



## Example: Conflict of Interest Policy

Note: This document is provided for information purposes only. Health professional associations making use of this resource should revise and modify it for use in their specific circumstances.

**[Name of the health professional association]**

**[ADDRESS]**

**POLICY:** Conflict of Interest

**APPROVED BY:** Board/Executive Committee

**APPROVAL DATE:**

**REVISION DATE:**

### **PURPOSE:**

The [Association of Ob/Gyn of XXX] is a health professional association dedicated to improving reproductive, maternal and newborn health throughout the country. As a membership-led and non-profit organisation, the [Association of Ob/Gyn of XXX] depends on the support of its members and external stakeholders (including the public) to meet its goals and objectives, achieve its vision and fulfil its mission. This policy has been developed for the purpose of promoting transparent and unbiased decisions within the association, and ensuring its integrity. Its main goal is to assist elected officials (e.g. Board/Executive Committee members) and senior staff (e.g. the Executive Director/Chief Executive Officer) to identify situations of actual, potential or perceived conflict of interest and provide them with procedures in order to avoid conflict of interest situations, where possible, and to deal with them when they occur.

### **SCOPE:**

This policy applies to all elected officials (e.g. Board/Executive Committee members) and senior staff (e.g. the Executive Director/Chief Executive Officer) of the [Association of Ob/Gyn of XXX].

### **DEFINITION OF CONFLICT OF INTEREST:**

Conflict of interest arises in a situation where an elected official or a senior staff's personal or professional interests or obligations conflict with the responsibilities of their duties at the [Association of Ob/Gyn of XXX].

This definition includes the following types of conflict of interest situations:

- **Actual conflict of interest**, for example: a situation where an elected official (e.g. Board/Executive Committee member) and/or senior staff (e.g. the Executive Director/Chief Executive Officer) are or will be influenced by their personal or professional interest.
- **Perceived conflict of interest**, for example: a situation where an elected official (e.g. Board/Executive Committee member) and/or senior staff (e.g. the Executive Director/Chief Executive Officer) appear to be influenced by their personal or professional interest.
- **Potential conflict of interest**, for example: a situation where an elected official (e.g. Board/Executive Committee member) and/or senior staff (e.g. the Executive Director/Chief Executive Officer) may be influenced in the future by their personal or professional interest.

#### **EXAMPLES OF CONFLICT OF INTEREST SITUATIONS:**

Conflict of interest may include (among others) situations where:

- An elected official or senior staff (or an immediate family member of any of the foregoing) has a material financial interest in a transaction with the [Association of Ob/Gyn of XXX] for goods and services;
- An elected official or senior staff (or a family member of any of the foregoing) has a material financial interest in a transaction between the [Association of Ob/Gyn of XXX] and an entity in which an elected official or senior staff (or a family member of any of the foregoing) is directly associated with;
- An elected official or senior staff (or a family member of any of the foregoing) is engaged in some capacity or has financial interest in an institution, company or organisation that competes with the [Association of Ob/Gyn of XXX].

Conflicts of interest are not necessarily wrong or detrimental to the association, but they should be properly identified and transparently managed.

#### **POLICY:**

No member of the Board/Executive Committee or senior staff shall derive any personal or professional profit or gain, directly or indirectly, by reason of their participation with the [Association of Ob/Gyn of XXX].

#### **PROCEDURES:**

1. **Management of Actual, Perceived or Potential Conflict of Interest**

- a. Elected officials and senior staff have a duty to disclose situations of actual, perceived or potential conflict of interest. Disclosure can be made to the President of the association before, after or during Board/Executive Committee meetings.
- b. After disclosure of the facts relating to the conflict of interest has been raised at the Board/Executive Committee meeting, the person(s) involved shall leave the room to enable the committee members to determine if the situation is a conflict of interest.
- c. If the situation is deemed to be a conflict of interest, the Board/Executive Committee will then determine the procedures for addressing the conflict of interest. The decision will take into consideration the severity of the situation and, further, what is in the best interest of the association. The procedures may include:
  - i. The appointment of a neutral person or committee to investigate alternatives to the proposed transaction or arrangement;
  - ii. Attempts to obtain a more advantageous transaction or arrangement from a person or an entity that would not give rise to a conflict of interest;
  - iii. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, a decision may be made by the Board/Executive Committee to proceed with the transaction or arrangement.

## **2. Violations of the Conflict of Interest Policy**

- a. Should an elected official or a senior staff be found to be in a situation of conflict of interest that has not been disclosed, the Board/Executive Committee shall require that the person(s) involved provide full disclosure of the nature of the conflict of interest.
- b. Further to the disclosure discussion and, if necessary, further investigation, if the Board/Executive Committee determines that the association's conflict of interest policy has been violated, it shall take appropriate disciplinary and corrective actions.

## **3. Documentation of Conflict of Interest Situations**

All discussions and decisions related to the conflict of interest situation shall be recorded in the minutes of the meetings where the situation was discussed. The information documented should include: the names of the persons who disclosed or who was found to be in a conflict of interest situation, the nature of the conflict of interest, actions undertaken to determine if the situation was a conflict of interest, the

decision of the Board/Executive Committee as to whether a conflict of interest existed and, finally, how it was managed.

**4. Complaints of Situations of Actual, Perceived and Potential Conflict of Interest**

The Board/Executive Committee shall respond to all written complaints regarding situations of actual, perceived and potential conflict of interest made to the Board/Executive Committee in an official letter, which will detail their decision and the reasons supporting their decision within a 30-day period from the receipt of the complaint.