

**AUSTRALASIAN COLLEGE  
OF COSMETIC SURGERY  
AND MEDICINE**

**CONFLICT OF INTEREST POLICY**

## **1. INTRODUCTION**

The Australasian College of Surgery and Medicine (ACCSM) is committed to promoting the highest standard of patient care, lifelong learning, research, and helping cosmetic surgeons and physicians contribute to the very best health care for patients.

## **2. PURPOSE**

The purpose of this policy is to enable the ACCSM to effectively identify, disclose and manage any actual, potential, or perceived conflicts of interest to protect the integrity of the ACCSM and manage risk.

## **3. OBJECTIVES**

The ACCSM aims to ensure that decision makers are aware of their obligation to disclose any conflicts of interest that they may have, and to comply with this policy document, to ensure they effectively manage those conflicts of interest as representatives of the ACCSM.

The college is committed to building an environment that is free from fraud or corruption or the perception of fraud or corruption. Conflicts of interest may not present a problem to the College if they are openly and effectively managed. For these reasons it is important that all members, staff and stakeholders share a responsibility for strengthening this commitment to identify, disclose and manage conflicts of interest appropriately.

## **4. SCOPE**

This policy applies to:

- ACCSM staff and contractors
- Council Members (including the Executive)
- Board of Censor Members
- Deans of the Faculties
- ACCSM Members
  - Members in Training
  - Affiliate Members

- ACCSM appointed Preceptors
- Training sites that have been accredited for ACCSM trainees
- ACCSM examiners
- Developers of any educational activity or content
- Speakers at ACCSM conferences and events
- Other stakeholders

## 5. CONFLICTS

There are two types of conflict covered by this policy:

- **Conflicts of interest, and**
- **Conflicts of duty**

### 5.1 CONFLICTS OF INTEREST

A conflict of interest occurs where there is a conflict between a person's duties and their vested interests.

Types of conflict of interest include:

- Actual conflict of interest, where the conflict of interest is occurring or has occurred.
- Potential conflict of interest, which may arise contingent upon the circumstances or some other action; and
- Perceived conflict of interest, it could be perceived, or appear to a reasonable person, that your personal interests could influence the performance of your duty now or in the future.

A vested interest may be:

- Direct, where the person holds the interest or controls the interest; or
- Indirect, where the interest is held by a relative or close associate of the person; and

- Commercial, where the interest may be monetary or convertible into money such as ownership of property, shares, a right to assets, a beneficiary under a trust or a recipient of benefits, whether in-kind or not; or
- Non-financial, where the interest arises from a personal relationship which may give rise to favouritism or undue influence, or the perception thereof.

In considering whether a person's vested interest may give rise to a conflict of interest, the person must consider the:

- Nature and type of the vested interest;
- Relationship distance between the vested interest and the person's duty. For example, the interest of a second cousin may be seen to be less proximate than the interest of a spouse;
- Amount of the interest if commercial; and
- Overall circumstances and context of the interest

## **5.2 CONFLICTS OF DUTY**

Conflicts of duty occur where a person's duty to act in the best interests of another party conflicts with another duty such as the duty to another organisation, another employer, or a private organisation such as an advocacy group, business, or other interest group. This is particularly relevant for college preceptors, examiners and CPD assessors.

A conflict of duty may arise for example where a person is:

- bound by competing sets of confidentiality restrictions;
- unable to act in the best interests of multiple entities at the same time; or
- under conflicting duties to disclose and maintain confidentiality at the same time.

Conflicts of duty are to be managed in the same way as conflicts of interest.

### **5.3 CONSEQUENCES**

Undeclared or unmanaged conflicts may result in; legal claims; action by regulators; non-compliance with grant funding; a lack of impartiality in decision-making; member dissatisfaction or; reputational damage to the ACCSM.

## **6. MANAGEMENT OF CONFLICTS OF INTEREST**

### **6.1 MANAGEMENT OPTIONS**

In considering how a conflict of interest is to be managed, the College must consider:

- the objectives and functions of the ACCSM;
- the matter that is to be discussed and determined;
- the nature of the conflict (e.g. is it actual, potential, or perceived);
- the severity of the conflict, including:
- the amount, scope, and likelihood of any expected benefit (for example, is it a large benefit primarily to the person or a small benefit that thousands of people including the person will receive?); and
- any other relevant circumstances (for example, if the conflict relates to a person's partner working at an organisation about which the ACCSM is to make a decision);
  - the potential effect of the conflict, including:
  - the extent to which the person's ability to make an impartial decision could be compromised, or could reasonably be seen to be compromised; and
  - the overall likelihood that the conflict of interest may affect public or government confidence in the integrity of the ACCSM and its decisions.

## 6.2 MANAGEMENT ACTIONS

There is a range of options to manage conflicts of interest such as:

- **remove** – the person does not participate at all in any decisions involving the matter in which they have an interest, including attending meetings or receiving information about the decision;
- **record** – details of the conflict of interest are recorded. Monitoring occurs in consultation with the person’s manager to check whether this remains the appropriate option;
- **restrict** – the person’s involvement in discussion or decision making on the matter is restricted to the extent that minimises the conflict. Monitoring occurs to check whether this remains the appropriate option.
- **recruit** – an impartial third party is engaged to provide advice;
- **resign** – the person steps down from their role with the other organisation on a temporary or permanent basis.

Where a person identifies a possible conflict of interest (whether their own or anybody else’s), the College must determine how that conflict is to be managed as per the guided list above.

## 6.3 CONFLICT OF INTEREST DECLARATIONS

Conflict of Interest declarations must be kept up to date. New interests which may generate conflicts **must be declared via the ACCSM Conflict of Interest Form**. A register will be maintained by college staff.

## 7. CONTACT

For further information and advice about this policy please contact the ACCSM office.

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Document history	
This version drafted	November 2023
Revision date	
Approved	By Council - 22 March 2024
Effective	1 July 2024