**TRU/TRUFA - Tenure and Promotion Guidelines**

**“Arm’s Length” Status re: External Referees**

Article 6.4.2 of the TRU/TRUFA collective agreement stipulates that potential external referees be “suitably qualified, at arm’s length from the candidate, capable of making an assessment and external to the University.” The purpose of this document is to provide guidelines so that candidates applying for tenure and/or promotion can determine whether or not potential external referees are at “arm’s length” according to the collective agreement.

Arm’s length does not mean that the reviewer must never have met or even heard of the candidate. It does mean that reviewers should not be chosen who are likely, or perceived to be likely, to be predisposed, positively or negatively, about the application. What must be avoided in all cases are actual or perceived conflicts of interest or bias.

First of all, individuals with any familial, personal or financial relationship with the candidate—either currently or in the past—are deemed to have a conflict of interest and are, therefore, incapable of rendering an objective judgment on the candidate’s portfolio. Family members, including those in one’s immediate family, current and former spouses, current and former domestic partners, and close personal friends must be excluded from serving as external referees. In addition, any actual or perceived personal conflict with the candidate, no matter than family relationship, should automatically be grounds for exclusion from the referee role.

In the case of individuals with whom the candidate has had a professional relationship, the determination of “arm’s length” status is more of a challenge. The principle to keep in mind is that objective assessment of the candidate’s portfolio requires that the referee not have any professional stake or interest in the success or failure of the tenure/promotion application. A suitably disinterested referee will be one whose own professional work or reputation is not directly connected to the candidate or to the candidate’s work being evaluated.

Any professional colleague, therefore, who is involved in specific kinds of professional relationship with the candidate, particularly those which rely on close collaboration, cannot be considered to be at “arm’s length.” However, other types of professional involvement with the candidate may not violate the arm’s length status.

Examples of professional involvement that may NOT violate arm’s length status involves cases in which the candidate:

* appeared on a panel at a conference with the proposed referee
* served on a granting council selection panel with the proposed referee
* authored an article in a journal or a chapter in a book edited by the proposed referee
* served on a graduate dissertation examination committee with the proposed referee
* presented a guest lecture at the proposed referee’s university
* served as an anonymous reviewer for publication of a manuscript written by the proposed referee
* invited to present a paper at a conference organized by the proposed referee’s department or university

Examples of professional relationships that may violate arm’s length status include cases in which the proposed referee has:

* acted in any major supervisory role when the candidate was a student, including research supervisor or dissertation supervisor
* acted in an administrative role such as department head or Dean while the candidate was a faculty member in that academic unit
* collaborated directly with the candidate in conducting research or team-teaching
* co-authored published work with the candidate
* previously been a member of the candidate’s department

Some existing guidelines, including those of the Ontario Universities Council on Quality Assurance, and the NSERC Peer Review Manual, recognize that some professional relationships between referee and candidate may be permitted if sufficient time has elapsed. While viewing “ongoing” or “current” or “regular” professional collaboration as clearly violating arm’s length status, these guidelines do allow for significant professional ties between referee and candidate if at least six or seven years of non-collaboration has occurred before the tenure/promotion application.

For example, the NSERC Peer Review Manual states that, to avoid any conflict of interest, a referee should not:

* have been a research supervisor or graduate student of the applicant within the past six years;
* have collaborated with the applicant within the past six years, or have plans to collaborate with them in the immediate future;

And the Ontario Universities Council on Quality Assurance guidelines state that a candidate being a “co-author or research collaborator with [the proposed referee] more than seven years ago” may not violate the arm’s length requirement.

With information and examples from the following sources:

* **SSHRCC Peer Review—“Managing Conflicts of Interest”**

http://www.sshrc-crsh.gc.ca/funding-financement/peer\_review-evaluation\_pairs/peer-pairs/conflicts-conflits-eng.aspx

* **NSERC 2011-2012 Peer Review Manual**

http://www.nserc-crsng.gc.ca/\_doc/Reviewers-Examinateurs/CompleteManual-ManualEvalComplet\_eng.pdf

* **The Ontario Universities Council on Quality Assurance**

http://www.cou.on.ca/related-sites/the-ontario-universities-council-on-quality-assura/policies/quality-assurance-framework---guide.aspx