

Network Policy for Conflict of Interest

Context: Guidelines for the appropriate management of actual or potential conflicts of interest are described in principles of good governance, in Corporations Law, in the Australian Charities and Not-for-profits Commission Governance Standards and in the Australian Research Council's Conflict of Interest and Confidentiality Policy (December 2013) and in part 7 of the Australian Code for the Responsible Conduct of Research (2007). The requirements and expectations of these have guided the preparation of this policy.

Purpose: To ensure that in the circumstance where:

- A research proposal is submitted to JDRF Australia for funding by the Network; or
- A research proposal is currently being funded by JDRF Australia in accordance with a Clinical Trial Research Agreement entered into by JDRF Australia and the Institution (**CTRA**),

in which a conflict of interest may exist, or could reasonably be perceived to exist, the actual or perceived conflict is appropriately identified, disclosed, managed, and reported.

Scope: This Policy applies to:

1. the Institution and its personnel (including, but not limited to, researchers), research assessors and reviewers involved in the research proposals; and
2. JDRF Australia and its personnel (including directors and other officers, staff and volunteers) who are involved in assessing, approving or administering the research proposals, ('Covered Person').

Definitions: *Conflict of Interest* – Where there is, may be, or may reasonably be perceived to be, a conflict between a Covered Person's duty to JDRF Australia and a private/personal interest or duty to another organisation, which could make it difficult for the Covered Person to fulfil his/her duties impartially, and potentially could improperly influence the performance of their duties and responsibilities.

Policy:

JDRF Australia will approach the potential for conflicts of interest in the following manner:

Identification and disclosure

- The Covered Person must ensure that they identify and disclose to JDRF Australia's CEO, COO or to a delegate nominated in writing by JDRF Australia's CEO or (**Nominated Delegate**), any conflicts of interest using the 'Guidelines' in this Policy, or to attest that they have none on the basis of the Guidelines.
- Subsequent to this, the Covered Person will be required to report to JDRF Australia's CEO, COO or Nominated Delegate, any conflict or potential conflict of interest immediately if and when it arises.

Management

- Merely declaring a conflict of interest without taking further steps to resolve the situation is insufficient.
- JDRF Australia will manage any conflicts of interest according to the relevant 'level of significance' of the conflict set out in the 'Guidelines' in this Policy.
- JDRF Australia will keep records of apparent, actual or potential conflicts of interest and how the conflict of interest was managed, even if confidential information is omitted.

Policy Breaches

- Any breaches of this Policy should be reported to JDRF Australia’s CEO, COO or Nominated Delegate.
- If a Covered Person who is listed in:
 1. item 1 of the ‘Scope’ section in respect of the Institution above breaches this Conflict of Interest Policy, the Covered Person may be in breach of the CTRA; and
 2. item 2 of the ‘Scope’ section above breaches this Conflict of Interest Policy, he/she may face disciplinary action.
- Any JDRF Australia personnel who suspects a breach by a Covered Person should report the matter to JDRF Australia’s CEO, COO or Nominated Delegate.

Reporting

- JDRF Australia’s Company Secretary will keep a Register of Interests, recording all relevant interests and potential or actual conflicts of interest disclosed as outlined above.
- JDRF Australia’s Company Secretary will:
 1. provide the Register of Interests to JDRF Australia’s Board on an annual basis upon completion of each annual cycle of disclosure conducted around the AGM; and
 2. report any breaches of this policy to JDRF Australia’s Board as part of periodic Compliance Reporting to the Board.

Document Version	Approved by	Date
1	Board of Directors	[insert date]

Guidelines

Nature of potential conflicts

In respect of conflicts of interest that may arise as part of JDRF Australia evaluating applications for, and making decisions with respect to, research grants, fellowships, career development awards, contracts and active projects ('**Research Development Project**'), JDRF Australia wishes to ensure its advisory and evaluation processes are free from conflicts of interest.

JDRF Australia has adopted the 3 levels and processes for management of conflicts of interest from the Australian Research Council's Conflict of Interest and Confidentiality Policy (December 2013) in relation to research grants. There are various degrees of significance of the conflict:

- **Level 1** – high level of conflict of interest;
- **Level 2** – medium level of significance; and
- **Level 3** – low level of significance.

The process for the management of the conflict of interest which must be followed by JDRF Australia based on the level of significance is set out below.

The guidelines are meant to be illustrative and not exhaustive, a conflict may exist even though the situation in question is not included below. If a Covered Person has any questions regarding the existence of a conflict, such Covered person should promptly contact JDRF Australia's CEO, COO or Nominated Delegate.

