CHAPTER 3

CONFIDENTIALITY/CONFLICT OF INTEREST AGREEMENT

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REVIEW COMMITTEE (RC)

NATIONAL STATISTICS BUREAU

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Date
# Table of Content

1. PURPOSE 1  
2. SCOPE 1  
3. RESPONSIBILITY 1  
4. FLOW CHART 1  
5. DETAILED INSTRUCTIONS 1  
6. GLOSSARY 2  
7. REFERENCES 3  
8. ANNEX 3  

ANNEX 1 ........................................................................................................................................................................3
1. **PURPOSE**

The purpose of this SOP is to provide a form of Confidentiality / Conflict of Interest Agreement and identify who should read, understand, accept, keep in mind, sign and date the form. The procedures provide details when and where to sign as well as how the signed document should be kept.

2. **SCOPE**

This SOP covers the Agreements on both Confidentiality and Conflict of Interest concerning information and procedures followed by the NSB-RC.

3. **RESPONSIBILITY**

It is the responsibility of all newly-appointed NSB-RC members to read, understand, accept and sign the agreement contained in the Confidentiality / Conflict of Interest form before beginning the proposal review.

4. **FLOW CHART**

<table>
<thead>
<tr>
<th>No.</th>
<th>Activity</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Read the text carefully and thoroughly</td>
<td>NSB-RC members</td>
</tr>
<tr>
<td>2</td>
<td>Ask questions, if any</td>
<td>NSB-RC members</td>
</tr>
<tr>
<td>3</td>
<td>Sign to indicate consent</td>
<td>NSB-RC members</td>
</tr>
<tr>
<td>4</td>
<td>Keep the Agreement in mind.</td>
<td>NSB-RC members</td>
</tr>
<tr>
<td>5</td>
<td>Archive the signed forms</td>
<td>Member Secretary</td>
</tr>
</tbody>
</table>

5. **DETAILED INSTRUCTIONS**

5.1 **Read the text carefully and thoroughly.**

5.1.1 Newly appointed members obtain two copies of the Agreement Form AF/01-003/01.
5.1.2 Read through the text of the form very carefully.
5.1.3 The members fill in their names and their office on the blanks.

5.2 **Ask questions, if any.**

5.2.1 Direct questions to the Member Secretary/Chairperson, if any part or sentences is not clear.
5.2.2 The Member Secretary/Chairperson will explain or clarify the contents of the document.
5.3 Sign with consent.

5.3.1 Sign and date both copies of the document.
5.3.2 The members keep a copy as their records.

5.4 Keep the Agreement in mind.

5.4.1 The individual who sign the Confidentiality/Conflict of Interest Agreement should remember and comply with the requirements listed in the agreement.

5.5 Archive the signed forms of Confidentiality/Conflict of Interest Agreement.

5.5.1 The Member Secretary keeps a copy of the signed Agreement as the Institute’s records.
5.5.2 Keep the copies in a Confidentiality/Conflict of Interest Agreement file.

6. GLOSSARY

Confidentiality

The non-occurrence of unauthorized disclosure of information:

Confidentiality Agreement

Sometimes called Secrecy or Nondisclosure agreements. It is an agreement designed to protect trade secrets, information and expertise from being misused by those who have learned about them. The type of information that can be included under the umbrella of confidential information is virtually unlimited. Most confidentiality agreements exclude certain types of information from the definition of confidential information. It is very important that the recipient include these exceptions in the confidentiality agreement. An important point that must be covered in any confidentiality agreement is the standard by which the parties will handle the confidential information. The agreement must establish a time period during which disclosures will be made and the period during which confidentiality of the information is to be maintained.

Conflict of Interest

A situation in which a person, such as a public official, an employee, or a professional, has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties. There are three key elements in this definition: financial interest; official duties; professional interest. A conflict of interest occurs when:

- An individual’s private interest differs from his or her professional obligations to the institute
- Professional actions or decisions occur that an independent observer might reasonably question
- A conflict depends upon situation and not on the character or actions of the individual
- Potential conflicts of interest must be disclosed and managed as per policy
7. REFERENCES
- Research Ethics Board of Health Standard Operating Procedures (SOPs), Ministry of Health, Bhutan

8. ANNEX

ANNEX 1- AF/01-003/01 Confidentiality / Conflict of Interest Agreement Form

ANNEX 1
AF/01-003/01

Confidentiality / Conflict of Interest Agreement Form

In recognition of the fact that I, ..........................................................(member’s name), and my affiliation to..........................................................herein referred to as the “Undersigned”, has been appointed as a member of the NSB-RC for assessing survey/census proposals in order to ensure that they are conducted in a technically sound methodology.

