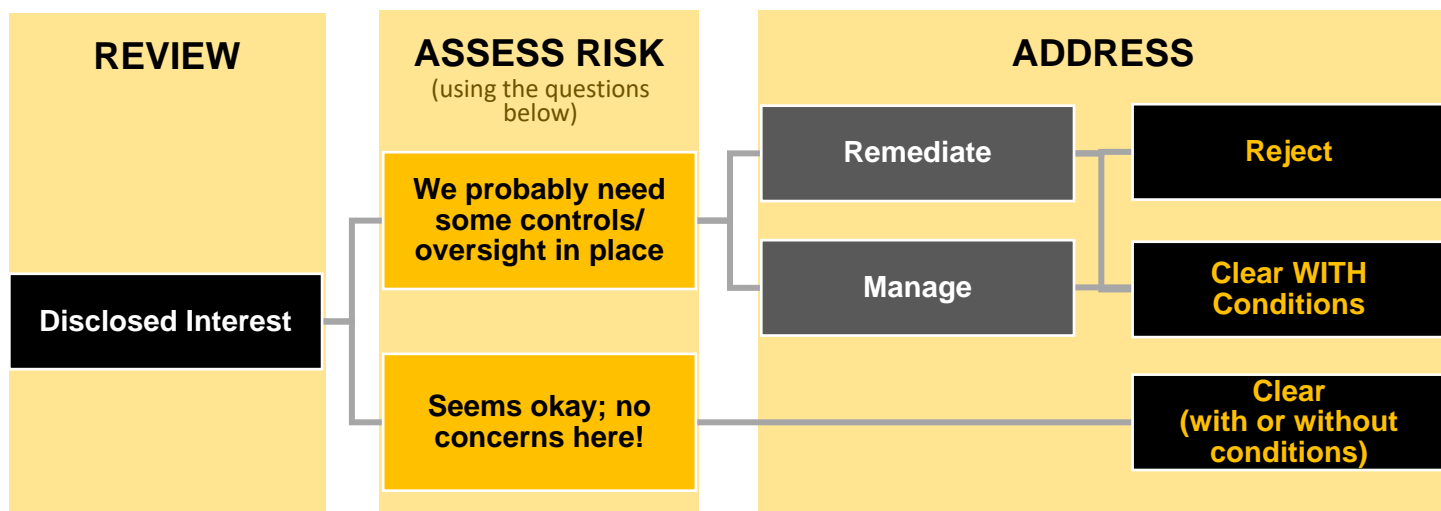
Conflicts are not inherently bad – they often produce beneficial outcomes and demonstrate an innovative and engaged university community. Asking about our potential conflicts (including perceived conflicts) means we are paying attention, and managing them means we care about values-based, ethical decision-making.

Why are you being asked to review disclosures?

Employee interests have the most impact (positive or negative) at the unit level. Because you have the most knowledge of your employee's decision-making authority, local processes and other situational factors, it makes the most sense that you also review their interests.

This process gives you oversight and opportunity to best understand what your people are doing. Some things may be great to share and shine a spotlight on your area's outreach and influence. Others may be things that you would like to keep a close eye on or remediate. Either way, the disclosure and review process is designed to protect employees and VCU if decisions are questioned or impropriety is alleged.

Before we dive in, here's an overview of the process:



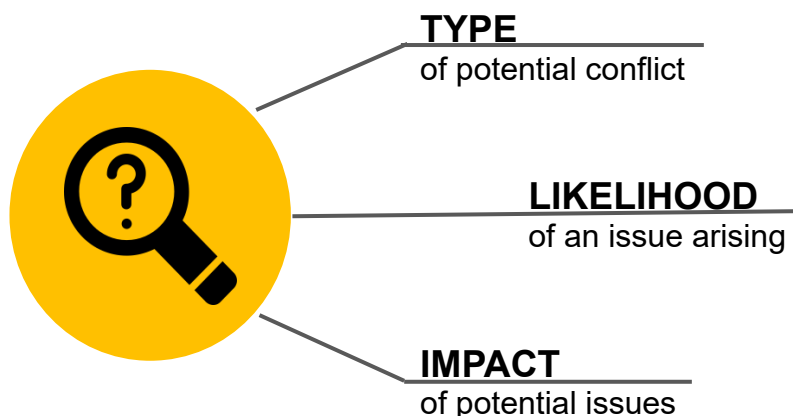
Your ultimate goal is to answer this question: Would a reasonable person think this employee's work-related decisions may be biased by this interest?

- *If yes*, this tool will help you with next steps, like a remediation or a management plan.
- *If you are unsure*, the ICO can provide guidance and gather facts to help you answer the question.
- *If no*, then congratulations you are finished reviewing this potential conflict of interest!

How do you answer this question?

