The ICO and You

Ethics and Compliance Update for the Faculty Senate
Purpose and Agenda

Purpose:
To share information from the ICO that is relevant to YOU

Agenda:

✓ Who we are and what we do
✓ Promoting a speak-up culture
  ✓ Our reporting system
  ✓ Confidential vs. anonymous
✓ The ins and outs of gifts
✓ Seeking your input: New COIC Policy/Process
Who We Are

Executive Director Karen Helderman reports directly to the Board of Visitors.

Our CECO Suzanne Milton reports to Karen.

- **Independent oversight** roles help to ensure proper controls, conduct and culture through
  - Internal Audit – 3rd line of defense
  - Ethics & Compliance Program – 2nd line of defense

- **Coordinate efforts** university wide, with functional compliance area leads and operational program managers – 1st line of defense
What We Do

Promote a speak-up culture, work with leaders and others to foster a climate of integrity

Coordinate/consult with compliance partners university wide to ensure effective prevention and detection of misconduct and robust compliance

Provide workshops and trainings, publish a blog and email blasts

Maintain the Code of Conduct and the Policy Library

Offer confidential consults and answer inquiries

Conduct internal investigations based on reported concerns
Why Ethics and Compliance?

To ensure an organizational culture that encourages ethical conduct and a commitment to compliance with the law*

To maintain a program effective in preventing and detecting criminal conduct*

An effective program is well-designed, effectively implemented and actually works in practice+

*U.S. Sentencing Commission Guidelines Manual, Chapter 8, Section 8.B.2.1
+U.S. Department of Justice, Criminal Division (Updated January 8, 2021)
Promoting a Speak-up Culture

We hold all faculty and staff to the following *Duty to Report* policy:

You are expected and encouraged to make good faith reports of

- Suspected or actual cases of fraud, waste or abuse
- Violations of laws and regulations
- Violations of the Code of Conduct/Ethical Standards
- Violations of our policies and procedures
Speaking Up

You have several options for speaking up:

- Your supervisor or manager
- Human Resources
- Ombuds Office
- Integrity and Compliance Office (ICO)
- VCU Helpline
- Employee Assistance Program (EAP)
What Happens When I Speak Up?

- Our office oversees an internal investigation, based on your report.
- Depending on the way that you made your report you can remain anonymous, or you can share your identity knowing that we will keep the names and the details from the report confidential.
- Want to know the difference?
Confidential vs. Anonymous vs. Private

- This table illustrates the difference between these three concepts.
- Use it to help you decide which reporting option is right for you.
Non-Retaliation: You Are Protected

We do not tolerate retaliation. Period.
‘Tis (Almost) the Season... for Gifts

As a VCU employee, you cannot accept gifts, gratuities, favors or rewards in exchange for performing your professional duties.

As a faculty member, you might be offered gifts from students, families of students, potential students, job candidates or research partners. Examples of gifts you generally cannot accept include:

- Cash
- Services
- Loans
- Discounts
- Tickets
- Travel or transportation
- Gift certificates or cards

If you have questions about whether you can accept a gift, please give us a call.
A Conflict of Interest (COI) occurs when outside interests or relationships (financial, personal, or other) create a risk that professional judgment or actions regarding university interests will be unduly influenced by a secondary or personal interest.

A Conflict of Commitment (COC) occurs when outside activities interfere with or compromise an individual’s ability to meet university responsibilities or obligations, consistent with their employment or appointment.

What are conflicts of interest or commitment?
Current COI&C Reporting

- Faculty
- Outside Professional Activities Disclosures

Lacks a centralized system

Inconsistent processes

Specific to research-related interests

Virginia Statement of Economic Interest Annual Filers

Annual Financial Interest Report in AIRS

Small Group of Employees

Unclear expectations
New COI&C Policy:

- Faculty Outside Professional Activities Disclosures
- UAP and Staff in Identified Risk Areas (procurement, Director-level, etc.)
- Virginia Statement of Economic Interest Annual Filers
- Annual Financial Interest Report in AIRS

OVPRI will continue to administer annual FIR for research-related disclosures.
Centralized COI Reporting System

- Annual disclosure questionnaire
- Convenient link for “just in time” disclosures throughout the year

Current Practice vs. Convercent

- In line w/peer universities: ❌✅
- Compliant w/state and Federal regulations: ❌✅
- Centralized easy-to-use digital system: ❌✅
- Adequately manages COI&C risks: ❌✅
What Will You Be Asked to Disclose?

Outside Professional Activities

Personal Services

Gifts or Services Donated

Gifts or Services Received

Relationship Within Our Organization

Potential Conflicts: Immediate Family

Outside Financial Interests

You Do Not Need to Disclose:

- Charitable or Religious Donations
- Political Activity or Donations
- Membership in Community Organizations (ex: Little League or Condo Association)
Why Are You Being Asked to Disclose?

- To protect you
- To be compliant
- To protect VCU

- Conflicts are not inherently bad!
- Proactively managing potential conflicts ensures that we mitigate problems before they occur.
Timeline + How to Give Feedback

- Fall 2022: Pilot Program in Several Academic Units + Interim COI&C Policy
- Spring 2023: Permanent COI&C Policy goes through Approval process (including time for public comment)
- Fall 2023: First annual COI&C questionnaire sent out university-wide

Give feedback via Google form: https://forms.gle/Ten1ZvMWJxZSEHGo7

Follow the link or scan the QR code with your smart phone’s camera to make comments!