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| Policy name: | PMCT Conflict of Interest Policy |
| Subject: | Identification and management of conflict of interest in PMCT entities |
| Date of last approval: | 21 September 2022 |
| Date due for review: | September 2026 |
| Policy Revision Number | Version 1.1 |
| Responsible Officer | Chair/Deputy Chair PMCT, PMCT Board |

Purpose

The Postgraduate Medical Education Council of Tasmania (PMCT) recognises the need to be fair, transparent and impartial in discharging its duties. This includes having and following robust processes to identify, declare and manage situations wherein the interests of PMCT and individuals conducting business on its behalf intersect.

In addition to demonstrating sound, robust corporate governance, the identification and management of relevant conflicts of interest is a legislative requirement. As a registered not-for-profit organisation under the Australian Charities and Not-for-profit Commission, PMCT has an obligation to identify and manage actual, potential or perceived conflicts of interest, which may be financial or non-financial.

Under the *Australian Charities and Not-for-profits Commission Regulations 2013* (Cth), a registered entity must take reasonable steps to ensure that its responsible entities discharge their duty “to disclose perceived or actual material conflicts of interest”. This responsibility extends to Directors, employees and volunteers working on behalf of PMCT.

In many instances, PMCT relies on the contribution of individuals with extensive networks and linkages in the health system, including through individuals who are appointed to PMCT bodies by virtue of their association with other organisations. As such, conflict must be carefully assessed and managed.

The key to effective conflict management is a robust approach to the identification, declaration and monitoring of interests, and mechanisms to manage when actual, perceived or potential conflict of interest arises.

This policy establishes the organisational approach to identifying, monitoring and managing Conflict of Interest.

Scope

This Policy applies to all organisational bodies within PMCT, including, but not limited to, Council, Board, Committees, *ad hoc* groups, accreditation survey teams and any other entity within PMCT. It also relates to individuals conducting work on behalf of PMCT. For the purposes of this policy, the term “entity” is used to refer to any of the PMCT organisational bodies.

Definitions

Interest: Any endeavour from which an individual might gain personal or organisational benefit.

Actual conflict of interest: An actual conflict of interest arises when there is active conflict between an individual’s organisational responsibilities and their private or other interests, that may improperly influence decision making to the detriment of the organisation or the performance of the individual’s responsibilities.

Perceived conflict of interest: A perceived conflict of interest arises when the reasonable observer might believe that there is actual conflict between an individual’s organisational responsibilities and their private or other interests, that may improperly influence decision making to the detriment of the organisation or the performance of the individual’s responsibilities, whether such conflict exists or not.

Potential conflict of interest: A potential conflict of interest arises when, at some time in the future, conflict may develop between an individual’s organisational responsibilities and their private or other interests that may improperly influence decision making to the detriment of the organisation or the performance of the individual’s responsibilities.

The approach to conflict of interest

PMCT’s approach to addressing actual, perceived or potential conflict of interest relies on three elements:

1. Identification of the interest. This has two potential sources:
 - a. Declaration by the individual with an interest
 - b. Identification of an interest by another party
2. Monitoring of interests. This relies on effective tracking of when interests arise, cease or change over time
3. Management of conflict arising. This will be appropriate to the circumstances in which the conflict arises and may range from monitoring of potential conflict, through grades of exclusion, to removal of the conflicted member from PMCT responsibilities.

Identification of interest

All individuals who contribute to the function of PMCT should be able to do so with confidence that they, and their colleagues, are making decisions in the best interest of PMCT and its objectives. This can only happen if potentially conflicting interests are declared and considered when discussions and decisions take place.

This requires the ability and obligation for individuals to raise any interests they feel they may have openly and transparently. Similarly, individuals must be able to raise interests they believe others have respectfully and without fear of recrimination or reprisal.

Not all interests will inevitably lead to conflict.

When considering whether an individual has an interest that may lead to conflict, the following questions may be considered (either in oneself or others):

- Are there personal or private interests that may conflict, or be perceived to conflict, with my duty to PMCT?
- Could there be benefits for now, or in the future, that could cast doubt on the individual's independence or objectivity?
- How will involvement by the interested individuals in a specific decision or action be viewed by others? Are there risks associated for the individual or PMCT?
- Does the individual's involvement in the decision or process appear fair and reasonable in all the circumstances?
- What are the consequences if the conflict of interest is ignored? What if the individual's involvement were questioned publicly?
- Have any promises or commitments been made in relation to the matter? Does the individual stand to gain or lose from the proposed action/decision?

A relevant interest may be raised by two mechanisms:

- A. By the individual with the interest. All relevant interests should be declared upon appointment to any relevant body in PMCT, or as soon as practicable after the individual becomes aware of a new or newly discovered interest. This declaration is achieved through completing the "Declaration of Interest" form (Attachment 1)
- B. By an individual identifying a suspected interest in another. For accreditation surveys visits, this individual may be from within or outside the accreditation process. In this event, the potential interest should be raised directly with the interested individual, with the Chair of the relevant PMCT entity, or with the Chair of PMCT Executive Committee or the Chair of PMCT Board.

Declaration of the interest will include the organisation with which the interest exists, the nature of the interest and any PMCT matters that may potentially give rise to conflict.

Monitoring of interests

Each entity of PMCT shall maintain a *Register of Interests* (Attachment 2). This will list all current and ceased interests identified by any members of that entity. The Principal Officer will maintain a database of declared interests of all PMCT entities.

As soon as an interest ceases to be relevant for an individual, the individual will communicate this to the Chair. The interest will remain on the register for the duration of the individual's appointment but will be marked as "ceased" (shaded) on the relevant date.

The Principal Officer will maintain consistency between the registers of PMCT's entities, so that an interest declared in one committee will be available for other committees on which that individual sits.

The Register will be made available to all members of the entity and noting of the register will be a standing item at the beginning of any entity meeting. Immediately following the noting of the register, members will be asked if there are any amendments to the register, particularly in relation to any items due for discussion at that meeting.

For accreditation survey visits the register will also be made available to the relevant authority within the hospital undergoing accreditation as early as practicable in the accreditation process.

The register should be reviewed at the beginning of every meeting, and more thoroughly annually.

Document History

| Date effective | Author/Editor | Approved by | Version | Change Reference Information |
|-----------------------|----------------------|--------------------|----------------|-------------------------------------|
| 21 September 2022 | Principal Officer | Chair, PMCT Board | 1.0 | |
| 18 July 2023 | PMCT Accreditation | | 1.1 | Update to new format |
| September 2026 | | | | |

Attachment One - Declaration

Declaration of Interests - PMCT

This declaration should be completed by all members of a PMCT entity, as soon as practicable after:

- Appointment to the PMCT entity, or
- Becoming aware of any newly arising or discovered interests, or
- Becoming aware that an interest has ceased

Return completed form to the PMCT Accreditation Manager, accreditation@pmct.org.au

Name:

Position:

PMCT entity/site:

If other, please specify:

Telephone:

Email:

Signature:

Date:

| Organisation and role | Nature of involvement | Potential for conflict | Date interest commenced | Date interest ceased |
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Attachment Two – Register

**(Sample) Register of Interests
PMCT XXX (Name of Entity/Site)**

This register must be noted at the beginning of each meeting of the relevant entity, and any newly arising declared interests entered.

This register will be formally reviewed at least annually.

Interests that have “ceased” will be retained (but shaded) for the duration of the individual’s appointment.

Consistency between the registers of the various entities will be maintained by the PMCT Principal Officer.

| Name of Member | Organisation and role | Nature of interest | Date interest commenced | Date interest ceased |
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