

PGP 3.6.2 Conflict of Interest Protocol

Summary

When arranging the appointment of examiners (and may also be applied for appointment of moderators, or reviewers for a doctoral revise and resubmit) a potential, perceived or material conflict of interest may be identified. This protocol outlines the definition, principles, identification, management and types of a conflict of interest, including material, perceived or potential conflicts of interest.

Purpose

This protocol defines what a conflict of interest is, and outlines the processes and procedures required when a potential, perceived or material conflict of interest is identified.

Scope

This protocol is for appointment of examiners for theses/dissertations/exegeses of Doctoral, Masters and Bachelor with Honours. It may also be applied for moderators and reviewers of for a doctoral revise and resubmit.

Application

Definition

A conflict of interest is any situation where a person has an interest that conflicts, might conflict, or might be perceived to conflict with the interests of AUT conducting a fair, impartial and effective process.

While the conflict of interest itself is unlikely to be improper, it could lead to improper conduct or allegations of such conduct if not declared and managed appropriately.

A potential or perceived conflict of interest are often identified by those external to the situation and does not negatively reflect on the individual's involved. A potential or perceived conflict of interest may be identified at any time and does not imply any unprofessional behavior.

Principles

This protocol on potential, perceived or material conflict of interest is guided by the following principles:

- All conflicts of interest must be declared and recorded
- A conflict of interest can be declared at any time, but must be done as soon as practicable
- The action required depends on the nature of the conflict
- All actions on declared conflicts will be recorded

A conflict of interest or potential conflict of interest may be identified at a number of points in the supervision and examination processes or it may emerge as a result of changes in supervision or examination. A conflict of interest, either material or perceived can be identified at any stage in the supervision and examination process.

The perception of a conflict of interest needs to be managed along with interests that conflict or might conflict.

Identifying a Material and/or Perceived Conflict of Interest

In determining whether a conflict of interest is present or not, there are two questions to ask:

- Would a fair-minded reasonably informed observer have a reasonable apprehension that the individual's professional judgement would be compromised in the decisions required?
- Does the interest create an incentive for the individual to act in a way that would be contrary to the objectives for a fair, impartial and effective process?

If the answer to either of these questions is 'yes', then a conflict or potential conflict exists.

When a Conflict of Interest is Identified

When a Conflict of Interest is identified, normally:

- A replacement will be nominated for approval, or
- In exceptional circumstances, the Faculty may justify why the appointment must continue and a plan is presented on how to manage the conflict and approved by the UPB.

Different Types of Conflict of Interest

Different types of conflict of interest include but are not limited to:

- Conflict with the student; supervisor; subject matters; and/or institution and any other following relationships that are:
 - Working
 - Personal
 - Family
 - Business
 - Publications
 - Research
 - Presentations

For more examples of conflict of interest please see appendix A "*Conflict of Interest and Examiner Independence for Examination of Higher Degree by Research Thesis*", from the University of Western Australia.

Outcome

That potential, perceived or material conflicts of interests are identified, recorded and managed in an effective manner.

Review

Original Approval Date

April 2018

Version Approvals

V1.0 April 2018

Review Date

April 2020

Effective Date

April 2018

Appendix 1 - Conflict of Interest and Examiner Independence for Examination of Higher Degree by Research Thesis”, from the University of Western Australia.

The University of Western Australia
Board of the Graduate Research School

CONFLICT OF INTEREST AND EXAMINER INDEPENDENCE FOR EXAMINATION OF HIGHER DEGREE BY RESEARCH THESIS

Below are examples of different types of conflict of interest that may arise between the examiner and various parties including the student, the supervisor, the university, the subject matter itself and another examiner.

(A) Conflict with the Student

Category	Type of Conflict	Resolution
Working Relationship:	A1. Examiner has co-authored a paper with the student	Conflict of interest
	A2. Examiner has worked with the student on matters of analysis	Conflict of interest
	A3. Examiner has worked with the student on matters of synthesis	Conflict of interest
	A4. Examiner has had contact with the student and discussed research over a period of less than one week	No conflict of interest, but contact should be declared
	A5. Examiner has provided funds to the student	Conflict of interest
	A6. Examiner has refereed / edited a paper published by the student	No conflict of interest
	A7. Examiner has ever employed or been employed by the student	Conflict of interest
	A8. Examiner is in negotiation to directly employ or be employed by the student	Conflict of interest
	A9. Examiner has acted as a referee for the student for employment	Conflict of interest
Personal Relationship:	A10. Examiner is a known relative of the student	Conflict of interest
	A11. Examiner is a friend/ associate / mentor of the student	Conflict of interest
	A12. Examiner has a personal relationship of enmity with the student	Conflict of interest
	A13. Examiner and the student have an existing or a previous emotional relationship of de facto, are co-residents or are members of a common household	Conflict of interest
Legal Relationship:	A14. Examiner is or was married to the student	Conflict of interest
	A15. Examiner is legally family (such as step-father, sister-in-law) to the student	Conflict of interest
	A16. Examiner is a legal guardian of the student	Conflict of interest
	A17. Examiner is a legal dependent of the student	Conflict of interest
	A18. Examiner has power of attorney for the student	Conflict of interest
Business / professional / social relationships:	A19. Examiner is in a business relationship (past or present), such as partner in a small business or employment, with the student	Conflict of interest
	A20. Examiner is in a professional relationship, such as shared membership of a Board Committee, with the student	Conflict of interest
	A21. Examiner is in a social relationship with the student, such as co-Trustees of a Will, god-parent, and miscellaneous personal contacts which give rise to the perception that the examiner may be dealing with the student in a less than objective manner	Conflict of interest

