



RANZCOG Policy – Identifying, Declaring and Managing Interests

1. Policy purpose

The Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) is committed to the highest standards of integrity and ethical conduct and to providing a governance structure that is consistent, transparent and robust.

The purpose of this policy is to provide guidance for identifying, declaring and managing real or perceived conflicts of interest involving the College and its activities. This policy is also relevant to all those who fulfil a representative role, conduct College business or hold a College appointment.

All College representatives are expected to conduct their relationships with each other, the College and outside organisations with objectivity, integrity and transparency.

2. Policy scope

This policy applies to all College members, including the Board of Directors, Council, Committees, Subcommittees, Working groups and other bodies authorised to carry out activities or functions of the College.

This policy also applies to College staff and the CEO.

This policy also applies to Fellows, trainees, SIMGs on the pathway to Fellowship and other representatives involved in any College entities.

3. Responsibilities

Policy implementation: Board of Directors and Committee Chairs

Policy Authorisation: Board

Policy Maintenance: CEO

4. Policy statement

RANZCOG representatives and staff are obligated to disclose and avoid ethical, legal, financial or other real or perceived conflicts of interest involving the College. It is expected that individuals will remove themselves from a position of decision-making authority with respect to any situation where there is a real or perceived conflict situation involving RANZCOG. Alternatively, the individual may choose to divest their interest where a conflict exists whilst they are involved with the College.

5. Definition of conflict of interest

A conflict of interest refers to a situation where a conflict arises for an individual who may have two competing interests. These are often, but not exclusively, interests of public duty versus private interests. Conflicts of interest can involve financial or non-financial interests of the individual and the interests of a business partner or associate, family member, friend or person in a close personal relationship with the staff member.

Conflict of interest is defined as:

- A relationship or situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.
- A relationship or situation in which a party's responsibility to a second-party limits their ability to discharge its responsibility to a third party (RANZCOG).

A conflict of interest can occur if an interest or activity may:

- influence or appear to influence the ability of an individual to exercise objectivity; or
- impair the individual's ability to perform their responsibilities in the best interest of RANZCOG.

6. Guidance on circumstances where conflicts of interest may arise

There are two general circumstances where conflicts of interest may arise, however there may be others:

1. **Financial interests:** May include relationships which provide benefits or losses either in money or in-kind benefits. These benefits may be perceived to affect a person's judgement in relation to fair decisions.

Conflicts of interest may involve relationships with pharmaceutical companies or other corporations whose products or services are related to the topic under consideration. Financial interests or relationships requiring disclosure include but are not limited to: **honoraria, consultancies, employment, or stock ownership**. Conflict of interest may also include participation in the development or endorsement of any other guidance by other organisations on the topic under consideration.

2. **Other relationships:** An interest should be declared where there is a strong position, or prejudice, familial connection or other relationship held by an individual that could affect the person's judgement in relation to fair decisions about evidence, their participation in group decision-making and contribution to developing consensus recommendations or decisions.

An individual is considered to have a potential conflict of interest when they:

- have the opportunity to influence the College's business, administrative or other material decisions in a manner that leads to personal gain or advantage.
- have an existing or potential financial or other significant interest that impairs or might appear to impair their independence in the discharge of their responsibilities to the College.

In essence, a conflict of interest is a set of circumstances that creates a risk or perception that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary interest.

7. Identifying conflicts of interest

A variety of situations, affiliations and relationships can create real or perceived conflicts of interest. When deciding what kind of relationships should be disclosed, the individual should consider the situation from the perspective of an outsider and whether the relationship is of such a nature that it could raise an allegation of a perceived or actual conflict of interest. In such cases, the individual should err on the side of caution and disclose in order to avoid reputational risk to themselves and RANZCOG.

Table 1: Questions to ask yourself when assessing whether you might have a real or perceived conflict of interest

1. What assessment would a fair-minded member of the public make of the circumstances?
2. Could my involvement in this matter cast doubt on my integrity or that of RANZCOG?
3. If I saw someone else doing this, would I suspect they might have a conflict of interest?
4. If I did participate in this action or decision, would I be happy if my colleagues and the public became aware of my involvement and any association or connection?
5. How would I feel if my actions were covered by the media? Would they cause embarrassment for myself or RANZCOG?
6. Is the matter or issue one of great public interest or controversy where my proposed decision or action could attract greater scrutiny by others?

