



Accreditation Committee Conflict of Interest Policy

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1. Application

1.1 This policy applies to:

- (i) Accreditation Committee members;
- (ii) employees of and consultants to the Australian Dental Council (ADC) involved in an Accreditation Committee accreditation process;
- (iii) members of Site Evaluation Teams (SETs) and appointed by the Accreditation Committee; and
- (iv) any other person evaluating an application for accreditation, approval or a process on behalf of the Accreditation Committee.

2. Definition of conflict of interest

2.1 Possible conflicts may be characterised as **personal** or **professional**.

2.1.1 Personal conflicts may include, but are not limited to:

- (i) close friendship, animosity or kinship between the person acting, or invited to act, on behalf of the Accreditation Committee and the head of a school or other staff member or current student; or
- (ii) commercial competitor to, or direct association with, the Intern Training Provider or organisation seeking authorisation to accredit continuing professional development; or
- (iii) where the person is biased for or against the school due to some previous event¹, or because of the style, type or ethos of the school or institution of which it is a part.

2.1.2 Professional conflicts may include *inter alia* where a person:

- (i) is a senior adviser (including member of external advisory committee), examiner or consultant to the school; or
- (ii) is associated with a school that is strongly competing with the school seeking accreditation².

3. Policy

3.1 All persons to whom this policy applies are obliged to declare formally to the Accreditation Committee any matters that could influence or be perceived to influence their fitness to participate in an accreditation process.

3.2 The head of a school seeking accreditation, or the Intern Training Program provider, will have opportunity to object to the appointment of a person as evaluator on the grounds of conflict of interest or inappropriateness.

3.3 The final decision whether to appoint a person as an evaluator rests with the Accreditation Committee.

¹ Such events may include where a person failed to be admitted to the school as a student or was a failed applicant for a job in the school.

² the Accreditation Committee does not appoint external evaluators who are members of staff of dental schools located in the same state as the school seeking accreditation.

4. Procedures

- 4.1 When inviting persons to act as external evaluators, the Accreditation Committee must require those persons to declare in writing any matters that could pose a conflict of interest. Where a person declares one or more matters, the Accreditation Committee will usually remove the person from consideration or, having considered the reasons, decide that in fact no conflict exists.
- 4.2 Prior to finalising the appointment of persons as evaluators, the Accreditation Committee will forward the names of those persons to the head of school or Intern Training Program provider. The head of school or Intern Training Program provider will have seven days to object to the appointment of a person, giving reasons in terms of section 2 of this policy for that objection. The name and nature of any objection must be treated in confidence between the head of school, Intern Training Program provider and the Accreditation Committee. Having considered the objections, the Accreditation Committee may remove the person from consideration or decide that no conflict exists.
- 4.3 Where an employee or consultant of the ADC declares a conflict of interest, the Accreditation Committee will determine whether the declared conflict might influence the outcome of the accreditation process, having regard to the nature of the employee or consultant's involvement.

5. Accreditation Committee Members

- 5.1 A conflict of interest arises whenever personal, financial interest and/or duties of a committee member conflict with the individual's duty to the Accreditation Committee. There is nothing improper or unlawful in the existence of a conflict of interest. An issue arises however when private or other interests overrides the duty to the Accreditation Committee. A committee member also has the responsibility to make decisions which are fair and unbiased.
- 5.2 Committee members owe a fiduciary duty to exercise the powers entrusted to them by the Council and to exercise those powers for the benefit of the Accreditation Committee. The performance of this fiduciary duty requires a committee member to avoid situations of actual or potential conflict of interest. It is the duty and responsibility of a committee member to disclose any conflict of interest whether personal or on behalf of the organisation that they represent, and to exercise a reasonable standard of care and diligence in the performance of their duties as a committee member. The standard of care applicable is based on the committee member's particular knowledge and experience.
- 5.3 It is important to note though, that a committee member who merely declares a conflict of interest and does not participate in a decision or simply leaves the room may not be seen to have fulfilled their fiduciary duty as committee member.
- 5.4 While it may not be appropriate to vote or speak in favour of a resolution in a matter where a committee member has a conflict of interest, they may still maintain a duty to disclose whatever information they may have that is relevant to the issue under consideration and in the interest of the Accreditation Committee.

6. Accreditation Committee meeting procedure

- 6.1 At the commencement of each meeting of the Accreditation Committee the Chair will invite members present to declare any conflict of interest within the agenda before the committee
- 6.2 The absence or declaration of a conflict of interest will be recorded in the minutes of the meeting
- 6.3 Should a conflict of interest be declared by a committee member then the Chair will ascertain the nature of the conflict and propose to the meeting that one of the following to be carried out when that item is reached on the agenda:
 - the committee member will contribute in full to discussion of the item and participate in any vote that may arise; OR
 - the committee member will contribute in full to discussion of the item but refrain from any vote that may arise; OR
 - the committee member will refrain from discussion of the item and from any vote that may arise; OR
 - the committee member will leave the room for the duration of the agenda item

The Chair has final approval of the action to be undertaken and this will be recorded in the minutes of the meeting

- 6.4 In addition to the above Committee members will complete a Register of Interest and, at each meeting of the Committee, update the Register of Interest as necessary.