

Document Name:	SOP for Conflict of Interest
Document Number:	DUHS / RO / SOP / 05

## STANDARD OPERATING PROCEDURE



### CONFLICT OF INTEREST (CLAUSE 7.5 OF ISO 9001:2008)

	NAME	DESIGNATION	DATE
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**TERMS AND DEFINITION**

<b>Terms</b>	<b>Definitions</b>
<b>Committee</b>	A group of people constituted as a committee by either the Vice-Chancellor or delegate to carry out duties in accordance with specified terms of reference, and includes any board or committee constituted by a board.
<b>Conflict of Interest</b>	Conflict of interest exists where the responsibilities of a employee of the University or could be, affected by some other personal, financial or academic interest or duty that the employee may have in relation to a particular matter or person. The term includes actual, potential or perceived conflicts of interest.
<b>Member(s)</b>	Includes all Syndicate members, members of committees and Boards, including all faculty and staff members, honorary and adjunct appointees, contractors, subcontractors, consultants, associates and business partners of the University.
<b>Relationship</b>	A connection that could affect how other people view a member’s impartiality.
<b>Staff/ Faculty member</b>	Refers to an individual employed by the University, on a full or part time basis.
<b>University</b>	The Dow University of Health Sciences

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**LIST OF ABBREVIATIONS**

DOC	Document
DUHS	Dow University of Health Sciences
FRM	Form
ISO	International Organization for Standardization
OC	Organization Chart
QMR	Quality Management Representative
QMS	Quality Management System
QSP	Quality System Procedure
SOP	Standard Operating Procedure
VC	Vice Chancellor
COI	Conflict of Interest

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## **1. PURPOSE**

- 1.1.** Dow University of Health Sciences Conflict of Interest Policy refers to any case where an employee, member of a committee personal interest might contradict the interest of DUHS for which they work for. This is an unwanted circumstance as it may have heavy implications on the member's judgment and commitment to DUHS, and by extension, to the realization of its goals.
- 1.2.** This policy will outline the rules regarding conflict of interest and the responsibilities of members of committees, employees and staff of DUHS in resolving any such discrepancies.
- 1.3.** The DUHS encourage its employees/ faculty & staff to have diverse interests and contacts across the local, national and international communities. Collaborations between members and outside bodies are, generally speaking, both in the public interest and beneficial to the University.
- 1.4.** It is possible however, that a members interests may at times give rise to an actual, potential or perceived conflict of interest with their role and responsibilities at the University.
- 1.5.** Ensuring that conflicts of interest are properly managed is crucial to reducing legal and reputational risk and demonstrating the integrity of individual members and of the University. Conflicts of interest that are not properly managed have the potential to damage the reputation of members and of the University as a whole.

## **2. SCOPE**

- 2.1** Dow University of Health Sciences conflict of interest policy applies to all prospective or current employees of the University, both contractual/visiting or permanent, as well as independent contractors and persons acting on behalf of the DUHS.

## **3. RESPONSIBILITIES**

### **3.1 HODs/Principals/Directors/Institutional Heads are responsible for:**

- 3.1.1** Potential conflict of interests of their subordinates, both faculty and staff working for them.
- 3.1.2** Giving such responsibilities to their subordinates which arises conflict of interest.
- 3.1.3** Avoiding conflict of interest in their Institutes/Colleges/ Departments.
- 3.1.4** Must help to build awareness of conflict of interest situations, and support those who report to them to comply with their obligations under this policy across the University.

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### 3.2 Policy Elements

The relationship of the DUHS with its employees should be based on mutual trust. As the Dow University of Health Sciences is committed to preserve the interests of people under its employment, it expects them to act only towards the University's fundamental interests.

**3.2.1** Conflict of interest may occur whenever an employee's interest in a particular subject may lead them to actions, activities or relationships that undermine the DUHS and may place it to disadvantage.

### 3.3 Policy Principles

**3.3.1** The guiding principles for the identification and management of conflicts of interest in any situation are:

**3.3.2** Members acting on behalf of the University must be seen at all times to behave in an impartial and transparent manner.

**3.3.3** It is important to understand that the existence of a conflict of interest does not necessarily imply wrong-doing on the part of any person. However, any interests which could give rise to a conflict of interest must be disclosed.

**3.3.4** Members need to be alert to situations in which they, or the people that they manage or supervise, may have a conflict of interest and ensure that the situation is recognized and handled appropriately.

