

Lymphoedema Association of Queensland

Policy – conflicts of interest

Policy object

- 1 The Lymphoedema Association of Queensland (**LAQ**) places a high value on the avoidance (if possible), the declaration, and the management of any conflict of interest which may arise in respect to Management Committee members, Branch Committee members, external consultants or other members of the community who are engaged for the purpose of providing information and education to members or to providing other services to LAQ.
- 2 The principle object of this policy is to provide guidance to Committee Members, external consultants and other third parties regarding avoidance, declaration and management of conflicts of interest.

What is a conflict of interest?

- 3 A conflict of interest is a situation where an individual in a position of trust or responsibility, for example a Committee member or external consultant, has competing professional and / or personal interests, and those competing interests may make it difficult to fulfil his or her duties fairly and in the best interests of LAQ.
- 4 A conflict of interest can be perceived or actual. Even in the absence of improper conduct by the Committee member or external consultant, a conflict of interest can create an appearance of impropriety or exploitation of position, that can undermine others' confidence in the ability of that person to act properly in the interests of LAQ.

Conflicts of interest involving Management Committee and Branch Committee members

- 5 The majority of Management Committee and Branch Committee members will be, and be perceived to be, independent of LAQ and any employees of LAQ.
- 6 Both the Management Committee and Branch Committees will not be representative of any particular organisation or other stakeholder group and will act in the best interests of LAQ at all times.
- 7 Each member of the Management Committee and Branch Committees acknowledges that, despite written policy, appropriately and effectively declaring and managing conflicts of interest essentially relies upon the personal integrity of individual members. With this in mind, all committee members commit to the highest standards of personal conduct in declaring and managing personal conflicts of interest.
- 8 The Management Committee and Branch Committees commit to a transparent, accountable process for identifying, declaring and managing conflicts of interest (perceived or actual). To facilitate this there will be a standing agenda item for each meeting of the Management Committee and Branch Committees providing members with the opportunity to declare perceived or actual conflicts of interest.
- 9 To ensure the transparency of any declaration of a perceived or actual conflict of interest involving a Management Committee or Branch Committee member, the Secretary of the

Management Committee and each Branch Committee must keep a register of disclosures in substantially the form contained in the Annexure and must record the details of any disclosure in the register.

Conflicts of interest involving external consultants and other third parties

- 10 The Management Committee or a Branch Committee may wish to invite external consultants, for example health practitioners, to talk to members of LAQ for the purpose of education and information.
- 11 Also, LAQ may wish to engage other third parties for a variety of reasons (for example entering into contracts for providing services).
- 12 Both the Management Committee and Branch Committees commit to a transparent and accountable process for identifying, declaring and managing conflicts (both perceived and actual) between the interests of LAQ and the personal or professional interests of external consultants and other third parties.
- 13 In the event that an external consultant or third party is engaged by either the LAQ or a Branch, the Management Committee or the relevant Branch Committee (whichever is responsible) must ensure that the external consultant or other third party is aware of this LAQ conflict of interest policy.
- 14 The Management Committee or relevant Branch Committee (whichever is responsible for engaging the external consultant or other third party) expects that there will be disclosure of any conflict of interest which places an external consultant or other third party in a position in which they will owe a duty to act in the interests of LAQ and that duty is in conflict with their own professional or personal interest in the engagement. The Management Committee or relevant Branch Committee shall ensure that:
 - (a) the conflict of interest is disclosed and recorded in the register of disclosure; and
 - (b) appropriate steps are taken to manage the disclosed conflict in the best interests of LAQ.
- 15 Where, in the opinion of the Management Committee or the relevant Branch Committee (whichever is responsible for inviting the external consultant or third party), the conflict of interest disclosed is unable to be managed in the best interests of LAQ the Management Committee or relevant Branch Committee must refrain from engaging the external consultant or other third party.

Examples

- 16 LAQ proposes to contract with a firm of auditors for preparation of an audit report on a fee paying basis. A partner in the audit firm is the spouse of a member of the Management Committee. Both the Committee member and the audit firm should disclose the relationship. In light of the disclosure, the Management Committee should determine whether disclosure of the interest is sufficient or whether the proposed audit firm should not be engaged.
- 17 A Branch Committee invites a community member to their meeting as a guest speaker. The guest speaker is promoting a particular product or service. It is expected that the guest speaker would disclose any possible financial benefit to them, if their products or services were contracted by members of LAQ.

Divergence of views

- 18 In the event that the Management Committee and a Branch Committee disagree on a matter arising under this policy, the disagreement must be addressed in accordance with the dispute resolution mechanism contained in LAQ's constitution.

