

MCI-DIR-02

CONFLICT OF INTEREST DECLARATION MANUAL

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INTRODUCTION

The Fundación para la Investigación del Cáncer de la Universidad de Salamanca (hereinafter FICUS, The Cancer Research Foundation of the University of Salamanca) is a non-profit public foundation responsible for promoting, managing, and providing administrative and scientific-technical support to the research groups of the Cancer Research Center-Institute of Molecular and Cellular Cancer Biology of Salamanca (hereinafter CIC-IBMCC or Center), as stated in article 6 of its Statutes.

The CIC-IBMCC is composed of scientific, healthcare, technical, or administrative personnel primarily affiliated with the Spanish National Research Council (CSIC), the University of Salamanca, or FICUS itself. Some of these members may have additional institutional affiliations with the Health Service of Castilla y León (SACyL), the Institute for Biomedical Research of Salamanca (IBSAL) or the Biomedical Research Networking Center Consortium (CIBER).

The CIC-IBMCC has a Code of Good Scientific Practices that has been adopted as an instrument capable of promoting ethical awareness within the center, as well as fostering responsibility in decision-making, with the aim of consolidating the integrity and quality of the scientific research conducted within it.

Among the recommendations outlined in this Code are the avoidance of conflicts of interest among the personnel of our Center during the evaluation of projects and/or publications, as well as during advisory roles to third parties in areas where specific expertise is held, in collaborations established with other researchers, research groups, or public and private entities, in negotiations carried out to establish the conditions of contracts formalizing such collaborations (including dissemination, protection, and exploitation of the research results), and, finally, in the issuance of professional judgments on specific scientific domains.

The main purposes of this manual are: **a)** to provide guidance and direction in the identification and prevention of conflicts of interest in our center; **b)** to strengthen high ethical standards; **c)** to establish behavioral guidelines to raise awareness among the staff about the need to prioritize the public interest and act transparently, and **d)** to contribute to ethics governing the Center's activities. Therefore, the objectives of this guideline include the **identification, prevention, management, monitoring, and control of conflicts of interest** that may affect the personnel of CIC-IBMCC.

It is the responsibility of the Management to disseminate this Manual, using the various channels available at the center and ensuring its proper implementation.

All research staff have a duty to be familiar to this manual and to comply with the principles and recommendations outlined in it. Their personal commitment to avoid conflict of interest is essential to ensure proper research from an ethical point of view.

This Manual establishes basic rules applicable to all personnel of FICUS and CIC-IBMCC. However, it does not exclude the institutions that are part of CIC-IBMCC (CSIC and University of Salamanca) from requiring compliance with other specific measures for their personnel. In any case, efforts will be made to harmonize these policies, always adopting the most advanced ones in this field.

The protocols for managing issues associated with this Manual will be handled directly by the bodies and committees specified in chapter 10 of the Good Scientific Practices Code of FICUS (see chapter 10).

CONFLICTS OF INTEREST

2.1. Definition of conflict of interest

The term “conflict of interest” is defined as a situation in which the judgement of a professional regarding their primary interest (e.g., the integrity of validity of research, the fulfillment of their professional responsibilities or the mission of the CIC-IBMCC) is inappropriately influenced by a secondary interest, such as economic interest or personal relationships (e.g., friendship, enmity, hierarchy, or familiar relationships). Regardless of whether the secondary interest is necessary or desirable, a conflict arises when it takes precedence over the primary interest. Conflicts of interest are not directly the result of different behaviors but rather the situation that arises due to specific circumstances.

It is becoming increasingly common to encounter conflicts of interest due to scientific and technological advancements. It is important to understand what they entail, what types of conflicts can arise, and how they can cast doubt on the quality and truthfulness of results in the public eyes, especially when economic interests or personal benefits are disclosed by third parties.

A conflict of interest can arise in many situations and may impact the ability to make fair and impartial decisions regarding work at FICUS, affiliated organizations, and CIC-IBMCC. Being in a conflict of interest situation is not inherently unethical. However, researchers must pay close attention to the nature of such conflicts to recognize and identify them. If they exist, researchers should refrain from acting or intervening, or if necessary, disclose and address them appropriately and transparently according to the policies of contracting entities, evaluating bodies, or publishing journals.

There are three types of conflicts of interest: the real conflict of interest, the potential and the apparent one.

