



CONFLICT OF INTEREST POLICY

Policy number	2.3	Version	2
Drafted by	M. Hiscutt	Approved by Council on	30 Dec 2020
Responsible person	CEO	Scheduled review date	Dec 2021

Purpose

The purpose of this policy is to help members of the Australian and New Zealand College of Veterinary Scientists to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of the College and uphold governance processes.

If there is any uncertainty about any aspect of this policy, contact the Chief Executive Officer or College Manager through the College Office.

Background

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interest of the College. Personal interest includes direct interests, as well as those of family, friends or other organisations a person may be involved with or have an interest in.

A conflict of interest may be actual, potential or perceived and may be financial or non-financial.

Bias refers to an inclination or prejudice for or against one person or group and may be actual or perceived.

In this document, the term conflict of interest will refer to both conflict and bias.

Policy

It is the policy of the Australian and New Zealand College of Veterinary Scientists that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations to the College.

The College will manage conflicts of interest by:

- Avoiding conflicts of interest where possible
- Identifying, disclosing and documenting any conflicts of interest
- Carefully managing any conflicts of interest
- Responding to any breaches of this policy

The Chief Executive Officer will confer with the College President and the Chief Examiner where appropriate to assess whether there is sufficient conflict to warrant action and how the conflict may be managed.



CONFLICT OF INTEREST PROCEDURES

Procedures number	2.3	Version	1
Drafted by	BOE	Approved by CEO on	Dec 2020
Responsible person	CEO	Scheduled review date	Dec 2021

Responsibilities

The Chief Executive Officer is responsible for:

- Processes and activities that support the identification, disclosure and management of conflicts of interest within the College
- Monitoring compliance with this policy
- Annual review to ensure that the policy is operating effectively

Procedures

Identification and disclosure of conflicts of interest:

- If an actual, potential or perceived conflict of interest is identified, it must be entered into a register of interests.
- The register of interests must be maintained by the relevant person (Examinations Officer for Examination related conflicts of interest, College Manager for general conflicts of interest).
- The register must record information related to a conflict of interest, including the nature and extent of the conflict of interest and any steps taken to address it.
- Access to the register will be restricted to the Board of Examiners, Examination Officers, College Council and College Management.

Action required for management of conflicts of interest:

Conflicts of interest of Council or Board of Examiners members:

- Once the conflict of interest has been disclosed, Council (or the Board), excluding the member who has made the disclosure, must decide whether or not those conflicted should:
 - Vote on the matter
 - Participate in any debate
 - Be present in the room during the debate and the voting

In deciding what approach to take, Council will consider:

- whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person's capacity to participate in decision making on related matters impartially.
- alternative options to avoid the conflict
- the likelihood of creating an appearance of improper conduct that might impair confidence in or the reputation of the College.

The approval of any action requires the agreement of at least a majority of Council (or
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Board) (excluding any conflicted members) who are present and voting at the meeting. The action and result of the voting will be recorded in the minutes of the meeting and in the register of interests.

Conflicts of interest of Examiners and Examination Candidates:

Initial communication from the Examination office to appointed examiners

- Examinations office forwards list of enrolled candidates to appointed subject examiners. This communication is targeted for late December – January and is dependent on the Examination Team being provided the details of the subject examiners by the Chapters.
- The email includes information on the Conflict of Interest Policy
- All examiners must either declare Yes and state candidate(s) name(s) and nature of conflict or No, to enable their declaration to be held on file, in case of an appeal following the examination
- Examinations office holds a record of the examiners' response

Return of declarations

- All declarations are recorded.

Determining declarations

All persons involved in contributing to the development of an examination, in a stated year, are expected to sign a confidentiality agreement; signing this agreement signifies to the College and BoE they can trust the integrity and professional standing of the examiner during their tenure in an examination role.

The Examinations Officer may confer with the Chief Executive Officer (CEO) to determine whether there is:

- a sufficient conflict to warrant further action, (and if not, record the details why), and if so
 - determine whether the examiner:
 - has a minimal COI and can examine the Candidate
 - has a potential COI and cannot examine the Candidate
 - whether a waiver should be sought
 - should be disqualified from examining the subject in the stated examination period

The Chief Examiner and College President may be called upon to deliberate and determine a final decision on any declared COI.

When determining the extent of a COI, the following will be taken into consideration:

- Financial interests
- Family interests and relationships
- Friendships
- College relationships
 - A supervisor or mentor cannot be on the examining team as this may create positive or negative bias in the examination

A person cannot examine if there is a candidate that year who fits in one of the below categories:

- their employee or person who reports to them*,
- a person they are mentoring*,
- an immediate family member, or
- any person they report to.

A College official who is normally responsible for deciding whether another person has a conflict of interest cannot do so for:

- their employee or person who reports to them,
- an immediate family member, or
- any person they report to.

