

Guidelines for managing potential Conflicts of Interest in the Proposal Review Panels

LCLS, as a publicly funded organization, is accountable for its actions and for the way it conducts its business, which must be undertaken in a way that is transparent and guards against 'Conflicts of Interest' influencing the outcome of decisions, or any perception of such.

PRP members are engaged to assess the scientific quality and potential impact of submitted proposals, and to comment on issues that affect the overall balance of the LCLS experimental portfolio and the vitality of the LCLS user community (current and potential). Assessments are to be provided in a manner that embraces the principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and community Leadership.

PRP members will not engage in the discussion or determination of matters in which they (or a member of their family or household) have a conflict of interest, or could be perceived as having a conflict of interest. Determination of such potential conflicts of interest is the responsibility of the individual, along with the Chair of each Proposal Review Panel and the LCLS Director.

A conflict of interest is normally deemed to arise:

- when a PRP member is named as a participant on the proposal or application under consideration;
- where a PRP member is from the same Research Organization¹ as the authors of the proposal under consideration;
- where a PRP member has any commercial or financial/pecuniary interest, for example where the reviewer is a member of an organization that may benefit financially, directly or indirectly, from any decision made;
- where a PRP member has a close personal (including family) and/or close professional (for example, where a recently supervised student or RA is named as an Investigator or researcher) link to anyone named on the proposal.

In the situation where the Chair has a potential conflict of interest, the Vice-Chair will assume the duties of the Chair.

In the situation where the Panel Secretary has a direct conflict of interest (typically where they are the spokesperson of a proposal), an alternative member of LCLS staff will assume the role (typically the SRD Division Director or his/her appointee).

When proposals are sent out for review, and at the start of a PRP panel meeting, the Chair will ask PRP members to make a declaration on conflicts of interest. This declaration will include the requirement for a positive declaration

¹ For large organizations (such as CERN, etc), the Chair of the PRP sub-panel will make the determination on what level of the organization may constitute a conflict of interest. Typically this will be for someone who is in the same academic Department, or facility, as the authors.

that there is no conflict of interest. The nature of any conflict of interest, including positive declarations, will be recorded in the minutes of the meeting. If an individual PRP member finds that a conflict of interest becomes apparent only as the meeting or evaluation progresses, the nature of the conflict should be declared as soon as practicable to the Chair and the Panel Secretary.

- In the case of a conflict of interest being declared during the initial (remote) review, the Chair will decide on the appropriate course of action, including withdrawing that proposal from the reviewer and redirecting to another member. Proposals shall be sent out to 3 PRP members for written reviews prior to the PRP meeting.
- In the case of a conflict of interest being declared at a PRP meeting, the panel will recommend whether the PRP member (or member of LCLS staff) has to (i) Leave the meeting during discussions relating to the conflicted application; (ii) Stay in the meeting but not participate in the discussion; or (iii) Stay in the meeting and participate freely. The Chair will make the final decision in all circumstances, consulting with the LCLS Director as appropriate.
- If after exploring other possibilities, it is considered that the exclusion of a member would compromise the panel's ability to make a proper scientific judgment of the proposal, the member may be allowed to participate. However this option only applies where the PRP member does not plan to work on the project under consideration. Where such an exception is made, it must be solely on the grounds that the value to the quality and integrity of the peer review process of the PRP member in question may be deemed to significantly outweigh any residual suggestion of bias arising from the declared conflict of interest.

Notwithstanding any of the above, a member may voluntarily choose to withdraw from the discussion of a proposal at any time if s/he wishes to do so. This may arise for a number of reasons as discussion of a proposal develops. The Panel Secretary to the PRP should record in the minutes the point at which an individual ceases to take part in the discussion and leaves the meeting.

Confidentiality

PRP members must not communicate with the authors of a proposal (on matters concerning submitted proposals) at any stage in the proceedings.

Under no circumstances should PRP members discuss any aspects of PRP business outside of the meetings. This is to protect against the release of partial information that can lead to perception of bias or poor conduct. All discussion of PRP business must be restricted to other members of the PRP, and LCLS staff as appropriate for technical advice or improvement of the PRP process.

A consolidated summary of the PRP evaluation will be sent to the spokesperson for each proposal after the conclusion of the PRP meeting and subsequent scheduling meetings by LCLS staff. The wording of this summary is provided by the Lead Reviewer of this proposal and will be approved by the Chair of the PRP sub-panel and the LCLS Director. This feedback to the proposing spokesperson and team will be made in a manner that protects against attribution of specific review comments to individual PRP members. This is to protect against lobbying.

PRP members and LCLS staff are privy to the details of all PRP submissions. As such, they will uphold the highest standards of ethical behavior in protecting the intellectual property, ideas and concepts revealed in the proposals, and undertake not to use inappropriately the information gained in pursuit of their own research.

The secretary for each sub-panel, appointed from the LCLS staff, will take notes of all proceedings. These notes will be accessible by the sub-panel chairs and designated LCLS staff only.

Unconscious Bias

A particular equality issue in peer review is unconscious bias. Despite striving to be objective, people often hold implicit or unconscious assumptions that influence their judgment. Examples range from expectations or assumptions about physical or social characteristics associated with gender, ethnicity and age to those associated with certain jobs, academic institutions and fields of study.

The Chair and Secretary of each PRP sub-panels have the joint responsibility to monitor panel discussions for appearance of possible unconscious bias, and alert the panel and/or LCLS Director as appropriate for remedial action. LCLS will make use of various statistical analyses of submissions to assess whether unconscious bias may be affecting the results of PRP decisions.

Appeals

A spokesperson for a proposal may appeal the PRP's decision to the LCLS Director, in writing, no more than 2 weeks after receipt of the PRP decision. The LCLS Director will consult with the PRP sub-panel chair (or vice-chair in the case of a conflict of interest), and the sub-panel secretary. The LCLS Director's decision is final, and will be issued no later than 2 weeks after receipt of appeal.

Comments on this ethical framework² for the LCLS Peer Review Panels are welcomed, and should be addressed to the LCLS Director.

² Thanks are due to STFC and other grant-awarding bodies for their work in preparing ethical guidelines from which the LCLS approach has been derived.