**3.3.5** Conflicts of interest must be dealt quickly and transparently, that is they must be:

- acknowledged
- disclosed
- put on record, where appropriate, and
- Effectively managed or avoided.

**3.3.6** If an employee has any doubt as to whether a conflict of interest exists, they must disclose the matter to their supervisor.

**3.3.7** Employees must consider how an impartial observer might reasonably perceive a conflict of interest situation or relationship, whether or not any wrong-doing is involved.

**3.3.8** Conflicts of interest may raise complex issues and employees and their Heads of Departments or immediate supervisors must judge each situation that arises in a prudent manner.

**3.4 Disclosure of conflicts of interest** may involve disclosing personal information. This information must be handled with due regard to the privacy of the individual concerned.

**3.4.1** If a person has a conflict of interest in the matter being considered, they must not take part in any discussion or decision on the matter giving rise to the conflict unless the chair/HOD / relevant supervisor decides otherwise.

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**3.4.2** However, a person who has a direct or indirect financial interest in the matter being considered must not take part in any decision about the matter.

**3.5 Identification and effective management of conflicts of interest.**

**3.5.1** Employees/members must identify and disclose any actual or potential conflict of interest that may affect, or may be seen to affect, their impartiality when acting on behalf of the University.

**3.5.2** Each conflict of interest situation must be dealt with as soon as possible, after it is identified.

**3.5.3** Conflicts of interest must be disclosed to the appropriate person in the circumstances. The appropriate person in most circumstances will be the member/employee's immediate supervisor, or in the case of committees, the chairperson.

**3.5.4** The situation must then be reviewed, managed and recorded by the relevant supervisor or chairperson, in a manner that is appropriate to the circumstances

**3.6 What is an employee conflict of interest?**

This situation may take many different forms that include, but are not limited to, conflict of interest examples:

3.6.1.1 Employees' ability to use their position with the DUHS to their personal advantage.

3.6.1.2 Employees engaging in activities that will bring direct or indirect profit to a competing institution.

3.6.1.3 Employees owning responsibilities of other institutions which prioritizes DUHS responsibilities as a second priority.

3.6.1.4 Employees using connections obtained through the DUHS for their own private purposes, either through bribery or promotion of corruption within the organization.

3.6.1.5 Employees using DUHS equipment or means to support an external business.

3.6.1.6 Employees acting in ways that may compromise the DUHS legality (e.g. taking bribes or bribing representatives of legal authorities).

**3.7 Resolving a conflict of interest:**

**3.7.1** The possibility that a conflict of interest may occur can be addressed and resolved before any actual damage is done. Therefore, when a member/employee understands or suspects that a conflict of interest exists, they should bring this matter to the attention of management so corrective actions may be taken. Supervisors must also keep an eye on potential conflict of interests of their subordinates.

**3.7.2** The responsibility of resolving a conflict of interest starts from the immediate supervisor and may reach senior management. All conflicts of interest will be resolved as fairly as possible. Senior management has the responsibility of the final decision when a solution cannot be found.



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- 3.7.3** In general, employees are advised to refrain from letting personal and/or financial interests and external activities come into opposition with the company's fundamental interests.
- 3.7.4 Anti-Corruption and Anti-Bribery:** It is strictly prohibited to give, offer, promise, receive, request, agree to receive or approve a payment of money, a gift, or anything of value, directly or through third parties, to or from any person, in order to improperly obtain business for DUHS, or to gain an improper advantage or benefit for DUHS.
- 3.7.5** A benefit may be recognized as bribery, where employees of DUHS receive a benefit that may influence important decisions that they would not receive in free competition.

### **3.8 Disciplinary Consequences**

- 3.8.1** In cases when a conflict of interest is deliberately concealed or when a solution cannot be found, disciplinary action may be invoked up to and including termination.

### **3.9 Register of conflict of interest**

All conflicts of interest and relevant supervisor responses are to be submitted for inclusion in the relevant conflicts of interest register maintained for the University by the Registrar.

### **3.10 RELATED RECORDS**

#### **3.11 REFERENCES**

- 3.11.1** <https://www.auckland.ac.nz/en/about/the-university/how-university-works/policy-and-administration/university-organisation-and-governance/legal/conflict-of-interest-policy.html>
- 3.11.2** <https://resources.workable.com/conflict-of-interest-company-policy>