Conflic of Interest Management Policy

Policy Statement

Managing conflict of interest is part of managing risk and is thus integral to good governance of DAA.

This policy applies to all staff, contractors, elected officers, external volunteers and members undertaking any activities for or on behalf of DAA.

This policy applies to any person/s presenting papers at DAA conferences or Continuing Professional Development events.

All relevant interests should be declared, acknowledged and, if necessary, managed, however this does not necessarily preclude involvement in a particular DAA activity.

The management of Conflict of Interest for the wider membership in their daily practice is addressed in the By-Law Code of Professional Conduct.

Definitions

For the application of this policy the following broad definitions have been applied.

- **An interest** is defined as:-
  - being employed by or acting as a consultant to an entity, being a director on a board,
  - being a member of an entity, receiving funding for research or other support for activities

- **A conflict of interest** may be defined as:-
  - A person in a position of trust is required to exercise judgment or make representation on behalf of others and who also has interests or involvements that could weaken a decision process or could interfere with their ability to be fair or impartial in negotiations.
  - Despite there being no evidence of improper actions, a conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly and in the best interest of the organisation.
  - A person gains personal benefit from the decisions or actions that they may take on behalf of the organisation they represent at the time of decision making
  - A situation where loyalties and obligations may be compromised because of self interest or other imperatives.

- **Actual Conflict of Interest** exists when acting on behalf of the group or organisation the outcome or advantage will go directly to the person or an external party.

- **Potential Conflict of interest** means circumstances may arise where the above would occur.

- **Perceived Conflict of Interest** occurs where a person’s employment, beliefs or affiliations may be seen by others to compromise independent judgement.
When a conflict of interest exists or is perceived to exist it may, but does not necessarily mean that the person must withdraw because of the conflict of interest, or that the person should take action to negate the conflict of interest.

Diversity and differences of opinion do not constitute a conflict of interest when based on scientific or other evidence.

Policy Guidelines

- It is the responsibility of all members and staff to declare any relevant interest to the appropriate person, in a timely manner.¹
- All Directors of DAA will sign a ‘Consent to Act as a Director’ form on appointment to the Board. The Chief Executive Officer will check these declarations to identify potential conflicts and maintain files.
- All Board, Council, Advisory and Management Committee and Branch Executive agendas will contain a standing item ‘Declaration of Interest’. It is the responsibility of the chair or convenor to manage any identified conflict.
  - It is the responsibility of all participants to identify any actual or potential conflicts regarding agenda items and declare them at the commencement of the meeting.
  - Declarations will be minuted.
  - If an actual conflict is identified the member will not vote on any decision regarding that agenda item and may be asked or choose to refrain from discussing the item or remove themselves from the meeting.
  - Should the Chairperson (including the President) identify a conflict of interest they must relinquish the role of chair to another member of the committee for the discussion of that item.
- All members applying to represent DAA on external bodies or act as spokespersons will sign a Declaration of Interest Form (see Appendix 1) as part of the selection process. They must also declare any new interest or actual conflict arising during the course of their representation. (see Representation: Roles and Responsibility policy and Spokespersons policy)
- All DAA contracts, including employment contracts, will contain clauses covering conflict of interest. The Chief Executive Officer is responsible for managing this sector.
- All requests for Endorsement of materials by DAA will contain a Declaration of Interest. (see Endorsement policy)
- Any formal external relationship in which DAA engages (Partnership, sponsorship, alliance, joint project) will be clearly and openly declared.
- Persons presenting at DAA Conferences or CPD events must declare any material support (grants, scholarships, assistance with travel) from outside agencies and commercial interests (other than one’s immediate employer/s) that may represent actual or potential conflicts of interest with regard to their presentation. This will be identified in the abstracts and conference program. (See Conference Policy Manual)
- If an actual or potential conflict of interest is identified by others it should be reported to the appropriate committee chair or senior staff member. If the issue cannot be managed, the person in question may be asked to step down from their role.

¹ Not all interests are relevant especially those of a social or recreational nature except for board members where any other directorship or executive role must be identified.
• Should a person be unwilling to resolve an issue of Conflict of Interest the Board will make the final decision as to the continuation of that person's appointment at a national level and the Branch Chairperson at a Branch level.

Sample scenarios for managing conflict of interest

Scenario 1 – Representing DAA

A DAA member applies to be a Spokesperson. They are also a member of a nutrition related organisation (e.g. Nutrition Australia (NA) and Sports Dietitians Australia (SDA)). This person must declare an interest. There may be a potential conflict of interest. Should they be asked to speak on an issue regarding sports nutrition they may find it difficult to separate the interests and positions of DAA & SDA. Should they be asked to speak on an area of nutrition policy they may find it difficult to separate the positions of DAA and NA.

Management – if there is another candidate who is equally qualified but does not have the same potential for conflict of interest then they would be the first choice. If however the member were the best qualified to speak on a particular issue despite potential for conflict they would be fully briefed and strategies to manage their potential conflict of interest agreed upon.

Scenario 2 - Serving on internal committees

A member of a DAA advisory and management committee or working party is employed by a company, NGO, university or government department who might also have an interest in issues that committee may be working on from time to time.

Management – The member must declare an interest on appointment and identify any actual or potential conflict of interest which may arise, which is recorded and made known to all members of the committee.

The chairperson and director responsible for the committee will monitor the situation and may ask the member to recuse themselves in certain circumstances if the member does not do so themselves.

Scenario 3 - Personal financial gain

A member working on a committee to organise a large CPD event is offered free personal accommodation at the venue. If the offer is accepted this is an actual conflict of interest.

Management - The member must declare the offer to the committee and the Branch Executive or DAA Staff. Since the offer may be to the potential benefit of the DAA, the conference organising committee may decide to utilize the offer to offset costs by accommodating speakers or used as a prize for delegates.

Scenario 4 - Declaring external support

A member has done some practice based research and they are invited to speak at a branch or IG CPD event in another state. They are given time off by their employer but no other support. A company with an interest in the results of the research offers to pay for their travel and the offer is accepted. This is a potential conflict of interest.

Recuse - to declare yourself to be, or to render somebody, disqualified to judge something or participate in something because of possible bias or personal interest. Encarta Dictionary
**Management** – The member must inform the organisers and ensure that this external support is declared on the program. If there is no formal written program it must be verbally declared at the commencement of the presentation.

**Scenario 5 - Commercial Interests**

A member or other professional is invited to give a presentation at a CPD event or conference being organised by DAA or one of its committees or IGs. The speaker has commercial interests from which he/she is currently making financial gain or may make financial gain in the future. These commercial interests are related to the topic on which they will be presenting at the event/seminar/conference. This is a potential conflict of interest.

Management: Organiser(s) of CPD events and conferences held under the auspices of DAA will request speakers to declare any commercial interests that represent actual or potential conflicts with their presentation, prior to the event. Speakers (whether a DAA member or not) should provide details of the commercial interests to the event organiser(s) upon request. Organisers should ensure that these are identified in the abstracts and conference program; and if there is no formal written program it must be verbally declared at the commencement of the presentation. A statement to the effect ‘the following speakers……. have declared a commercial relationship with …….. ’ is to be included.