Whereas, the fundamental duty of an NSB-RC member is to independently review the scientific/technical aspect of survey/census proposals to meet the standards of conducting survey/census.

The undersigned, as a member of the NSB-RC, is expected to meet the same high standards of ethical behavior to carry out its mandate.

This Agreement thus encompasses any information deemed Confidential or Proprietary provided to the Undersigned in conjunction with the duties as a member of the NSB-RC. Any written information provided to the Undersigned that is of a Confidential, Proprietary, or Privileged nature shall be identified accordingly.

As such, the Undersigned agrees to hold all Confidential or Proprietary trade secrets (“information”) in trust or confidence and agrees that it shall be used only for contemplated purposes. It shall not be used for any other purpose or disclosed to any third party. Written Confidential information provided for review shall not be copied or retained. All Confidential information (any copies and notes thereof) shall remain the sole property of the NSB-RC.

The Undersigned agrees not to disclose or utilize, directly or indirectly, any Confidential or Proprietary information belonging to a third party in fulfilling this agreement. Furthermore, the Undersigned confirms that his/her performance of this agreement is consistent with the NSB’s policies and any contractual obligations they may have to third parties.

Any breach to this agreement shall be dealt as per the existing laws of the country.

Conflict of Interest

It is recognized that the potential for conflict of interest will always exist but has faith in the NSB-RC and its Chairperson to manage the conflict issues.
It is the policy of the NSB-RC that no member may participate in the review, comment or approval of any activity in which he/she has a conflict of interest except to provide information as requested by the NSB-RC during the meeting.

The Undersigned will immediately disclose to the Chairperson of the NSB-RC, any actual or potential conflict of interest that he/she may have in relation to any particular proposal submitted for review by the Committee, and to abstain from any participation in discussions or recommendations in respect of such proposals.

If an applicant submitting a proposal believes that an NSB-RC member has a potential conflict, the investigator may request that the member be excluded from the review of the proposal.

The request must be in writing and addressed to the Chairperson. The request must contain evidence that substantiates the claim that a conflict exists with the NSB-RC member(s) in question. The Committee may elect to investigate the applicant’s claim of the potential conflict.

When a member has a conflict of interest, the member should notify the Chairperson and may not participate in the NSB-RC review or approval except to provide information requested by the Committee.

Examples of conflict of interest cases may be any of the following:
- A member is involved in a potentially competing research program.
- Access to funding or intellectual information may provide an unfair competitive advantage.
- A member’s personal biases may interfere with his or her impartial judgment.

**Agreement on Confidentiality and Conflict of Interest**

Please sign and date this Agreement, if the Undersigned agrees with the terms and conditions set forth above. The original (signed and dated Agreement) will be kept on file in the custody of the NSB-RC. A copy will be given to you for your records.

In the course of my activities as a member of the NSB-RC, I may be provided with confidential information and documentation (which we will refer to as the "Confidential Information"). I agree to take reasonable measures to protect the Confidential Information; subject to applicable legislation, including the Right to Information Act (that could be enacted), not to disclose the Confidential Information to any person; not to use the Confidential Information for any purpose outside the Committee's mandate, and in particular, in a manner which would benefit to myself or any third party; and to return all Confidential Information (including any minutes or notes I have made as part of my Committee duties) to the Chairperson upon termination of my functions as a Committee member.

Whenever I have a conflict of interest, I shall immediately inform the Chairperson not to count me toward a quorum for voting.

I, ......................................................, have read and accept the aforementioned terms and conditions as explained in this Agreement.
Undersigned Signature ___________________________ Date ___________________________

_______________________________
CHAIRPERSON, NSB-RC ___________________________ Date ___________________________

(Please affix legal stamp)