Level 1 – high level of conflict of interest

A Covered Person:

- Holds shares in, controls and/or is directly associated professionally with an organisation linked with the Research Development Project or information being considered;
- Is employed at the same organisation that submitted a proposal for a Research Development Project or provided the information under consideration;
- Has accepted an appointment at the organisation that submitted a proposal for a Research Development Project or provided the information under consideration;
- Was contracted or employed within the past two years at the same organisation, department, faculty or research centre that submitted a proposal for a Research Development Project or provided the information under consideration;
- Has supervised the applicant for a PhD or other higher degree within the past 5 years, or in some cases beyond 5 years where, in their judgment, there still remains a strong, ongoing personal or professional tie;
- Has published with a researcher named in a proposal for a Research Development Project or in the information under consideration within the past 5 years;
- Has ongoing collaboration with a researcher named in a proposal for a Research Development Project or in the information under consideration;
- Holds an adjunct or honorary appointment in the department or research centre where the work is to be undertaken;
- Sustains enmity or positive long standing personal collaboration, positive or negative associations with former colleagues, or research students from the same laboratory or department;

- Stands to benefit in any material way.

Management

A Level 1 conflict of interest is grounds for the Covered Person to not have any connection with the Research Development Project or information under consideration where these associations exist. The Covered Person with this level of conflict of interest will not take part in any decision-making relating to the Research Development Project or information under consideration, and will absent themselves from the room when the Research Development Project or information is being discussed. A Level 1 conflict of interest must be advised to JDRF Australia's CEO, COO or Nominated Delegate as soon as possible after it becomes known. JDRF Australia's CEO or COO will note and monitor the ongoing relevance of this conflict of interest. This will also be recorded appropriately in the Register of Interests and if of a personal nature, will be recorded in a secure register within the Register of Interests. These conflicts will be closely monitored by JDRF Australia's CEO or COO.

Level 2 – medium level of significance

A Covered Person:

- Holds an adjunct or honorary appointment(s) at an applicant or submitting organisation but not in the department/faculty where the Research Development Project or information under consideration originated or the work is to be undertaken;
- Was contracted or employed more than two years ago at the same organisation, department, faculty or research centre that submitted the a proposal for a Research Development Project or information under consideration;
- Holds shares in, but is not associated professionally with, nor controls, an organisation linked with the Research Development Project or information under consideration. The proportion of shares held may be a factor in determining the specific level of conflict of interest.

Management

Level 2 conflicts of interest, although not minor in nature, are not so material that they should deprive JDRF Australia of the Covered Person's expertise and knowledge. They must, however, be advised to JDRF Australia's CEO, COO or Nominated Delegate, who will note and monitor the ongoing relevance of this conflict of interest. This will also be recorded appropriately in the Register of Interests and if of a personal nature, will be recorded in a secure register within the Register of Interests. These conflicts will be monitored by JDRF Australia's CEO or COO.

In some cases a Covered Person holding an adjunct position may be regarded as having a Level 1 conflict of interest regardless of where they are located within the organisation. This will depend on the substantive nature of their position and how closely involved the adjunct person is to mainstream activities within the organisation. If in doubt, the Covered Person should advise JDRF Australia's CEO, COO or Nominated Delegate of the specific circumstances of their adjunct position and a decision will be made as to the level of conflict.

Level 3 – low level of significance

A Covered Person:

- Holds shares in a public company associated with a Research Development Project or information under consideration but has limited ability to influence the company, e.g. has received a general share allocation in a public company such as NRMA or AMP;
- Has an informal relationship with the company under consideration through an industry association or similar body.

Management

Level 3 conflicts of interest generally are not so material that they could affect the Covered Person’s ability to give full and unbiased consideration to the matter at hand. Nevertheless, this level of conflict must be advised to JDRF Australia’s CEO, COO or Nominated Delegate.

Certification by Institution’s personnel; research assessor; or reviewer¹

I agree to be bound by the terms of this Policy. I certify that I have notified JDRF Australia of any actual or potential conflicts of interest I may have in relation to the research proposal in accordance with this Policy and I undertake that, if the research proposal is successful, I will notify JDRF Australia of any conflicts of interest which arise subsequent to the submission of the research proposal in accordance with this Policy.

Full name:		Position and Organisation:	
Signature:		Date:	

¹ JDRF Australia personnel are not required to sign this Policy because JDRF Australia employees agree to be bound by all of JDRF Australia’s policies (which would include this Network Conflict of Interest Policy) when they sign their employment contract. Also, the members of the Board approved this policy which means they are aware of its content and agree to comply with it.
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