

# Conflict of Interest Policy

## Introduction

doctorportal Learning Pty Ltd, trading as 'CPD Home' is a jointly owned subsidiary of the Australian Medical Association (WA) Inc, and Australian Society of Anaesthetists.

CPD Home is available to non-exempt medical practitioners in Australia at [www.cpdhome.org.au](http://www.cpdhome.org.au). It is not limited to members of the AMA.

## Background

Managing conflicts of interest demonstrates our commitment to good governance, ethical conduct, and uncompromised decision making.

## Purpose

This policy outlines how CPD Home prevents, identifies, and manages any real, apparent, or potential conflicts of interest of its decision makers to ensure that any decision making on its behalf is made solely in its interest, and is not, or perceived to be, undermined or influenced by any other allegiances or interests (direct or indirect) of the decision makers individually or collectively. This includes decision in relation to the listing of learning and the compliance of subscribers with their CPD Program requirements and the registration standard.

This policy supports CPD Home to manage risk and safeguard the organisation's reputation and the trust placed in its by subscribers, external learning providers, accrediting or regulatory bodies and the public. The policy also supports CPD Home's compliance with its legislative and statutory obligations, and good governance standards.

## Objective

To ensure the integrity of our decision making and to inform our stakeholders of the measures we take to that end.

## Scope

With regard to decisions made for or on behalf of CPD Home, this policy applies to;

- the Executive Lead
- members of the CPD Home Board
- members of the CPD Advisory Panel
- members of any other committee, working or advisory group, or sub-group formed under the auspices of the above, and
- any employees, contractors, or volunteers involved in making decisions on the behalf of or in relation to the operations of CPD Home.

## Definitions

The following definition(s) apply to this policy and where applicable, its procedures.

Term	Definition
Conflict of Interest	<p>A conflict of interest occurs when a person's personal interests' conflict, or could be perceived to conflict, with their responsibility to act in the best interests of CPF Home.</p> <p>Conflict of interests may be:</p> <ul style="list-style-type: none"> <li>• Real – where a direct conflict exists between the decision maker and their duty to act in the best interests of CPD Home.</li> </ul>

	<ul style="list-style-type: none"> <li>• Apparent – where it appears or could be perceived that personal interests are influencing the decision maker to not act in the best interest of CPD Home.</li> <li>• Potential – where personal interests are not currently but could come into conflict with their duty to act in the best interests of CPD Home.</li> </ul>
Decision Maker	Any person or persons making decisions for or on behalf of CPD Home.
Personal Interest	Personal interests include where the decision maker or a person or organisation affiliated with them would receive a benefit or incur a detriment because of the decision being made. That benefit or detriment could be financial or non-financial.
Register of Interests	A record of declared or identified conflicts of interests listing to whom they apply, the nature and extent of the conflict and any steps taken to address it.

## Policy

It is the policy of CPD Home, as well as the responsibility of the Executive Lead and the CPD Home Board, that ethical, legal, financial, education and training, or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with the obligations of CPD Home decision makers to CPD Home and its stakeholders (for example subscribers and learning providers).

While conflicts of interest are common, they do not need to present a problem if they are openly and effectively managed.

Once a real, apparent or potential conflict of interest is identified, it must be recorded into a Register of Interests held by CPD Home. The Register of Interests will be maintained by the Compliance and Policy Lead. The register will record the nature of the conflict of interest and will be included in meeting papers of any decision-making entities. Where a decision maker becomes aware of a yet undeclared real, apparent or perceived conflict of interest they will immediately disclose it to the Chair of the decision-making entity on which they are a member.

## Roles and Responsibilities

CPD Home will manage conflicts of interest by requiring decision makers covered under the Scope of this policy to, where possible;

- avoid conflicts of interest
- disclose to the decision-making entity of which they are a member, or, if for example they are a CPD Home employee to their immediate supervisor, any personal or business interests that may give rise to actual or perceived conflicts of interest and ensure they are managed appropriately, and
- ensure any personal or financial interests, including those of any associated person, do not conflict with their ability to perform official duties in an impartial manner.

The Chair of a CPD Home decision making entity, or their delegate;

- will for each meeting provide a list of declared conflicts of interest to participating members of the decision-making entity
- will at each meeting request any further declarations of interest be made that may, or be seen to, impact the impartiality of a decision maker
- direct the meeting to consider what action, if any, is required, and
- subsequently add them to the Register of Interests.