With this tool of course. Working through the consideration question set will help you assess and determine an appropriate response to identified conflicts. These questions are meant as a reference to determine if a conflict is high risk (i.e., an issue or misconduct might arise from the interest and/or the impact would be severe for the employee, your unit and VCU as a whole.

Don't get wrapped up in the "what ifs." This process should have a reasonable person standard applied to it. Remember, conflicts are not bad. They show an active and engaged organization; however, preserving the public's trust and our reputation is paramount.



Don't worry. You're not alone!

Identifying and managing conflicts of interest can be complex and every situation is different. While we are providing a framework below for reviewing and clearing disclosed interests, we understand that you may still want some support. The ICO is here to help.

Additionally, certain interests might require further review by area leadership, the ICO or the Compliance Advisory Committee. When you reach out to the ICO, we will discuss any concerns you have and figure out appropriate next steps.



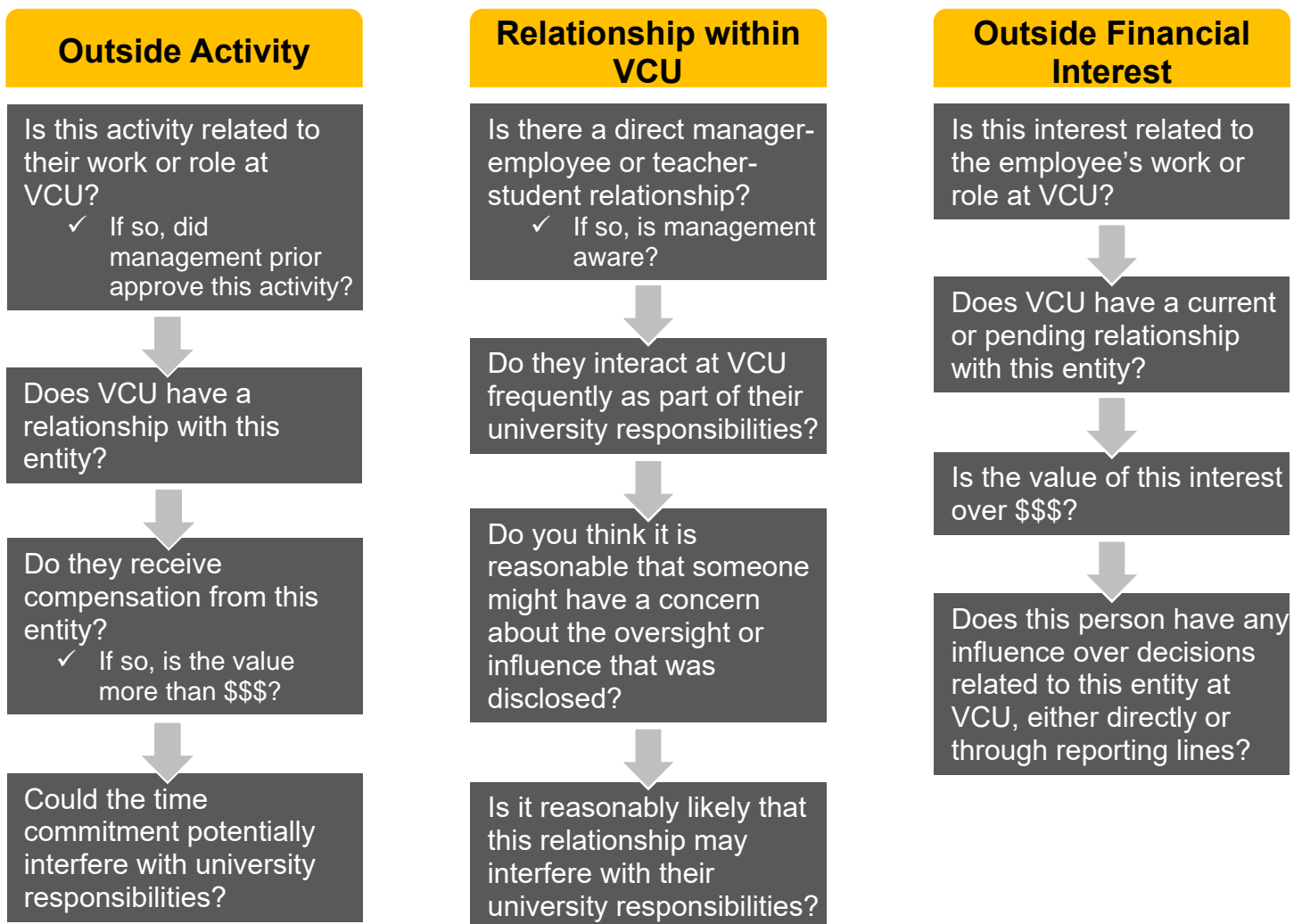
Consideration questions for reviewing disclosed interests

Remember, it is your responsibility to ensure disclosed interests are addressed with an appropriate management plan or remediation as needed.

