



Conflict of Interest Policy

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Superseded Documents:	PHRN Conflict of Interest Policy v1.0
Review:	To be reviewed in February 2013
Associated PHRN Documents	PHRN Conflict of Interest Guidelines (in development) PHRN Comments and Complaints Policy PHRN Incidents and Breaches Policy (in development) PHRN Intellectual Property and Commercialisation Policy

Version	2.0
Authorisation	Authorised by Professor Brendon Kearney
Approval Date	3 February 2012
Effective Date	3 February 2012

1. Preamble

A conflict of interest exists where there is a divergence between the individual interests of a person and their professional responsibilities such that an independent observer might reasonably conclude that the professional actions of that person are unduly influenced by their own interests.

Conflicts of interest in the research area may arise from time to time and it is important that they are disclosed and dealt with properly. Conflicts of interest have the potential to compromise decisions that should be made impartially. Such compromise could undermine community trust in the activities of the Population Health Research Network (PHRN). As such, the Network is committed to providing a fair, ethical and accountable environment for the conduct of its operations.

2. Purpose

The PHRN seeks to protect its integrity in relation to conflicts of interest through the application of this policy statement and the complementary PHRN Conflict of Interest Guidelines (in development).

3. Scope

This policy is intended to cover any actual, perceived or potential conflict of interest situation arising in the course of PHRN operations and is applicable to PHRN Project Participant staff members, Management Council, committee members and data users. Host institutions will also need to have a comprehensive policy in place to cover the likely range of circumstances where a conflict of interest may exist.

This policy covers two main conflict of interest categories:

a. Financial and Material Interests – where an individual (or someone associated with them) could gain or lose financially because of the way the individual fulfils their official duties.

b. Non-Financial and Partiality Interests – where an individual's personal involvements, relationships, obligations, values or attitudes may influence the way they carry out their official duties.

4. Principles

- 4.1 Any conflicts of interest arising in the course of PHRN activities must be addressed fairly and effectively using transparent processes to appropriately identify, disclose and manage the conflict.
- 4.2 The PHRN encourages all individuals involved in the planning, governance or operations of the Network and all users of the infrastructure to be responsible for arranging their private affairs as far as reasonably possible to prevent conflicts of interest arising and to protect their impartiality.
- 4.3 The PHRN encourages a full disclosure of any circumstances giving rise to concerns about the conflict of interest to staff with delegated authority to deal with such matters. This extends to third parties (such as members of the public) who may suspect or become aware of a conflict of interest.
- 4.4 It is imperative that all information regarding conflicts of interest or perceived conflicts of interest be kept confidential and disclosed only to staff with delegated authority to deal with such matters. The PHRN acknowledges that the burden of dealing with an actual or potential conflict of interest may be onerous and that allowance should be made for limited further disclosure to support the person with delegated authority if required.
- 4.5 It is legitimate for those involved in resolving a matter to seek advice and/or assistance from people with relevant expertise. It should be noted that any documentation is subject to freedom of information legislation.

5. Policy Statement

- 5.1 Each PHRN Project Participant should appoint a Conflict of Interest Officer to oversee the implementation, co-ordination and monitoring of conflict of interest policies and procedures at the local level.
- 5.2 Where the circumstances constitute a conflict of interest, or may lead people to perceive a conflict of interest, the individual concerned must not take part in the decision of how to manage the conflict or official decisions and actions that could reasonably be seen to be compromised by their private interests and affiliations.
- 5.3 Individuals should avoid private action in which they could be seen to have an improper advantage from inside information they might have access to because of their official duties and should not use their official position or PHRN resources for private gain.
- 5.4 A record must be kept of any declared or deemed conflict of interest and how it is managed, even if confidential information must be omitted. It is important that the

possibility of a conflict is acknowledged in each case, along with an outline of how it was managed. A register of all conflict of interest cases should be kept by each PHRN Project Participant and utilised in the policy review process.

- 5.5** In the case of a failure to disclose a conflict of interest, sanctions would be determined by the PHRN in accordance with the circumstances in question (including the roles and responsibilities of the individual and the expectations that attach thereto) and in line with the PHRN Incidents and Breaches Policy (in development) and the PHRN Comments and Complaints Policy (where relevant and subject to endorsement by the PHRN Management Council).

6. Associated Documents

6.1 Relevant Legislation

The PHRN recognises that this policy must operate within a legal framework which may impose various restrictions and obligations on those who deliver and access data linkage services. Users of this policy should refer to relevant legislation applicable in their jurisdiction including:

- State and Territory information privacy acts and principles
- State and Territory health information privacy acts and principles (where information is health information)
- State and Territory legislation empowering collection, use and disclosure of information
- Common law duty of confidentiality
- Information Privacy Principles of Privacy Act 1988 (Cth) (where entity bound by PHRN Funding Agreement)
- State and Territory protected disclosure acts
- State and Territory anti-discrimination acts
- State and Territory freedom of information acts

6.2 National Guidelines

- *Australian Code for the Responsible Conduct of Research* jointly issued by the National Health and Medical Research Council, the Australian Research Council and Universities Australia

6.3 PHRN Documents

- PHRN Conflict of Interest Guidelines (in development)
- PHRN Comments and Complaints Policy
- PHRN Incidents and Breaches Policy (in development)
- PHRN Intellectual Property and Commercialisation Policy

7. Implementation

7.1 Roles & Responsibilities

7.1.1 PHRN Management Council

The PHRN Management Council has responsibility to endorse the PHRN Conflict of Interest Policy and related guidelines. The Council will also be responsible for endorsing any amendments to these documents recommended as a result of the annual review of the policy and guidelines.

