

ERA-CAPS CODE OF CONDUCT ON CONFLICTS OF INTEREST ^{3rd} Call

Objectivity of the decision-making processes and the transparency of the assessment procedures are key issues of every funding scheme. The only way to maximise this objectivity and transparency is to apply strict controls on them at each and every stage of the assessment and decision-making process. It is the responsibility of the Call Secretariat together with the Call Coordination Team to eliminate the potential for all such conflicts of interest regarding the ERA-CAPS call for proposals. This Code of Conduct describes the different forms that such potential conflicts of interest may take and how the ERA-CAPS Call Secretariat should deal with each of them. It must never be forgotten, however, that real-life situations will not always conform to the categories of potential conflicts of interest identified in this document. Ultimately, the ERA-CAPS Call Secretariat must decide on a case-by-case basis whether an individual's personal involvement in a proposal is such as to disqualify him/her as an external referee or from membership of an assessment committee. The Review Panel and the Call Moderating Panel are referred to as assessment committees for the ERA-CAPS call for proposals. The Call Group (CG) of national funding organisations contributing to the Call is referred to as the decision-making body for all procedural aspects of the ERA-CAPS Call for proposals.

I. Categories of conflicts of interest

Potential conflicts of interest fall into a number of categories.

1. Personal involvement: A potential conflict of interest may be said to exist whenever an individual who is to participate in any way in the process leading up to a grant decision – whether, for example, as a referee, member of an assessment/prioritisation committee, programme secretary or member of the decision-making body – has a personal involvement with any of the relevant applications or applicants.

Forms of personal involvement with an application and applicant are:

a. being an applicant or co-applicant submitting an application for consideration.

Forms of personal involvement with an application are:

b. being a supervisor, project leader or advisor to a project for which grant is being sought in the relevant round;

c. having any other direct professional connection with a project for which grant is being sought in the relevant round;

- d. providing a letter of recommendation for a project for which grant is being sought in the relevant round;
- e. being on the management (dean, institute director or head of research group, etc.) of any organisation/section of an organisation at which an applicant is employed. This includes a direct involvement by being named in the proposal or involvement at a laboratory scale. In other words, it includes involvement in the research team which submits a proposal (as director or head or team member of research group). This does not apply for personnel of the same mother organisation/company but not working in the same laboratory or institute;
- f. being currently on the staff of the same section of an organisation (department/research school) or of the same organisation (if it does not contain different sections) at which an applicant is employed , or having left this organisation/ section of organisation in the past 24 months.

Forms of personal involvement with an applicant are:

- g. collaborating and/or co-publishing or having co-published with an applicant (except for multi-author publications) in the past four years;
- h. having been an applicant's supervisor at an earlier stage of his/her career (within approx. the last five years; a role as a thesis adviser/ advisee should be disclosed regardless of the time elapsed);
- i. having a family relationship with an applicant in the first (parent / child relationship), second (grand-parent/grand-child relationship) or third degree (aunt; uncle/ cousin; nephew; niece relationship);
- j. sharing a household with an applicant and/or being an applicant's spouse or partner.

2. Bias: A potential conflict of interest may also be said to exist whenever (a) a committee member, whether or not personally involved with an application and/or applicant, is likely to be biased in favour or against a specific application (for example, because there are two opposing schools of thought in the area of study concerned) and is therefore likely to judge that application in a more positive or negative way than would otherwise be the case, or where (b) a committee member has a personal involvement with an application and that application displays a considerable overlap with another application in the same round. In the latter case, bias against the competing application (or at least the suspicion of it) cannot be ruled out.

3. Leaking of information: A potential conflict of interest may likewise be said to exist whenever a committee member supplies details of proceedings during the assessment process to anyone with an interest in its outcome. By 'leaking' information in this way, the committee member concerned

subordinates the interests of ERA-CAPS to his/her personal interest in the individuals to whom he/she supplies the information.

II. ERA-CAPS Rules for the Prevention of Conflicts of Interest:

1. Persons must not sit on an assessment committee if they are themselves applicants or co-applicants in the assessment round concerned (category 1a personal involvement).
2. Persons who have a category 1b – 1i personal involvement with one or more applications or applicants may sit on an assessment committee but must not take part in discussion or other talks (interview) relating to that application and must not vote on it. During discussion of the proposal or any vote on it, they must leave the room and their absence must be recorded in the minutes.
3. Members of decision-making bodies who are themselves applicants or co-applicants (category 1a personal involvement) in a round on which the body concerned is to take a decision must not take part in decision-making on that round; in all other cases of personal involvement, the decision-making body must consider prior to the point of decision whether the relevant committee member(s) can be permitted to take part in decision-making without infringing proper standards of objectivity and must act on its conclusion. This process must be recorded in the minutes.
4. Referees must be independent and thus must not be used if they have a personal involvement with the relevant application or applicant that could be perceived as a conflict of interest. For this reason, the letter requesting referees to provide an independent assessment of a particular application must include the following paragraph: “If you agree to this request to assess the application specified in this letter, you will be regarded as an independent expert in the relevant field, as referred to in the ERA-CAPS Code of Conduct on Conflicts of Interest. By accepting the invitation you declare full compliance with the confidentiality and impartiality as referred to in the abovementioned Code of Conduct”.
5. Personal involvement of committee members (all categories) must be checked in advance by means of a standard form. A copy of this form must be completed and signed by each member (of the Review Panel and the Moderation Panel), returned to the Call Secretariat and kept on the general programme file.
6. Personal involvement of committee members (all categories) must be checked once again at the commencement of each assessment or decision-making meeting and this process must be recorded in the minutes.

7. At the commencement of each assessment or decision-making meeting the members of the relevant committee must be explicitly reminded of their duty of confidentiality regarding the proceedings of the meeting (category 3 personal involvement).
8. The ERA-CAPS Call Coordination Team and, more specifically, the Call Secretariat for the selection process must at all times and under all circumstances be active, alert and neutral with regard to potential conflicts of interest and must take steps to prevent them. Where the work of the committee is concerned, steps to deal with potential conflicts of interest must be taken on the basis of this Code of Conduct and in close cooperation with the committee chairman.
9. If rules 2 and 3 of this Code of Conduct constitute a serious impediment to a satisfactory assessment procedure, the ERA-CAPS Call Secretariat may waive those rules, provided that a written statement is drawn up both of the reasons for waiving the rules and of the measures being taken to neutralise or otherwise prevent potential conflicts of interest (or even the suspicion of them). This statement must be placed on the general programme file. This 'escape clause' must not be operated in the case of the chairman of a committee.