The following activities illustrate the types of potential or real conflicts of interest that should be disclosed or avoided as applicable in accordance with this policy:

- Having a **financial/personal interest in an enterprise** with which RANZCOG does business which could be perceived to be in a position to influence relevant business decisions.
- **Self-benefit:** Using your position or relationship within the College to promote your own interests or those of your family, including using confidential or privileged information gained in the course of your participation on College business, for personal benefit or gain or for the personal gain or benefit of family members.
- **Financial benefit:** receipt by the individual or their immediate family members (partners and dependent children) of payments, gratuities, consultancies, honoraria, employment, grants, support for travel or accommodation, payment for meals/beverages and or entertainment or educational event registration (including registration fees) or gifts from an entity having a commercial interest in the topic in question.
Financial benefit also includes activities for which employees are personally remunerated from an external source/party that involve, or might reasonably be perceived to involve, the College's name, facilities, equipment and staff.
- **Conflicting duties:** Participating in a decision relating to an employer that may conflict with the interests of the College e.g. consideration of a hospital accreditation report including the outcomes by the TA Committee of a Committee member's hospital.
- **Chairing of being a member of a committee responsible for allocating RANZCOG funding for research or other activities** at a faculty or university level where funding is granted to the chair's/members school/hospital/department.
- **Conflicting relationships:** Being in a situation where the relationship between a supervisor, an assessor or examiner and a trainee may compromise an unbiased assessment. Other conflicting relationships might include board membership, stock ownership or consultancies between the individual or immediate family members (partner and dependent children) and corporations whose products or services are related to the topics under consideration or that have a commercial or other interest in the topic under consideration.
- **Expert testimony:** other direct or pecuniary interests considered relevant (for instance having provided expert testimony on behalf of the entity with a commercial interest or other interest in the topic under consideration).
- **Influencing:** Soliciting benefits for yourself or your family from outside organisations in exchange for using your influence to advance the interests of that organisation within the College.

- **Other business relationships and dealings:** Approving grants or contracts with organisations in which you or your family have a significant financial or other interest or relationship, particularly if you are in a position to influence major decisions, are responsible for review, negotiation and approval of grants and contracts, or otherwise direct the College's business dealings with that entity or business.
- **Intellectual property:** Inappropriate or unauthorised use of materials developed under the auspices of RANZCOG or potential conflicts relating to the development and use of educational materials (e.g. exam preparation).
- **Property transactions:** Directly or indirectly leasing, renting, trading or selling real estate or personal property to the College.
- **Use of College property for personal advantage:** Using or taking College resources, including facilities, equipment, personnel and supplies, for private use or unauthorised non-College activities.
- Asking RANZCOG staff for embargoed information relating to the **admission of trainees** with whom the individual has a close personal relationship.
- **Recording or reporting false information:** Misrepresenting, withholding or falsifying relevant information required to be reported to external parties, or used for internally for decision-making purposes, in order to derive personal benefits.
- **Gifts:** Personally soliciting or accepting anything of value (unless nominal – generally \$100 or less), including without limitation, payments, gifts or loans from organisations or individuals that have dealings with the College or that have applied for or have received grants from the College during the preceding three years. If the College is involved in a tender process, no gift, no matter how small or insignificant, should be accepted from the tenderers. If in doubt, guidance should be sought from the relevant party to whom they report.
- **Outside commitments:** Participating in social or political activities is not restricted, as long as you participate as an individual and not as a representative of the College.

This list is not exhaustive and is intended to provide guidance only. It is impossible to define all the potential areas where a conflict of interest may arise and therefore if in any doubt as to whether a conflict may exist, the advice is to declare, for your own reputation and for that of the College.

8. Declaration and management of interests

Any RANZCOG representative or staff member, who has a real or perceived conflict of interest in an activity or function relating to a College matter, must disclose the interest to the relevant Committee or body, through the Chair. Disclosure should occur at the commencement of the term of appointment via the [Identifying, Declaring and Managing Interests – Declaration of Interest Form](#). In addition, each meeting should have a standing agenda item where declaration of interest is called for at the commencement of the meeting to allow the opportunity for members to update any interest which may have arisen since their time of appointment.

The Chair will decide on the materiality of the disclosure and whether or not a conflict exists. If the Chair is uncertain, a conflict of interest will be deemed to exist and the Chair is responsible for establishing a process to assess whether a conflict does or does not exist and if it does, its significance and any action that needs to be taken. Such a process may include:

- Referral to the CEO; or
- Referral to the Board.

If a disclosure is made at the start of a meeting, the member should leave the meeting and the disclosure should be discussed in the absence of that member by the remaining members of the relevant group. The remaining group members should decide whether a conflict exists and, if so, its significance and likely impact on the item or items of business to which it applies and what action, if any, needs to be taken. Disclosures, processes adopted, the resolution and the action taken following

consideration should be recorded in the relevant minutes. Should an appearance of impropriety or actual conflict exist, appropriate actions must be taken dependent upon the particular facts.

