

**Q14 - Conflict of Interest and Confidentiality Code**  
**Revision 2.4 - February 2009**

For Officials of the Canadian Association for Laboratory Accreditation (CALA)



# Introduction

1. This Code for the Canadian Association for Laboratory Accreditation represents conditions for officials carrying out responsibilities on behalf of the Association that could place the individual in a position of conflict of interest, and/or give them access to confidential information.
2. For the purpose of the Code, "official" means:
  - a) an employee of CALA;
  - b) a member of the CALA Board of Directors and alternative members;
  - c) CALA Secretariat;
  - d) a member of the CALA Advisory Panel, or Program Committee, or Accreditation Council;
  - e) Assessor. Qualified person who evaluates information or results provided by an applicant laboratory for accreditation and who recommends or approves steps in the accreditation process.
  - f) any individual under contract, including a personal service contract, with CALA or with any other organization or firm and carrying out duties on behalf of CALA;
  - g) any individual representative carrying out responsibilities or duties on behalf of CALA as specified by the Board of Directors; individuals will be notified in writing by the Board of Directors.

# Objective

3. The objectives of the Code are to enhance CALA membership confidence in the integrity of individuals representing the Association:
  - (a) while encouraging experienced and competent persons to seek and accept CALA office;
  - (b) while facilitating interchange between the CALA membership and the Association;
  - (c) by establishing clear rules of conduct respecting conflict of interest applicable to all CALA representatives, and
  - (d) by promoting adherence to the CALA Code of Ethics.
4. Every official shall conform to the CALA Code of Ethics and the following principles that articulate the complete CODE for officials of the Canadian Association for Laboratory Accreditation.
5. Officials shall ensure that they are free from any commercial, financial, internal and external pressures. They shall also ensure that they do not take part in any activities that might diminish confidence in CALA's competence, impartiality, judgment or operational integrity, and that they will not allow any such pressures to adversely affect the quality of their work

6. Officials shall not knowingly take advantage of, or benefit from, information that is obtained in the course of their official duties and responsibilities and that is not generally available to CALA members or the general public.
7. Officials shall avoid commercial or contractual conflicts with the performance of their duties for CALA, and shall disclose to the CALA President & CEO (hereinafter referred to in this document as the CEO) all involvement in personal, commercial, or professional activities or contracts that could put them in a position of a real, potential, or apparent conflict of interest with the performance of their duties.
8. Officials shall return to CALA all documents and copies relating to the application or evaluation of an applicant laboratory, or destroy them, whichever is applicable.
9. Officials agree that CALA may disclose to applicant laboratories officials' involvement in outside activity, that in CALA's opinion, represents a real or apparent conflict of interest.
10. Officials agree that if a finding of real or apparent conflict of interest is made, the official will absent himself/herself from deliberations of either the CALA Board of Directors or the Advisory Panel, which relate to the application or evaluation of the applicant laboratory.
11. Officials shall respect and safeguard the confidentiality of all information attained on a laboratory, including documents provided by CALA and any information personally observed or obtained and shall not disclose any such information to any person without the express written permission of CALA or the laboratory, except:
  - a) assessors drawn from regulatory agencies and "authorities having jurisdiction" within the public sector who are required by law to report any contravention of the laws they are duty-bound to enforce, may report to the appropriate regulatory agency on contravention of regulatory requirements that are outside the assessment scope of the accreditation program; and
  - b) officials shall notify CALA and the Director of the MOE in writing of any violation of the *Safe Drinking Water Act* (the "Act"), the regulations, a drinking-water testing licence or an order under the Act, observed in the course of a site assessment or audit, as soon as practicable, and officials shall include a summary of his or her observations in relation to the violation in his or her report as per Section 68 of the "Act."
12. Officials shall recognize that the identity of the applicant laboratory is confidential until such time as formal accreditation has been granted.

## Indemnification

13. Officials agree that any official responsible for any breach of confidentiality with respect to information received in their capacity as "official" shall indemnify the Canadian Association for Laboratory Accreditation fully for any damages or loss suffered by the Canadian Association for Laboratory Accreditation as a result of said breach.
14. Notwithstanding item (8) above, the applicant laboratory has the right to appeal the involvement of an assessor to CALA.

# Certification Document

15. Before or upon appointment, officials must sign in the appropriate place below certifying that they have read and understood this Code and that, as a condition of becoming an official, they will observe this Code.

## Certification

This is to certify that I have read and understand the above Code and agree to observe the Code while carrying out duties as an official of the Canadian Association for Laboratory Accreditation. I also agree to provide a resume to the CALA Head Office within one month of signing this certification.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature (Witness)

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