

FORM HK/IREC 08: CONFIDENTIALITY / CONFLICT OF INTEREST  
AGREEMENT

HUBERT KAIRUKI MEMORIAL UNIVERSITY

INSTITUTIONAL RESEARCH ETHICS COMMITTEE (IREC)

In recognition of the fact, **(IREC member's name)**, and his/her affiliation herein after referred to as the "Undersigned" and as a member of the HKMU IREC has been appointed to assess health research studies and clinical trials involving human subjects in order to ensure that the studies/clinical trials are conducted in a humane, ethical, and responsible manner with the highest standard of care according to applied international and national codes, guidelines, and regulations.

You have been appointed to become a member of the HKMU IREC as an individual, not as an advocate or representative of your home town/territory/community, nor as a delegate of any organization or private interest. Your fundamental duty is to independently review both scientific and ethical aspects of research protocols involving human subjects and make a determination and the best possible objective recommendations based on the merits of the submissions you review.

The HKMU- IREC must meet the highest ethical standards in order to merit the trust and confidence of the communities and the public it is meant to protect. As a member of the HKMU IREC, therefore, you are expected to meet the same standards of ethical behaviour as you carry out your mandate.

This agreement encompasses any information deemed confidential or proprietary given or disclosed to the Undersigned in connection with his/her duties as a member of the HKMU-IREC. Any written information given to the Undersigned which is of a confidential, proprietary, or privileged nature shall be identified and marked accordingly. As such, the Undersigned agrees to hold all confidential or proprietary trade secrets or information in trust or confidence; and agrees that it shall be used only for intended purposes and not for any other business or be disclosed to a third party. Written confidential information given for review shall not be copied or retained. All confidential information, and any copies and notes thereof, shall remain the sole property of the Institutional Research Ethics committee (IREC)

The Undersigned agrees not to disclose or utilize, directly, any confidential or proprietary information belonging to a third party as a fulfilment of this agreement. Furthermore, the Undersigned confirms that his/her performance of this agreement is consistent with the HKMU policies and any contractual obligations they may have to third parties.

**Conflict of Interest:**

It is recognized that the potential for conflict of interest shall always exist, but the HKMU has so much faith and trust in the IREC and its Chairperson that they shall manage the conflict issues in such a way that the ultimate outcome shall be the protection of human subjects.

It shall be the policy of the IREC that no member may participate in the review or approval of an activity in which that member has a conflict of interest except to provide information as requested by the Institutional Research Ethics Committee.

You shall immediately disclose to the Chairperson of the IREC any actual or potential conflict of interest that you may have in relation to any particular proposal submitted for review by the Committee, and you shall abstain from any participation in discussions or recommendations in respect of such proposals.

If an applicant submitting a protocol believes that an IREC member has a potential conflict of interest, the investigator may request that the member be excluded from the review of the protocol.

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

Whenever a member has a conflict of interest, he/she should notify the Chairperson in writing and may not participate in the IREC's review process or approval except to provide information if the Committee so requests. Conflict of interest situations include:

- A member being involved in potentially competing research programmes.
- Access to funding or intellectual information that may provide an unfair competitive advantage.
- A member's personal biases that may interfere with his or her impartial judgement.

Members who may have a conflict of interest will not be counted in the quorum and may not vote.

**Confidentiality and non-disclosure:**

In the course of your activities as a member of the IREC, you may be given confidential information or documentation which is hereby referred to as "Confidential Information". You agree to take reasonable measures to protect Confidential Information; subject to applicable legislation, including the Access to Information Act. You shall not disclose Confidential Information to any person, or use Confidential Information for any purpose outside the Committee's mandate and particularly in a manner which would result in a benefit to yourself or any third party. You shall return all Confidential Information, including any minutes or notes you have made as part of your Committee duties, to the Chairperson upon termination of your functions as a Committee member.

Please sign and date this agreement, if you agree with the terms and conditions set fourth above. This form shall be kept on file in the custody of the Compliance Office, a copy shall be provided for your records

I (name).....

Address.....  
.....

Have read and accepted the aforementioned terms and conditions as stipulated in this agreement.

\_\_\_\_\_  
Undersigned Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Compliance Officer

\_\_\_\_\_  
Date