When going through these questions, you might not know all the answers and that's okay. Learn what you can from the disclosure, other available information you have authorized access to, and follow-up discussions with your employee. Use this tool to assess if you have enough detail to clear the disclosure outright; clear with conditions; or reject (based on information you know to be accurate, relevant and against VCU values or policies). Templates are also included to help message the determination.

Most of the time, a conflict management plan mitigates risk to the individual and VCU. Other times, a remediation plan, or withdrawing from the situation, might be necessary. Management plans are pretty simple and straightforward and, as always, the ICO is here to help guide you.

The following consideration question sets are organized by the eight categories in the Disclosure Questionnaire.



Personal Services

Were these services related to their work at VCU or an outside professional activity?

- ✓ If so, has management approved this university resource to support of this activity?

Was the employee or student compensated?

- ✓ If so, is the compensation more than \$\$\$?

Is there a direct manager-employee or teacher-student relationship?

Do you think it is reasonable that someone might have a concern about this relationship that was disclosed?

Gifts or Services Received

Does VCU have a current or pending relationship with this entity?

Does this employee have any influence over decisions related to this entity at VCU, either directly or through reporting lines?

Was the gift received at a meeting, conference, training or similar event where all attendees received this same perk?

Do you think the timing or circumstances might appear as though the entity is attempting to influence the employee's business decisions?

Gifts or Services Given or Donated

Does VCU have a current or pending relationship with this entity?

Does this employee have any influence over decisions related to this entity at VCU, either directly or through reporting lines?

Was the gift received at a meeting, conference, training or similar event where all attendees received this same perk?

Do you think the timing or circumstances might appear as though the employee is attempting to influence the entity's business decisions?

Potential Conflicts of Immediate Family

Does this employee have any influence over decisions related to this entity at VCU, either directly or through reporting lines?



Is this interest closely related to the employee's work or role at VCU?



Does VCU have a current or pending relationship with this entity?



Is the value of this interest over \$\$\$\$?

Other Potential Conflicts

Is this interest closely related to the employee's work or role at VCU?



Is there a financial component to this interest?



Do you think it is reasonable that someone might have a concern about this relationship that was disclosed?

Okay, what's next?

Based on your assessment, if you believe the interest is low risk (not likely to result in misconduct and does not violate laws, policies or VCU's core values), you may clear the disclosure. You may clear *with conditions* if additional oversight or other controls are needed to mitigate misconduct or perceptions of misconduct.

Don't worry – if you missed something or more information becomes known later – the ICO oversees this process and will reach out to discuss necessary changes (e.g., changing the status or adding conditions).

Template for clearing a disclosure **WITHOUT** conditions:

Thank you for your disclosure. Based on the details provided, this conflict has been cleared.

*Please note that **you are responsible for updating any future changes to this disclosure** through this reporting tool without unreasonable delay. Any circumstances related to this interest that might be perceived to impact your workplace decisions should be proactively discussed with your manager and/or the Integrity and Compliance Office. This will allow time to create an appropriate management plan.*

Questions? Respond to this message or email ucompliance@vcu.edu.

Template for clearing a disclosure WITH conditions:

Thank you for your disclosure. Based on the details provided, this conflict has been cleared with the following conditions:

- *Condition 1 (e.g., additional approvals, recusing yourself from a decision, donating the gift)*
- *Condition 2 (e.g., additional approvals, recusing yourself from a decision, donating the gift)*
- *Condition 3 (e.g., additional approvals, recusing yourself from a decision, donating the gift)*

*Please note that **you are responsible for updating any future changes to this disclosure** through this reporting tool as soon as reasonably possible. Any circumstances related to this interest that may be perceived to impact your workplace decisions should be proactively discussed with your manager and/or the Integrity and Compliance Office. This will allow time to create an appropriate management plan.*

Questions? Respond to this message or email ucompliance@vcu.edu.

If a material conflict is identified, it must be remediated or managed depending on the type of conflict and the applicable circumstances.

Actions to address a material conflict may include:

- Additional approvals or oversight of an activity
- Separating the individual from relevant decision-making (e.g., selection of certain vendors)
- Transferring the supervisory role over an employee to someone outside of the reporting line
- Returning gifts to the giver or transferring gifts to the university
- Transferring the employee to a different area
- Disposal of assets that cause the conflict
- Discontinuing involvement in the external activity or university activity that is causing the conflict
- Not undertaking the activity when no resolution is possible

NOTE: Other employees in the department should be assured of their right to raise concerns if they believe a managed conflict is impacting decisions/actions inappropriately.

Questions?

The ICO can help.



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