7.1.2 PHRN Chief Executive

The role of the PHRN Chief Executive is to review and sign off on the Conflict of Interest Register for the Management Council, its committees, working groups and advisory groups and the Program Office for Data Linkage on an annual basis to ensure all actions have been completed and identify any trends and/or instances that require further action.

7.1.3 PHRN Project Participant Conflict of Interest Officers

Each PHRN Project Participant should appoint a Conflict of Interest Officer to oversee the implementation, co-ordination and monitoring of conflict of interest policies and procedures at the local level.

7.1.4 PHRN Committee Chairs

The Chair of each PHRN committee must ensure that any conflict of interest declared by members of their respective committee is recorded in the minutes of each meeting. The Chair is also responsible for deciding when a member's declared conflict of interest may preclude their ability to make an unbiased decision on any matter arising and subsequently taking appropriate actions to address this situation.

7.1.5 PHRN Program Office for Data Linkage

The PHRN Program Office for Data Linkage will assist the local Conflict of Interest Officers to oversee the assessment and appropriate management of conflicts of interest arising in the course of PHRN operations. The Office will also be responsible for maintaining the national Conflict of Interest Register and ensuring appropriate training and education is provided for PHRN-associated staff, committee members and data users, at a level that is appropriate to their roles and responsibilities.

7.1.6 PHRN-associated staff, committee members and data users

All PHRN-associated staff, committee members and data users have an obligation to identify and assess their private and personal interests, assess whether they do conflict or have the potential to conflict with their official duties and to declare any conflict of interest or potential conflict of interest at the earliest opportunity provided.

8. Review

Evaluation of the PHRN Conflict of Interest Policy is to be undertaken by the PHRN on an annual basis. Input from the designated Conflict of Interest Officer of each PHRN Project Participant will be sought.

9. Definitions

Centre for Data Linkage refers to the secure data linkage facility hosted by Curtin University of Technology that will facilitate linkage between jurisdictional datasets, and between these datasets and research datasets, using linkage variables;

Committee includes any committees formed by the PHRN Management Council, including working groups and advisory groups;

Conflict of interest refers to a situation where the potential to undermine the impartiality of a person exists because of the possibility of conflation of the person's self-interest and professional-interest(s) or public-interest(s);

Data user means a person who uses data in the course of a project. This includes investigators, analysts and others who work for a range of organisations including academic institutions and government organisations;

Disclosure means the release of relevant information;

Linkage variables refers to the variables supplied by the data custodians to the data linkage units that are used to match records from different data collections that belong to the same individual, family, place or event. Examples of common linkage variables include name, address and date of birth;

National Linkage Keys means the alphanumeric codes created and stored by the Centre for Data Linkage which can be used to group records that refer to the same entity (for use in encrypted form in linking related jurisdictional health records);

Participant organisation means an organisation that will provide services and functions to the Project Participants but will not be party to a legal contract with The University of Western Australia;

PHRN Funding Agreements means the agreements between the Commonwealth of Australia as represented by the Department of Innovation, Industry, Science and Research and The University of Western Australia regarding funding for implementing the Investment Plans for the research capability known as Population Health Research Network, under the National Collaborative Research Infrastructure Strategy and the Education Investment Fund Super Science Initiative, respectively;

PHRN infrastructure means the basic physical and organisational structures needed for the operation of the PHRN;

PHRN Management Council means the group established under the PHRN Funding Agreement to oversee the implementation of PHRN infrastructure in accordance with the PHRN NCRIS and PHRN EIF-SSI Investment Plans;

PHRN Participants encompasses all Project Participants and participant organisations as described in the PHRN Funding Agreements;

PHRN Projects means data linkage projects involving the National Linkage Keys;

Population Health Research Network means the Project Participants listed in the PHRN Funding Agreements and all committees established by the PHRN including the PHRN Management Council;

Private interests refer to anything that can have an impact on an individual or group, and includes an individual's own personal, professional or business interests and the personal, professional or business interests of individuals or groups with whom they are closely associated;

Project Participant means a party to a PHRN Participant's Agreement who is approved by the Commonwealth.

10. Acknowledgements

Australian Code for the Responsible Conduct of Research jointly issued by the National Health and Medical Research Council, the Australian Research Council and Universities Australia

Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Professor Brendon Kearney	6 November 2010	6 November 2010	First endorsed version
2.0	Professor Brendon Kearney	3 February 2012	3 February 2012	Acknowledgement of PHRN EIF-SSI funding Minor changes to glossary