

endTB Data Sharing Initiative: Conflict-of-Interest Policy

I. Aim and scope of the Conflict-of-Interest Policy

The aim of this Policy is to protect the reputation and integrity of the endTB Data Sharing Initiative (eDSI) and to ensure trust and confidence in its members and the governance arrangement related to it. The Policy defines what constitutes a real or perceived Conflict-of-Interest and outlines the approach for managing conflicts as they arise. Where there is doubt, those affected by this policy should err on the side of caution and declare the interest, recognizing that the appearance of a conflict can be as harmful as an actual conflict. The scope of the Policy covers all members of governance committees (the Steering Committee and Data Access Committee and any other governance committees created) and any other governance roles. It similarly covers all individuals contracted, either paid or voluntarily, to act in an advisory capacity to the eDSI for example peer review services. This Policy shall also be reflected in the research application process and therefore the Data Access Guidelines.

The Policy will not normally apply to those individuals providing support services to the eDSI for example providing IT support, administration, or translation services.

This Policy will be made publicly available and subject to revision by the Steering Committee.

II. Definition

A potential Conflict-of-Interest arises when an individual participates in the consideration of any particular matters in which, to the best of his or her knowledge, he or she or an Associated Person or Associated Institution has or may have a financial or other interest, or if the particular matter will or may have a direct or indirect effect on that interest. In the context of this Policy, the term "Conflict-of-Interest" means any interest that may affect or reasonably be perceived to affect individual objectivity and independence in providing advice to the eDSI, or in carrying out the duties of the Steering Committee, the Data Access Committee or any other governance committee created by the eDSI or in any other role.

"Interest" can be financial, business, research, research funding, intellectual property interest, public statements, positions held, employment, consultancies, directorships or any other interest.

"Participation" means to participate either directly, or through the direct and active supervision of a subordinate in the consideration of a matter by the Steering Committee, the Data Access Committee, any other governance role or body created for the eDSI.

"Associated Person" means a spouse (or partner with whom the individual has a similar close relationship), sibling, parent, or children; and/or a business partner, or person with whom the individual has had a major professional relationship (mentor, collaborator on a grant or study) within the past 36 months.

“Associated Institution” means (i) any organization, university, corporation, institution, or government in which the individual has served as an officer, director, trustee, partner, employee, adviser, or consultant within the last 24 months; and (ii) any organization, university, corporation, institution, or government with whom the individual is negotiating, or has an arrangement concerning, prospective employment or consultancy.

In general, and without limitation, conflicts may be deemed to exist in the following situations:

- Where an individual’s financial or other interests, or the financial or other interests of an Associated Person or Associated Institution, could affect or could be seen to affect his or her independence and objectivity in the conduct of his or her duties and responsibilities on one of the eDSI committees, or in a governance role or as an advisory consultant.
- Where an individual’s financial or other interests, or the financial or other interests of an Associated Person or Associated Institution, including for example through the holding of an office or position, or through the representation of interests or opinions, could compromise or undermine the trust that the public places in the governance arrangements for the eDSI. Where an individual’s interests or the interests of an Associated Person or Associated Institution create the perception that he or she is using his or her role for personal benefit or for the benefit of an Associated Person or Associated Institution.
- Where an individual is aware that the outcome of the activities associated with the eDSI would benefit or adversely affect other parties with whom the individual or an Associated Person or Associated Institution has substantial common interests - whether personal, professional or financial - disclosure of those affected interests is also necessary. Examples of other parties include an individual’s siblings, parents, employers, close professional colleagues, administrative unit or department.

Examples of Conflicts of Interest may include:

- An individual reviewing requests to access the data held within the eDSI from an organization, corporation or government in which that individual is serving as an officer, director, trustee, or partner.
- An individual advising the eDSI with respect to approval of any collaborative arrangement or service contract between the eDSI and an Associated Institution or Associated Person.
- An individual having access to non-publicly available information that was not known to him/her prior to disclosure from the eDSI gains, or an Associated Individual or Associated Institution gains, a financial, business, research, research funding, intellectual property, public statement, employment, consultancy, directorship or any other interest.

III. Declaring a Conflict-of-Interest

- All members of governance committees and individuals in a governance role shall complete the Declaration of Interest form and submit the completed and signed form to the eDSI Administrator at least two weeks in advance of their first meeting. This form will be updated whenever there is a change in their circumstances that may affect their Declaration of Interests.

- All individuals to be contracted, either paid or voluntarily, to act in an advisory capacity to the eDSI shall complete a DoI form in advance of any contract being issued.
- All completed forms shall be assessed by the eDSI Administrator and submitted to the Chair of each relevant Committee for decision.
- The Chair of any governance committee will seek verbal confirmation at the start of any meeting that the Declaration of Interests by members is current and up to date. It is the duty of each member to declare interests when they arise in accordance with this Conflict-of-Interest Policy.

IV. Managing Conflicts of Interest

In assessing declared interests, the relevant Committees shall balance the nature, type and magnitude of the individual's interest and therefore the degree to which the interest may be reasonably expected to influence his or her judgment against the adequacy of measures/options available to protect the independence and integrity of the decision-making process of the eDSI.

Conflicts-of-interest will be managed by the Chair of each relevant Committee who can seek further clarifications on any declarations of interest raised. In the event that any disclosure(s) may give rise to a real or perceived Conflict-of-Interest, then the Chair shall make a recommendation to the relevant Committee on how to manage these conflict(s) from the possible courses of action listed below (including possible combinations thereof):

- Recommend that the concerned individual fully participate in the meeting or activity and any decision-making.
- Recommend that the concerned individual participate in the deliberations, but be recused from making any decisions, on the relevant matter under consideration.
- Recommend that the concerned individual not participate in either the deliberations or the decision-making on the relevant matter under consideration.
- Recommend that the individual not serve on the committee or in the governance role.

In the event the Conflict-of-Interest involves the Chair of a governance committee, another member of the governance committee who has no conflict shall be selected by the other members of the governance committee to manage and resolve the conflict/ potential conflict.

All decisions taken shall be recorded in the public minutes of the appropriate governance committee.

With respect to individuals contracted, either paid or voluntarily, to act in an advisory capacity to the eDSI

If there is a real or perceived Conflict-of-Interest in a potential contractor then relevant Committee shall assess the nature, type and magnitude of the individual's interest and therefore the degree to which the interest may be reasonably expected to influence their judgment in supplying their advice to the eDSI.

The eDSI will seek wherever possible to contract with individuals with no significant Conflict-of-Interest.

Dispute Resolution

Any dispute relating to the interpretation or application of this Policy shall be brought to the Steering Committee for review. The parties shall accept the decision of the Steering Committee as final.

Annual Register

The Administrator shall hold a register of Declarations of Interest which can be viewed on request by any third party. Access to the register will only be restricted in exceptional circumstances.