

Conflict of Interest

The Board of Chiropractic Australia Research Foundation (formerly COCA Research Ltd) is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest.

Purpose

This policy has been developed to provide a framework for all Board Members in declaring conflicts of interest.

Definitions

Actual Conflict of Interest

Where there is a real conflict between a Board Member's duties or powers and existing private interests.

Conflict of Interest

Means a conflict as outlined in Chiropractic Australia Research Foundation Conflict of Interest Policy. An actual, perceived or potential situation in which a Board Member has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties or powers as a Board Member.

Material Personal Interests

A conflict of interest is considered to be material if a reasonable disinterested person would take it into account in exercising judgement of making a decision. A material personal interest is a Board Member's personal, professional or business interests or the personal, professional or business interests of individuals or groups with whom a Board Member is closely associated; that:

- Are real and substantial, not theoretical, remote, contingent or otherwise insubstantial; and
- Have, or appear to have, the capacity to influence the conduct of the staff member.

Material personal interests may include:

- *Financial interests*: those that involve an actual, perceived or potential financial loss or gain.
- *Non-financial interests*: those that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest, and includes;
 - i) interests arising from a personal or family relationship, or involvement in social, cultural or sporting activities; and
 - ii) other interests that may include a tendency toward favour, bias or prejudice resulting from personal involvement with any other person or group; and
 - iii) situations in which financial or other personal considerations may compromise, or may have the appearance of compromising, a Board Member's professional judgment.

Perceived Conflict of Interest

Where a third party could reasonably form the view that a Board Member's material personal interests could conflict with their duties or powers as a Board Member, whether or not this is in fact the case.

Potential Conflict of Interest

Where a Board Member has material personal interests that could reasonably be perceived to conflict with their duties or powers as a Board Member of Chiropractic Australia Research Foundation.

Policy

The Board of Chiropractic Australia Research Foundation places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the Board Member concerned and documented in the Chiropractic Australia Research Foundation Board Conflicts of Interest Register. A Board Member who believes another Board Member has an undeclared conflict of interest should specify in writing the basis of this potential conflict.

Procedure

1. Members shall declare any conflicts of interest either at the start of the Board meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes. The interest should also be documented in the Conflict of Interest: Checklist for the Chair.
2. Where a conflict of interest or potential conflict of interest is identified and/or registered, the Board Member concerned shall leave the meeting as soon as that item comes up for discussion. The concerned Board Member shall not vote on that issue, nor initiate or take part in any Board discussion on that topic (either in the meeting or with other Board Members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other Board Members present.
3. If a person declares themselves to have existing or potential conflict of interest confidentiality will be respected.
4. If a person alleges that another Board Member has a conflict of interest, whether existing or potential, and if the Board cannot resolve this allegation to the satisfaction of both parties the matter shall be referred to an Ethics Sub-Committee. This ad hoc Sub-Committee will make a recommendation to the Board as to what action shall be taken.

Identifying Conflicts of Interest

Board Members are responsible for carefully considering their material personal interests and determining whether or not any such interests conflict, could reasonably be perceived to conflict, or have the potential to conflict with the duties or responsibilities associated with their position on the Board of COCA Research Ltd.

Board Members will be made aware of their obligation to:

- avoid conflicts of interest, where possible;
- report and manage conflicts of interests that cannot be avoided;
- complete a conflict of interest register each year which is based on the points below. The Register will be kept by the Board Secretary or other appointed officer.

Circumstances which could result in an actual, perceived or potential conflict of interest include but are not limited to:

- Financial interests
 - When a Board Member or his/her immediate family or business interests stands to gain financially from any business dealings, programs or services of Chiropractic Australia Research Foundation.
 - When a Board Member him or herself offers a professional service to Chiropractic Australia Research Foundation.
 - When a Board Member stands to gain personally or professionally from any insider knowledge if that knowledge is used to personal advantage.
- Where a Board Member or the ex/officio member of the Board has a role on the governing body of another organisation, where the activities of that other body may be in direct conflict or competition with the activities of Chiropractic Australia Research Foundation.
- Personal and family relationships between Board Members
- Outside employment

- Multiple roles
- Public comment
- Acceptance of gifts and benefits
- Use of Chiropractic Australia Research Foundation facilities and equipment
- Use of official information
- Personal beliefs
- Political participation
- Enmity towards or amity with another person or group or both

Conflict of Interest: Checklist for the Chair

Introduction

This checklist is to be used by the Chair of the Board of Chiropractic Australia Research Foundation each meeting to record conflicts of interest identified by Board Members. Completed checklists should be stored with the minutes of each meeting.

The checklist should be used in conjunction with Chiropractic Australia Research Foundation Conflict of Interest Policy.

Purpose

This checklist has been developed to provide consistency in documentation of conflicts of interest relating to Board meetings.

Procedure

Following the opening of the meeting ask all Board Members to declare any potential conflict of interest arising out of any of the issues to be put to the meeting.

Date of Meeting: / /20

Name of Board Member: _____

Issue of Conflict: _____

Note the disclosure of the conflict of interest and the decision of the Board on how to deal with this conflict.

Record Response: _____

Ensure that the minutes record the declaration of interests declared at this meeting

Dated the _____ day of _____ 20__

Position: _____

Signed: _____