
CONFLICT OF INTEREST POLICY

1. INTRODUCTION

The Royal Australasian College of Medical Administrators ('College', 'RACMA') is an independent, non-profit organisation concerned with promoting and advancing the study and practice of health services management by medical practitioners.

The College expects its Members and Staff to be committed to the highest level of integrity and requires Members and Staff to avoid, and if unable to avoid, to take appropriate steps to manage, conflicts of interest.

The purposes of this Policy are to:

- provide guidance to assist Members and Staff to effectively identify, disclose and manage conflicts of interest in order to protect the integrity of the College and manage risk; and
- set out requirements relating to conflicts of interest which must be observed by College Members who hold particular positions or perform official functions for the College.

2. DEFINITIONS

In this Policy:

- "**Board**" means the Board of the College;
- "**College Faculty**" means Members engaged in education, training, training, support and assessment;
- "**Director**" means a member of the Board;
- "**Member**" means a person whose name is entered in the Register as a Member of the College;
- "**Officeholder**" means any of the President, the Vice-President, the Chairperson of the Finance and Audit Committee, the Chairperson of the Education and Training Committee, the Censor-in-Chief and the Chairperson of the Continuing Education Program Committee; and
- "**RACMA Committee**" means any committee established by the Board and/or required or authorised by RACMA's Constitution to be established (including Jurisdictional Committees); and
- "**Staff**" includes employees and contractors of the College.

3. SCOPE

This Policy, and the obligation to avoid or manage conflicts of interest, applies to all Members and Staff who are, or could reasonably be perceived to be, representing the College or acting on behalf of the College in an official role.

In addition, certain requirements set out below apply to Members and Staff when performing particular functions or roles.

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Version Control:	V 1.0	Page:	1/4

4. CONFLICTS OF INTEREST GENERALLY

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

A conflict of interest may be *pecuniary* or *non-pecuniary*:

- A pecuniary interest involves actual or potential financial gain or loss for the person, their family, friends or close associates.
- Non-pecuniary interest refers to an interest arising from personal and family relationships, beliefs or involvement in social, cultural or other non-financial circumstances.

A conflict of interest may be *actual*, *perceived* or *potential*:

- An actual conflict of interest occurs when there is a conflict between a person's official duties and responsibilities and their personal interest.
- A perceived conflict of interest occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case.
- A potential conflict of interest occurs where a person has a personal interest that could conflict with their official functions in the future.

A conflict of interest is likely to occur when an interest or activity influences or appears to influence the ability of an individual to exercise objectivity. This could include:

- the individual or his/her family member may receive a financial or other benefit as a result of decisions the individual makes in his or her position with the College;
- the individual has the opportunity to influence the College in a manner that leads to that individual's, or their family's or associates', personal gain or advantage;
- the individual has a personal relationship (including a hostile relationship) which may influence decisions they make about the person's training or advancement; or
- the individual has legal or fiduciary duty to the College (e.g., as a Director) and which may conflict with another duty the person has (e.g., as board member or employee of another organisation).

Conflicts of interest are not uncommon in member based organisations, but should not present a risk for the College as long as they are identified and effectively managed. Accordingly, all persons to whom this Policy applies must:

- avoid conflicts of interest, where possible; and
- disclose and manage any conflicts of interest in accordance with this Policy.

A failure to comply with this Policy may lead to be disciplinary action:

- against a Member in accordance with RACMA's Constitution; or
- against a member of Staff in accordance with the terms of their employment or engagement.

Document Owner:	College Services - Governance	Approval Date:	July 2017
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Version Control:	V 1.0	Page:	2/4

5. MANAGING CONFLICTS OF INTEREST

Officeholders, Directors and Committee members

Every Officeholder, Director and Committee Member must:

- complete a 'declaration of interest' form upon assuming office or becoming a member of the Board or Committee;
- review, and if necessary update, the 'declaration of interest form' annually or where their circumstances change in a way which might give rise to a new conflict of interest;
- at the commencement of each meeting, declare any interest they have which may give rise to a conflict arising out of the agenda for the meeting; and
- immediately declare an interest if a matter arises in the course of the meeting which may give rise to a conflict of interest.

When an interest is disclosed to a meeting of the Board or a Committee:

- The fact that an interest has been declared should be recorded in the minutes of the meeting, together with how it was managed. However, details about the nature of the conflict interest may only be recorded with the consent of the person concerned.
- The Board or Committee (excluding the person with the conflict of interest) must decide whether and to what extent the person with the conflict should take part in further deliberation on the matter. Usually the member with the conflict should not vote on the matter. Depending on the nature of the conflict, the Board or Committee may also decide that the member with the Conflict should:
 - take no part in discussion of the matter; or
 - absent themselves from the meeting while the matter is discussed.

Where a conflict is so significant or inherent that it is likely to prevent a member of the Board or a Committee from regularly participating in discussions, the Board or Committee may determine that the member should:

- stand down from the Board or Committee until the interest has been divested; or
- resign from the Board or Committee.

In deciding what approach to take, the Board or Committee should consider

- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making;
- options for avoiding and managing the conflict; and
- the risks of an appearance of conflict of interest or improper conduct impairing confidence in, or the reputation of, the College.

The decision of the Board or Committee shall be recorded in the minutes of the meeting and in the register of interests.

Document Owner:	College Services - Governance	Approval Date:	July 2017
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Version Control:	V 1.0	Page:	3/4

6. MANAGING CONFLICTS OF INTEREST

Educational/assessment activities

A Member or member of Staff who is:

- a member of College Faculty, or otherwise involved in the selection, training, supervision, coaching, evaluation, examination or assessment of Candidates (including in an on-line, face-to-face or group setting); or
- involved in the selection, accreditation, funding, audit or inspection of training or research posts or programs -

must declare any matter which gives rise to or may be perceived as giving rise to a conflict with the proper performance of their role.

In relation to training and assessment, the types of matters which must be declared include, but are not limited to:

- involvement in the selection, training, supervision, evaluation, examination or assessment of the Candidate;
- involvement with the Candidate in a professional role (e.g. as co-worker, colleague, competitor, committee member, manager, employer, interviewer or interviewee); and
- business, family or close personal relationships with the Candidate.

In relation to the training or research posts or programs, the types of matters which must be declared include but are not limited to:

- employment or other participation with the post or program; and
- involvement with the management, governance or oversight of the program or post.

The declaration must be made to the College as soon as the person becomes aware of the conflict of interest.

A Candidate who becomes aware that a person involved in their examination or assessment may have a conflict of interest should immediately bring the matter to the attention of the College.

Conflicts that have been identified will be managed by the Chief Censor or other Member or Staff member responsible for the process, in conjunction with the College Secretariat.

Depending on the seriousness and nature of the conflict, there may be situations where the person with the conflict should not be involved in the assessment or examination of a Candidate or in making decisions about the training or research post or program.

Related documents

RACMA Officers Code of Conduct

RACMA Privacy Policy

Policy for the Engagement of Fellows, Members and Candidates in Paid Work for the College Code of Conduct

Good Medical Practice - A Code of Conduct for Doctors in Australia

Good Medical Practice - A guide for Doctors (New Zealand)

Document Owner:	College Services - Governance	Approval Date:	July 2017
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Version Control:	V 1.0	Page:	4/4