## Confidentiality of disclosures

All individuals carrying out CPD Home business are required to preserve the principles of confidentiality.

Information contained in a declaration of interest, papers and minutes of any CPD Home decision making entity or any other resource material from CPD Home is provided and received in confidence, and only to be used for CPD Home.

Information obtained on this basis by individuals carrying out CPD Home business must not be used to gain advantage for either themselves or a third party, or to cause detriment to CPD Home or its parent entity or for any other purpose.

CPD Home business should not be discussed by any individual involved in My CPD business with any external party at any stage, unless specifically authorised to do so in the following circumstances:

- requests to disclose relevant information made by a Commonwealth authority, or a State, or a Territory authority, for the purposes of assisting the authority in the performance its function or duties
- requests to disclose relevant information made by regulatory and / or legislative authorities, or
- requests to disclose relevant information regarding any legal proceedings of any nature and to any third parties connected with those proceedings.

All declarations of interest and information obtained while carrying out CPD Home business will be treated as confidential in perpetuity.

## Gifts and hospitality

Gifts or hospitality made available to any individual covered under the Scope of this policy, and pursuant to the AMA (WA) Code of Conduct, which may reasonably be considered as connected to their position as a decision maker (or potential future decision maker) and could be seen to compromise their impartiality must not be accepted or solicited. Any such gift or hospitality must be promptly declared via the Gift Declaration Form. Gifts or hospitality must not be accepted from any person engaged or who proposes to engage in a CPD Home tender.

## Action

Where there are real, apparent, or potential conflicts of interest for:

- a member or members of a decision-making entity (e.g. CPD Board or CPD Advisory Panel) in general or on a particular matter, the entity (excluding members with a conflict) will note the conflict and consider whether the conflict is one which:
  - needs to be avoided or simply documented
  - will realistically impair the disclosing person's capacity to impartially participate in decision-making
  - is likely to create an appearance of improper conduct that might impair confidence in, or the reputation of CPD Home, or its parent entity
  - should preclude them from voting
  - should preclude them from participating in the discussion, and
  - should preclude them from being present during either, or both, the discussion and vote, or

- any other decision makers covered under the Scope of this policy, their immediate supervisor will determine if they can exercise their decision-making duties impartially or if the decision should be delegated to an alternate decision maker.

## Compliance

Where there is reason to believe that an individual subject to this policy has failed to comply with it, CPD Home will investigate the circumstances and take what action, if any, is required pursuant to this policy.

If it is found that this individual has failed to disclose a conflict of interest, CPD Home may take action against them. This may include terminating their position on a decision-making entity or disciplinary action pursuant to the dpl Limited Conditions of Employment.

If a person suspects that a decision maker has failed to disclose a conflict of interest, they must:

- in the case of a member of the decision-making entity notify the Chair, or
- in the case of any other decision makers covered under the Scope of this policy notify the Executive Lead.

## Related Documents / Legislation

The following documents are related to this policy.

1. Corporations Act 2001
2. The Australian Medical Council (AMC) Criteria for accreditation of CPD homes
3. dpl Limited Code of Conduct
4. dpl Limited Conditions of Employment

## Appendices

1. Glossary

## Version Tracking

Version	Date	Comments
1.0	December 2022	
1.1	August 2024	Updated Introduction to reflect the joint ownership of CPD Home. Minor amendments to reflect consistent language referring to the types of conflicts. Replaced AMA (WA) Board with CPD Home Board, and AMA (WA) CEO with Executive Lead to reflect current SOP. Amended AMA (WA) Code of Conduct and Conditions of Employment to dpl Limited Code of Conduct and Conditions of Employment. Removed unrelated glossary terms.

## Appendix 1 Glossary

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CPD Advisory Panel	Panel of medical advisers which provides advice regarding the CPD Home Program
CPD Home Managers	Line managers responsible for a particular area of the CPD Home business
CPD Home Staff	Includes employees or contracted consultants, legal or financial professionals acting for CPD Home
Decision maker	Any person or persons making decisions for or on behalf of CPD Home.
Personal interest	Personal interests include where the decision maker or a person or organisation affiliated with them would receive a benefit or incur a detriment because of the decision being made. That benefit or detriment could be financial or non-financial
Register of Interests	A record of declared or identified conflicts of interests listing to whom they apply, the nature and extent of the conflict and any steps taken to address it