If a Chair makes a disclosure of interest, he/she should vacate the Chair for discussion by remaining members of the relevant group and this declaration should be notified to Board and CEO.

If a member or members believe that another member may have an undeclared interest which should be disclosed and has not been, they are entitled to raise the matter with the relevant Chair, who will then establish the process to assess whether a potential conflict does or does not exist, its significance and any further action that is required.

9. Related RANZCOG documents

- RANZCOG Constitution – A3 Standards and Complaints
- Policy on Prejudicial Relationships (WPI 03)
- RANZCOG Board of Examiners Policy
- Gifts and Benefits Policy and Procedure
- Code of Conduct
- Identifying, Declaring and Managing Interests – Declaration of Interest Form
- Declaration of Interest – Statements and Guidelines Development

Revision ID	1
Policy Owner	Office of the President and CEO
Policy Approved By	RANZCOG Board, May 2017
Review of Policy	As required or no later than May 2019
Review History	



Declaration of Interest Form

Identifying, Declaring and Managing Interests

I, *(insert full name)* _____

Declare my relevant private and other interest for the period _____

1. OFFICE HOLDER

Please provide the name of any company, trustee company or other body in which you hold office (e.g. directorships) and whether it is a public or private company.

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2. SIGNIFICANT EQUITY HOLDINGS

Please provide details of any major equity holdings where you are able to exercise significant control or influence.

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3. OTHER INTERESTS

Please provide details of any other interest, contractual agreement or obligation, held or accruing to you or a member of your immediate family that could reasonably raise an expectation or perception of a conflict of interest with your role as a Director.

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This information is true and correct to the best of my knowledge. I declare that as far as I am aware, none of these interests conflict with my role as a **Board Member / Councillor / Committee Member** (*cross out those that do not apply*) of the Royal Australian and New Zealand College of Obstetricians and Gynaecologists. I understand that I have an obligation to declare any real or potential conflict of interest and undertake to advise the Chair or Deputy Chair in writing if such a conflict or potential conflict arises in the future, and to stand down in any decision making process in which I may be compromised. I further declare that I am aware of the [RANZCOG Policy – Identifying, Declaring and Managing Interests](#) and my obligations under it.

Signature _____

Date _____



Declaration of Interest Form Statements & Guidelines Development

Name _____

Name of Committee _____

Date _____

Please answer each of the following questions by selecting either "NO" or "YES". If you answer "YES" to any question, please describe the nature of the interest and/or relationship, and identify the relevant commercial entity.

EMPLOYMENT

Are you or have you been employed by any entity having a commercial interest in the statement/guideline topic?

NO YES

If YES, please describe:

CONSULTANCY

Have you served as a consultant for any entity having a commercial interest in any products relating to the Committee's statement/guideline topics?

NO YES

If YES, please describe:

OWNERSHIP INTERESTS – PART A

Do you have any ownership interests (including stock options) in any entity, the stock of which is not publicly traded, which has a commercial interest in the Committee's statement/guideline topics?

NO YES

If YES, please describe:

OWNERSHIP INTERESTS – PART B

Do you have any ownership interests (including stock options but excluding indirect investments through mutual funds and the like) in any entity that has a commercial interest in the Committee's statement/guideline topic?

NO

YES

If YES, please describe:

RESEARCH FUNDING

Are you currently receiving or have you received research funding from any entity that has a commercial interest in the Committee's statement/guideline topics?

NO

YES

If YES, please describe:

HONORARIA

Have you been paid honoraria or received gifts from any entity having a commercial interest in any products related to the Committee's statement/guideline topics?

NO

YES

If YES, please describe:

PARTICIPATION IN GUIDELINE DEVELOPMENT

Have you been involved in the development of guidelines by organisations other than RANZCOG relating to Committee's statement/guideline topics?

e.g. a member of the guideline development committee

NO

YES

If YES, please describe:

GUIDELINE ENDORSEMENT

Have you directly participated in any processes to formally endorse any other guidelines by organisations other than RANZCOG relating to the Committee's statement/guideline topics?

NO

YES

If YES, please describe:

ANY OTHER POTENTIAL CONFLICT(S) OF INTEREST

I acknowledge my responsibility to disclose to RANZCOG all actual or perceived conflicts of interest, which may exist while acting as guideline/statement contributor on an ongoing basis during my relationship with RANZCOG.

I declare that:

I do not have a conflict of interest

I have a conflict of interest or a perceived conflict of interest:

PLEASE PRINT:

Date:

Signature –Committee Member

Date Received:

Signature – Committee Chair