***Guidance:**

A person who is in a position to direct the work (such as assigning work) of a candidate should not have knowledge of, or develop, the content of an examination. In this case, it would present difficulties for the examining team member to include or not include topics in the examination or in the course of the work.

In the same way, a person who is mentoring and guiding a candidate in examination preparation should not have knowledge of, or develop, the content of an examination.

Other management techniques

A person can examine but will not be able to mark completed written or practical papers or deliver oral examinations (i.e. assigned to a different examining team) for a candidate who fits into one of the below categories within 2 years prior to the examination year:

- some financial interest in a large multidisciplinary organisation but not with direct reporting or mentoring,
- previously a manager/employer/mentor but no longer in that role,
- provides clinical advice or case assistance (consultancy on specific cases) but with no reporting or mentoring, or
- previously enrolled in/completed a distance education program the examiner tutored
- colleague working in the same practice who will be sitting the subject examination the examiner is involved in developing

At membership level, examiners and reviewers will be allowed to be involved with subject guideline review and examinations from large or corporate practices which have candidates in the subject in any particular examination as long as the examiner or reviewer:

- does not have a personal relationship with the Candidate
- does not mentor the candidates individually or in small groups,
- does not have a significant financial interest in the outcome of the Candidate's examination.

Guidance:

The following are examples of conflict of interest and how they may be managed:

An examining team member works in the same large, multidisciplinary practice/business/government agency/university as a membership candidate in a different subject area. This is a minor conflict of interest as the examiner is unlikely to have contributed to the subject and will not have any detailed knowledge of the examination. The conflict is recorded but does not require action.

An examining team member works in the same large, multidisciplinary practice as a membership candidate in the same subject area, but the examiner is not their mentor or manager. This is a minor conflict of interest given the lack of input into formal training of the Candidate. Provided that the examiner is not the employer and that there is no personal relationship or financial gain, the examiner may be appointed but will not be in the team appointed to deliver or mark examination components of the co-worker.

An examining team member is a partner within a large multidisciplinary organisation with many branches located interstate. The organisation has many members and specialists that contribute to the training and mentoring of the membership candidates (some visiting from

interstate). If there is limited daily contact, no financial or personal relationship and the mentoring has been provided by other individuals, the conflict is minor, and the examiner may be allocated to a team that will not be delivering or mark examination components for the candidates from within the same organisation.

A fellowship supervisor (primary or secondary) is approached to examine membership when their resident will be sitting the examination. This is a significant conflict of interest, and the supervisor would not be able to be appointed on the examining team but could consider submitting questions for a question bank. These may or may not be used in the year that the resident sits the examination.

An examining team member has participated in a journal club that is attended by a group of residents in training and other specialists in the subject. This is a conflict of interest, although the size of the group and the nature of the interaction may dictate the degree of conflict. If there are a large number of participants with the contribution of the examiner being small, then the conflict may only need to be recorded. If there is a group with the examiner tending to lead discussion or be very active in discussions, the examiner would either (depending on the degree of activity and how much of a mentoring role they play in the group) not be appointed in a role in the SEC or may not be able to mark responses or deliver orals for those participating candidates.

Note: If there are additional conflict issues (such as personal or financial relationship or enmity) these are addressed separately.

Note: in many cases where a conflict of interest is declared in relation to a candidate, the conflict may be considered minor or trivial, but the person involved feels that it would be more comfortable if the Candidate were not marked by them and that they did not deliver their oral examination. In these cases, the Office will endeavour to assign the Candidate in question to different examiners if practical.

Financial interests

- An examiner is responsible for examining their own employee, where if the employee passes it will allow their business to charge more. In this case:
 - Fellowship – employer/director/ business partner - cannot be in the examining team
 - Membership – employer can be in the examining team but not examine employed Candidate (s)
- In some circumstances an examiner overseeing a business rival
 - As outlined in above scenario

Family interests and relationships

- An examiner cannot be involved in the exam if an immediate family member is enrolled in that year's exam, (spouse, children, siblings, parents, any person considered step family)
- An examiner cannot examine extended family members (cousin, second cousin) but can be in examining team

Friendships

- Where an examiner has a friendship with a Candidate that goes beyond mere occasional acquaintances the examiner can be in the examining team but cannot directly examine that Candidate.
- Where a person feels enmity towards another, the examiner can be in the examining team but cannot directly examine that Candidate.

College Relationships

- An examiner cannot examine a candidate that they have supervised as an objective onlooker might reasonably believe they have a vested interest in seeing them pass. The supervisor might also subconsciously skew the examination either:
 - in favour of the areas they know the Candidate is strong in, creating bias, or
 - into areas they know the Candidate is weaker in to ‘test them out’, creating bias by making the exam too unbalanced and difficult.
- A supervisor cannot examine their resident, whether they were the primary or secondary supervisor. The supervisor(s) cannot be in the examining team the year their ex-resident is being examined.
- A supervisor – may stay in the examining team but not examine the Candidate they are supervising at the membership level.