



Joint Action Conflicts of Interest Policy

Dated 21st August 2009

1 General

- 1.1 This policy relates to all committees and other funding panels of Joint Action, their chairs and other members but not limited to the overall powers and direction of The British Orthopaedic Association (BOA) who remains the sovereign body.
- 1.2 The purpose of this document is to minimise the potential for conflicts of interest arising and to protect the both Joint Action and the BOA and those who work for it from any perception, real or otherwise, that the external interests and affiliations of its committee members might interfere with their ability to work towards the furtherance of Joint Action's objectives.

2 Declaration of interests

- 2.1 Any persons covered by this policy, as defined in paragraph 1.1), must declare any disclosable external interests in any other enterprise that may have a real or perceived interest in the work of Joint Action, and annually thereafter. A privately held register of interests will be kept up to date by Joint Action.
- 2.2 Any involvement with current or future research projects either as a named co-applicant or a lead applicant that could interfere on any impartiality when discussing grant disbursement or the future direction of Joint Action's research agenda.
- 2.3 The individual should adhere, as far as is possible, to the spirit of this document and in so doing should declare any other interests which the individual feels may be a source of conflict, or which might be perceived to conflict, with the interests of Joint Action or the BOA.
- 2.4 The requirement to disclose these interests also extends to any interests of a similar nature held by an individual's spouse or minor children. In the case of adult children, the individual must declare any interests that they may hold to the extent that he or she is aware of them.

3 Discussion of Proposals

- 3.1 Details of applications, meeting papers and related correspondence and the names of external referees are strictly confidential and should not be discussed with persons outside the review process.
- 3.2 All discussions of a proposal between members of the Grants committee which occur outside a committee meeting should be declared to the chair of the committee prior to the discussion, or immediately thereafter.
- 3.3 If a committee member is approached by an applicant for technical advice on an application then he or she may provide advice, but must report this to the committee chair and secretariat. They may subsequently be asked by the Chair to absent themselves from a discussion of the application concerned.
- 3.4 If the advice sought by an applicant is on administrative grounds or to seek information on the status of their proposal, the committee member should refer the applicant to the relevant member of the charity's staff.

4 Resolution of Conflicts of Interest

- 4.1 Joint Action recognises that the majority of conflicts arising will relate to a particular issue and as such will not present any long term restrictions on an individual's ability to work for Joint Action or to sit on its committees.
- 4.2 In a small number of cases, major conflicts of interest may arise which compromise an individual's ability to continue in their position within Joint Action. Where such a situation



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- relates to a member of the Grants committee, the matter will be discussed by the chair of the committee together with a committee staff member or secretary. In cases where agreement cannot be reached through this means, the case will be referred to the trustees as a whole, whose decision should be taken as final.
- 4.3 Members of the Grants committee and Board of Management are expected to declare any potential conflicts of interest relating to individual funding decisions to the committee secretariat before the meeting wherein they will be discussed, or during the meeting as soon as the existence of a conflict becomes apparent. The chair will then make a decision, having regard to paragraphs 3.3) and 3.4).
- 4.4 Automatic exclusion from participation in a funding decision
An individual should be automatically excluded from participation in a funding decision in cases where that individual has a direct interest in the funding proposal under discussion. A direct interest applies to any of the following situations:
- 4.4.1 The individual concerned is the sole applicant on the funding proposal.
- 4.4.2 The individual is a joint applicant on the proposal.
- 4.4.3 A relative of the individual is the sole or a joint applicant.
- 4.4.4 An applicant on the proposal is a business partner of the individual.
- 4.4.5 An applicant on the proposal is a practising consultant surgeon, researcher, or employee of the same institution as the individual concerned.
- 4.4.6 Where an individual is excluded from a funding decision on this basis, he or she should absent themselves from the meeting while the proposal concerned is being discussed. He or she should not receive the application itself or any related papers, including the referee reports.
- 5 Exclusion at Joint Action's discretion**
- 5.1.1 In certain situations, an individual may be excluded from discussion of a proposal at the discretion of Joint Action. Examples of such situations include:
- 5.1.2 The individual concerned can be seen as a direct competitor of the applicant; i.e. they are currently being funded or are currently applying for funding on a project of a similar nature to the proposal under discussion
- 5.1.3 The individual has acted as an external referee, or on the Grants committee in respect of the proposal under discussion at a time when the proposal was being discussed by another funding body.
- 5.1.4 The individual has collaborated or published with the proposal applicant within the past three years.
- 5.1.5 The individual is aware of any other issue that might reasonably be expected to give rise to, or give rise to the perception of, a conflict of interest.
- 5.2 In any of these cases, the particular situation will be discussed by the Grant Committee chair and the Chair of the Board of Management, who will decide on one of the following options:
- 5.2.1 The individual is allowed to participate fully in the funding decision.
- 5.2.2 The individual is allowed to discuss and vote on the proposal but may not present the proposal to the committee
- 5.2.3 The individual may comment on the proposal but not take part in any funding decisions
- 5.2.4 The individual absents himself from the meeting while the proposal is being discussed
- 5.2.5 If an agreement cannot be reached between the committee chair and secretariat, the individual must absent himself from proceedings while the proposal is being discussed.



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- 5.3 In cases where an individual is uncertain as to whether a conflict of interest exists or not, they should report this to the committee secretariat. The secretariat shall discuss the matter with the individual as necessary and report to the Chair, who will make a decision with regard to the provisions of paragraphs 3d) and e).
- 5.4 If an individual is concerned about a possible conflict of interest involving another member of a funding panel, then he or she should raise the matter with the chair of the panel.

6 Updating the Policy

- 6.1 Joint Action Board of Management will review this policy annually.

Footnote

- 1 For the purposes of this document, "relative" includes, but is not limited to, a spouse (current or past), children, siblings and parents.
- 2 For the purposes of this document, federated institutions (e.g. the University of Wales or the University of London) should not be regarded as a single institution.

I the undersigned, hereby declare that to the best of my knowledge I have read, understood and informed the appropriate authorities of any conflicts of interest that may be deemed eligible as laid out in the above criteria.

Name of Individual

Position held

Start date of position

Signature

Date