- A conflict of interest is real when a person has a particular interest related to a specific judgment or professional decision and is already effectively in a position where they are obligated to provide this judgment.
- A conflict of interest is potential when a person has a particular interest that could influence their professional judgment from the position or role they hold, but they are not yet in a situation where they have to provide this judgment.
- A conflict of interest is apparent when a person does not have an actual or potential conflict of interest, but someone could reasonably conclude, even tentatively, that they do.

Since conflicts of interest can negatively impact the reputation and integrity of the personnel and the Center itself, both real and apparent conflicts should be avoided and, in any case, disclosed for proper consideration and handling. In the same way, potential conflicts of interest should also be disclosed, as they could become real conflicts if appropriate measures are not taken, typically involving refraining from acting or making decisions on the underlying matter of the conflict.

2.2. Situations that can generate a conflict of interest

The concept of conflicts of interest is so broad and varied that it is impossible to detail all the activities, scenarios, and situations where it could arise. Specific situations that may generate conflicts of interest in the activities of CIC-IBMCC, FICUS, and affiliated organizations are primarily related to research funding from private entities; personal involvement in business activities and collaboration with external entities; potential investments and other financial or commercial interests; participation in evaluation, advisory, or expert activities; membership in committees or bodies with decision-making and executive powers; evaluation or funding of projects, as well as holding managerial positions, personal convictions, or professional competitiveness.

All personnel of CIC-IBMCC who, on behalf of the Center, participate in educational activities (e.g., courses, lectures), dissemination and/or outreach activities (e.g., conferences, colloquia, and programs on any social media, newspaper articles, etc.) are obliged not to compromise the image of CIC-IBMCC and its affiliated institutions. They shall not use the name of CIC-IBMCC and/or affiliated institutions for personal activities without prior and express institutional authorization, whether these activities are for profit or not. Furthermore, when expressing opinions, they shall emphasize that their statements do not necessarily coincide with the institutional position or reflect institutional viewpoints.

2.3. Management of conflict of interest at CIC-IBMCC

The center's management must be aware of any collaboration that CIC-IBMCC personnel establish with other entities, whether public or private, such as: the execution and development of contracted research; the provision of technological support activities (including scientific and technical consultancy); the transfer of materials or exploitation rights owned by CIC-IBMCC; the licensing of industrial or intellectual property rights of CIC-IBMCC; or the establishment of a technology-based company or spin-off.

Such collaborations must be supervised and endorsed by the management of CIC-IBMCC and, where applicable, the consortium institutions that correspond according to legal requirements, through a contractual document (contract, agreement, etc.). This document should stipulate in its various clauses all the rights and obligations that allow the interests of the parties involved to be reconciled, as well as all the agreements reached between the entity requesting the work and those responsible for the execution of the contracted research. In any case, potential conflicts of interest should be avoided both when negotiating the contract terms and, in the dissemination, protection, and exploitation of the results, with special attention to ensuring the maintenance of research principles.

During these activities, resources of CIC-IBMCC whose cost, at market prices, has not been charged to the contracting party of the activity or service provided, cannot be used. In any case, the resources committed by CIC-IBMCC should not serve purposes or interests other than those contractually agreed upon.

Regarding the supervision of trainee personnel, it should be carried out responsibly, encouraging and promoting the exchange of ideas and results without personal, professional, or economic interests interfering.

Scientific staff are often called upon to participate in the evaluation of projects, publications, groups, or individuals in general. Also, in the scientific community, the most frequently used procedure for validating written works to assess their quality and scientific rigor is peer review or scientific arbitration.

In these activities, the possibility of a conflict of interest should be considered, both due to the evaluator's proximity to the subject of evaluation and due to competitiveness reasons, in which cases the evaluation should be disregarded.

Evaluators must maintain strict independence from the individuals or institutions being evaluated to avoid conflicts of interest that could arise from close professional relationships, kinship, friendship, enmity, or any other factor that could limit the objective judgment about them.

In the practice of evaluation activities, as well as in the release of reports and opinions, individuals should act with honesty and integrity. Evaluators should refrain from participating when there is any legal cause for abstention or recusal. Additionally, they must declare, in advance, explicitly and in writing, any conflict of interest or relationship suspected of bias, lack of objectivity, or transparency regarding the subject and object of the evaluation. This includes proximity due to hierarchical or tutelage relationships, rivalry, or professional competitiveness.