(B) Conflict with the Supervisor

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Category	Type of Conflict	Resolution
Working Relationship:	B1. Examiner has co-authored a publication with the supervisor in the past five years.	Conflict of interest (Note: mitigating circumstances may exist in that co-authorship may be less than significant (one of many authors on a large group project). Such circumstances may not be considered as a Conflict of interest, but must be declared.)
	B2. Examiner was a student of the supervisor within the past five years	Conflict of interest
	B3. Examiner holds a current grant with the supervisor	Conflict of interest. (Note: Mitigating circumstances may exist (such as in B1), which should be declared)
	B4. Examiner has co-supervised with the supervisor in the past five years	Conflict of interest
	B5. Examiner holds a patent with the supervisor	Conflict of interest
	B6. Examiner had directly employed or was employed by the supervisor in the past five years	Conflict of interest
Personal Relationship:	B7. Examiner is in negotiation to directly employ or be employed by the supervisor	Conflict of interest
	B8. Examiner is a relative of the supervisor	Conflict of interest
	B9. Examiner is a friend of the supervisor	Conflict of interest
	B10. Examiner has a personal relationship of enmity with the supervisor	Conflict of interest
	B11. Examiner and the supervisor have an existing or a previous emotional relationship of de facto, are co-residents or are members of a common household	Conflict of interest
	B12. Examiner is or was married to the supervisor	Conflict of interest
Legal Relationship:	B13. Examiner is legally family (such as step-father, sister-in-law) to the supervisor	Conflict of interest
	B14. Examiner is a legal guardian of the supervisor	Conflict of interest
	B15. Examiner is a legal dependent of the supervisor	Conflict of interest
Business / professional / social relationships:	B16. Examiner has power of attorney for the supervisor	Conflict of interest
	B17. Examiner is in a business relationship (past or present), such as partner in a small business or employment, with the supervisor	Conflict of interest
	B18. Examiner has a current professional relationship, such as shared membership of a Board or Committee (including editorial and grant decision boards), with the supervisor	Conflict of interest (Note: Relationship should be declared in all circumstances)
	B19. Examiner is in a social relationship with the supervisor, such as co-Trustees of a Will, god-parent, and miscellaneous personal contacts which give rise to the perception that the examiner may be dealing with the supervisor in a less than objective manner	Conflict of interest

(C) Conflict with the University

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Category	Type of Conflict	Resolution
Working Relationship:	C1. Examiner has worked for the university in the past five years	Conflict of interest
	C2. Examiner is currently in negotiation with the university for a work contract (other than examining thesis)	Conflict of interest
	C3. Examiner is currently working for the university pro bono (e.g. on a review)	Conflict of interest
	C4. Examiner has examined for the university more than twice in the past 12 months	Conflict of interest
Professional Relationship:	C5. Examiner has an Honorary, Visiting, Adjunct or Emeritus position with the university	Conflict of interest
	C6. Examiner has a current professional relationship with the university, such as membership of a Board or Committee	Conflict of interest
	C7. Examiner has received an Honorary Doctorate from the university	Conflict of interest
Other:	C8. Examiner graduated from the university within the past five years	Conflict of interest
	C9. Examiner has a current or had a known formal grievance with the university	Conflict of interest

(D) Conflict with the subject matter

Category	Type of Conflict	Resolution
Publication:	D1. Examiner has published work critical of the student's approach (naming the student / supervisor)	Conflict of interest
Public Forum:	D2. Examiner has spoken publicly in a critical way about the student's work (naming the student / supervisor)	Conflict of interest
Research:	D3. Examiner has a direct commercial interest in the outcomes of the research	Conflict of interest

(E) Conflict with other examiners

Category	Type of Conflict	Resolution
Working relationship:	E1. Examiner works in the same situation as another examiner	No conflict of interest
	E2. Examiner works in the same department as another examiner	Conflict of interest
Personal / professional relationship:	E3. Examiner is married to, closely related to or has a close personal or professional relationship with another examiner	Conflict of interest