

Decision Rationale

Bose-Ladha 2024 Nov. 21

Decision: the two relationships disclosed do not give rise to any Conflict of Interest requiring mitigation.

Under the Policy, a “Conflict of Interest” may be “real, perceived or potential.” It is the mandate of the Committee to determine whether such a conflict exists for the purpose of the University’s *Conflict of Interest Policy*.

To constitute a “real” conflict of interest, the Policy specifies that at least three prerequisites must be established. There must be a “private interest” that is “known to the Member” and that “has a connection with his/her university duties or responsibilities that is sufficient to influence the exercise of those duties or responsibilities.”

Based on the disclosure, the Committee finds that the relationship with the shortlisted candidate, whom Dr. Bose previously co-supervised does not involve any “private interest.” In this regard, the Committee is guided by the definition of “Professional Associate” in the Policy, which is “a person with whom the Member has or has had within the previous five years, a close or substantial professional relationship ...” Since the co-supervision relationship existed approximately twenty years ago, the relationship does not fall within this definition. Further, there was no indication in the disclosure that this individual is a “Personal Associate,” as the Policy defines that phrase. Accordingly, the relationship does not give rise to a “real” conflict of interest.

The Committee also finds that Dr. Bose’s supervisory relationship with the other shortlisted candidate does not give rise to a “real” conflict of interest. First, that relationship does not give rise to any “private interest,” since Dr. Bose’s relationship with this individual is solely a professional one created by his role as the supervisor of that individual. Second, his involvement on the selection committee is entirely aligned with that professional relationship. As such, by serving on the selection committee, there is no potential divergence between his personal interests and his obligations to the University (per the definition of “Conflict of Interest” in the Policy).

Likewise, the Committee finds that no “potential” conflict of interest exists, as that term is used in the Policy. A potential conflict of interest “is one that may develop into a real or perceived conflict.” The Committee agrees that the nature of the relationships as disclosed is not likely to develop into a real conflict, for the reasons outlined above.

The sole remaining question is whether or not the relationships as disclosed give rise to a “perceived” conflict of interest or a potential “perceived” conflict of interest. A “perceived” conflict of interest is defined in the Policy as existing “when there is a reasonable apprehension, which reasonably well-informed persons could have, that a conflict of interest exists.”

With respect to Dr. Bose's relationship with the shortlisted candidate he previously co-supervised, the Committee agrees no reasonably well-informed person could reasonably apprehend it gives rise to a conflict of interest. Absent something more, a professional relationship that existed approximately two decades ago does not meet this threshold. Such a relationship would not be sufficient to cause an independent observer to reasonably question whether his behaviour or decisions were "motivated by considerations of personal interest, financial or otherwise" (see the definition of "Conflict of Interest" in the Policy).

Likewise, the Committee agrees that Dr. Bose's supervisory relationship with the other shortlisted candidate does not give rise to a "perceived" conflict of interest. In acting as Chair of the selection committee, he is pursuing the interests of the University, an obligation that is consistent with and fully aligned with his current role as that individual's supervisor. Since the disclosure does not contain an indication of any other relationship between Dr. Bose and the candidate, the Committee agrees a reasonably well-informed person would not find a "perceived" conflict of interest to exist.