CIC-IBMCC personnel involved in authorship, review, editing, or publication, and participating in the review or publication process, who have personal, professional, or economic interests that could inappropriately influence their objectivity, must declare them in advance, explicitly and in writing, always respecting the specific conflict of interest policies that are applicable.

CIC-IBMCC personnel involved in the process of disseminating scientific knowledge as authors, reviewers, or editors must declare, in advance, explicitly and in writing, if there are any personal, professional, or economic interests, as well as any links or relationships that could influence or bias their critical judgment. Authors must disclose the sources of funding for their work, and, if applicable, whether there were any requirements from the sponsors or crucial aspects (design, methodology selection, bibliography selection, statistical analysis, choice of journal) in which the funding agency exerted or could exert influence.

2.4. Research Management

The individuals responsible for research management at CIC-IBMCC must perform their duties professionally and diligently, following criteria of effectiveness and efficiency, always within the framework of procedures established by current regulations and only exercising the competencies assigned to them or delegated by virtue of the position they hold. The resolution of all matters assigned to the management unit of CIC-IBMCC will be carried out based on the center's priorities and the order in which they were received, without favoritism being granted due to the presence of interests unrelated to the management of the matter itself.

In relation to personnel selection, it will be carried out following the established rules at CIC-IBMCC, always ensuring objectivity and transparency. Abstention will be favored when there are interests or circumstances such as kinship, friendship, enmity, etc., that may be present. The acquisition or contracting of goods and services will be governed by the rules established at CIC-IBMCC, aiming for an efficient process, and disregarding any offer or invitation that may imply a particular benefit or violate principles of transparency, non-discrimination, or equal treatment.

Public funds will be managed according to criteria of economy, transparency, responsibility, and institutional loyalty, ensuring that the allocation and use of resources are carried out efficiently. The use of public resources for purposes unrelated to their function, as well as their improper appropriation, will be avoided and pursued.

The participation, on a personal basis, of knowledge transfer managers in activities related to their field, but extending beyond the scope of their job responsibilities, will require, in addition to compliance with current regulations, a prior analysis of opportunity and express authorization.

2.5. Gifts, incentives, special attentions and privileges

The staff of CIC-IBMCC must act exclusively in the interest of the public good, refraining from pursuing direct or indirect benefits or rewards of any kind for themselves or a third party, especially if this would harm another person. They must also reject any gift, favor, or service offered under advantageous conditions that go beyond the usual social and courtesy practices.

2.6. Implementation of the institutional policy of conflicts of interest

The initial procedure will be to try to avoid any situation that may generate a conflict of interest. However, conflicts of interest that arise or may arise at CIC-IBMCC must be managed appropriately. Therefore, any person at the center who may be involved in a conflict of interest will inform their immediate hierarchical superior of all circumstances that may affect the independence of their actions or the impartiality of their judgment. They must also complete the form designed for the declaration of conflicts of interest (see Annex I).

CIC-IBMCC staff involved in the acquisition and contracting of goods and services, research contracts, scientific-technical advisory, or knowledge transfer, are required to communicate to the management, in writing and explicitly, their personal, professional, or financial participation, relationships, and interests, either directly or indirectly, in any entity that provides, contracts, or is contracted by CIC-IBMCC.

For the intended purposes, staff will declare the type of significant relationships and interests they or their immediate family members up to the first degree of consanguinity or affinity have in the mentioned entities.

The management of CIC-IBMCC will promote the dissemination of this conflict of interest policy by taking measures aimed at raising awareness, sensitivity, and providing training to the staff in this matter.

REFERENCES AND REGULATIONS

CSIC Manual of Conflicts of Interest.

https://www.csic.es/sites/default/files/manual_de_conflictos_de_intereses_del_csic_version_espanol_ingles.pdf

Good Research Practices Manual - USAL.

<https://investigacion.usal.es/sites/investigacion.usal.es/files/hrs4r/MBPI.pdf>

Pinto-Pardo N. Conflicto de interés en investigación biomédica. pers. bioét. 2014; 18(2). 158-169. DOI: 10.5294/pebi.2014.18.2.6.

Bioethics and Law Journal No. 25, May 2012, p. 73-84

Article 103, Spanish Constitution of 1978.

Law 19/2013, of December 9th, on transparency, access to public information, and good governance.

Royal Decree-Law 20/2012, of July 13th, on measures to ensure budgetary stability and promote competitiveness.

Law 14/2011, of June 1st, on Science, Technology, and Innovation.

Law 2/2011, of March 4th, on Sustainable Economy (Title II Competitiveness, Chapter V Science and Innovation).

Law 24/2007, of October 9th, which amends Law 50/1981, of December 30th, on the Organic Statute of the Public Prosecutor's Office (see Article 19 as amended).

Law 7/2007, of April 12th, on the Basic Statute of Public Employees.

Law 15/1999, of December 13th, on the Protection of Personal Data.

Organic Law 10/1995, of November 23rd, on the Criminal Code (Title XIX Crimes against Public Administration).

Law 30/1992, of November 26th, on the Legal Regime of Public Administrations and the Common Administrative Procedure (Title II Public Administration Bodies; Chapter III Abstention and Recusal).

Law 53/1984, of December 26th, on Incompatibilities of Public Administration Personnel.

Royal Decree 1730/2007, of December 21st, establishing the State Agency Spanish National Research Council (CSIC) and approving its Statute.

Royal Decree 63/2006, of January 27th, approving the Statute for Research Personnel in Training.

Royal Decree 55/2002, of January 18th, on the Exploitation and Transfer of Inventions Made in Public Research Entities, in accordance with Article 20 of Law 11/1986, of March 20th, on Patents.

Article 13 of the General Regulation on the Admission of Personnel to the Service of the General State Administration and on the Provision of Posts and Professional Promotion of Civil Servants of the General State Administration, approved by Royal Decree 364/1995, of March 10th.

Royal Decree 33/1986, of January 10th, approving the Disciplinary Regime Regulation for Civil Servants of the State Administration.

Royal Decree 598/1985, of April 30th, on Incompatibilities of Personnel in the Service of the State Administration, Social Security, and Entities, Bodies, and Companies dependent on them.

Resolution of June 21st, 2007, of the General Secretariat for Public Administration, publishing the Instructions of June 5th, 2007, for the application of the Basic Statute of Public Employees in the scope of the General State Administration and its public bodies.

CHANGE LOG

Rev. / Edit.	Date	Modified section / Summary of the changes
1	16/12/2020	First edition of the document.
2	1/06/2023	Style changes, minor typographical corrections. Annex FCI-DIR-02 is added to the final document.
3	11/10/2023	Translation into English of the Conflict of Interest Manual

ANNEX: CONFLICT OF INTEREST DECLARATION FORM: FCI-DIR-03

1. Identification of the declarant

Name and surname:			
NIF:			
Institute or Center of Affiliation/Address:			
Email:		Phone:	

☐ Public worker	
Scale	Contract
☐ Group A: Subgroup A1 ☐ Subgroup A2 ☐ ☐ Group B ☐ Group C Subgroup C1 ☐ Subgroup C2 ☐	☐ Full-time ☐ Part-time

☐ Contractual Staff
Functional area: ☐ Research Laboratories ☐ Research Support Services ☐ Other (please specify):
Type of contract (indefinite, part-time, etc.):

☐ Trainee personnel
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Type of contract (initiation, internship):

2. Type of declaration

- ☐ Initial declaration
- ☐ Periodic update
- ☐ Update due to unforeseen circumstances ⁽¹⁾

3. Questionnaire

Have you had any type of professional relationship or collaboration with entities other than those within CIC-IBMCC (CSIC, Universidad de Salamanca, FICUS) in the last 5 years? ⁽²⁾

YES ☐

NO ☐

4. Declaration of circumstances (activity, action, relationship, transaction) that affect or could be perceived as affecting the objectives in the performance of my duties at CIC-IBMCC (USAL-CSIC) / FICUS, and that may constitute a conflict of interest.

- ☐ Personal interests and from family members (briefly describe):

- ☐ Own or your group's, scientific program's or technical unit's professional interests (briefly describe):

- ☐ Own or your group's, scientific program's or technical unit's economic interests (briefly describe):

⁽¹⁾ That may constitute, either effectively or apparently, a conflict of interest

⁽²⁾ Public, private, or non-profit entities

I declare that the information contained in this document is truthful and correct, and I assume the obligation to update the declaration every two (2) years or whenever circumstances arise that could alter its content.

Signature and date: