



Kuwait Institute for Medical Specialization Conflict of Interest Policy

Application

All **employee, Postgraduate office, faculty tutors of KIMS**

Purpose

To ensure that members making decisions on behalf of the KIMS disclose and manage any **conflict of interest** they may have, and act in a manner consistent with their responsibilities to the KIMS (as the case may be) and the public.

Background

KIMS encourage their employees and all faculty members to have diverse interests and contacts across the local, national and international communities. Collaborations between members and outside bodies are both in the public interest and beneficial to the KIMS.

It is possible however, that a member's interests may at times give rise to an actual, potential or perceived conflict of interest with their role and responsibilities at the KIMS or MOH

Ensuring that conflicts of interest are properly managed is crucial to reducing legal and reputational risk and demonstrating the integrity of individual employee. Conflicts of interest that are not properly managed have the potential to damage the reputation of individual members, KIMS and MOH.

Policy

Principles

The PGME policy for addressing conflicts of interest is based on the principles of recognition, disclosure, and management and to promote transparency to effectively deal with conflicts of interest.

Recognition: Conflicts of interest must be acknowledged and identified to allow appropriate disclosure and management. Conflicts of Interest reflect the situation, not the character of the person.

Disclosure: Individuals must take initiative in disclosing conflicts of interest to whom they are responsible for reporting to at the university. Full disclosure of conflicts of interest is important for protecting the integrity and reputation of the individual and the university.

Management: Only conflicts of interest that can be managed in a manner that considers, protects, and serves the interests, integrity, and reputation



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of the individual and of the university, and that will withstand the test of reasonable and independent scrutiny will be allowed.

Scope of this Policy:

This policy applies to members of, Postgraduate Medical Education program (PGME members). A member means all faculty, staff, trainees, and students, of Kuwait Institute for Medical Specialization, whether fulltime, reduced, or part-time, and any other person while acting on behalf of or at the request of PGME including, but not limited to members of a PGME committee, persons giving advice or providing services to PGME at the request of PGME, and anyone involved in a decision-making process. This policy applies to PGME related activities only. No member of the PGME community will be discriminated against for being involved in a conflict of interest so long as the individual has acted in good faith and in accordance with this policy and any other related KIMS policies.

Types of conflicts to be disclosed can include (but are not limited to):

- a) Any direct financial payments including receipt of honoraria
- b) Membership on advisory boards
- c) Industry funded grants or clinical trials
- d) Patents on a drug, product, or device
- e) Accepting gifts, benefits or favours from students, instructors, faculty, or preceptors
- f) Supervising or evaluating a student who is a member of the immediate family or a person with whom there exists or has recently existed a friendship, an intimate, personal, or financial relationship
- g) Participating in decisions, interviews, or assessment of medical learners where the learner is a member of his or her immediate family, or a person with whom there exists or has recently existed a friendship, intimate, personal, or financial relationship
- h) Supervising or evaluating a student where there exists or has recently existed a counselling/advising relationship
- i) All other investments or relationships that could be seen as having the potential to influence professional judgment or objectivity with respect to the content of the educational or non-educational activity.



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Identification and effective management of conflicts of interest

1. Members must identify and disclose any actual or potential conflict of interest that may affect, or may be seen to affect, their impartiality when acting on behalf of the KIMS.
2. Each conflict-of-interest situation must be dealt with as soon as reasonably practicable after it is identified
3. Conflicts of interest must be disclosed to the appropriate person in the circumstances (see Conflict of Interest Procedures). The appropriate person in most circumstances will be the member's immediate supervisor, or in the case of **committees**, the **chair**
4. The situation must then be reviewed, managed and recorded by the relevant manager or chair in a manner that is appropriate to the circumstances
5. Managers and supervisors across the KIMS must help to build awareness of conflict of interest situations, and support those who report to them to comply

Conflict Of Interest Procedures

Management responsibilities

1. Leaders across the KIMS have a responsibility to help **staff members** to comply with their obligations under this policy by:
 - building general awareness of the risks of conflicts of interest inherent in the work of the people they manage
 - making staff members aware of the policy and procedures regarding conflicts of interest
 - advising and directing staff members as necessary about appropriate ways to manage any conflict of interest
 - ensuring that conflicts of interest involving their staff members are managed appropriately
 - assisting any staff member who discloses a conflict of interest to develop an appropriate strategy to manage the situation
 - reviewing and endorsing plans to manage any conflict of interest
 - monitoring the work of their staff members and the risks associated with a conflict of interest



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Individual responsibilities

1. In relation to teaching, academic supervision and assessment of resident, tutor/ employee must disclose to their **program director or head** any personal or financial **relationship** that may lead to a conflict of interest
2. Where such a relationship exists, the staff member is not to have any assessment responsibility, nor act as a supervisor or as an advisor to the resident
3. In relation to employment, staff members must disclose to their **manager** any personal or financial relationship with another person, where the staff member has responsibility for or may directly influence decisions, including, but not limited to, decisions about the appointment, promotion, remuneration/reward, leave or discipline of that other person
4. In relation to committee membership, members are to disclose any actual or potential conflict of interest to the **chair** who will then decide on the appropriate course of action

Committee meetings

1. All committee meeting agendas are to contain an item requiring the declaration by members of the committee of any actual, potential or perceived conflict of interest regarding any item on that agenda
2. Committee members must disclose to the chair any conflict of interest regarding any item on the agenda as soon as possible and in all cases, before that item is dealt with by the committee
3. The minutes must record any conflict of interest declared before, or arising during the meeting and how the conflict was dealt with
4. Action/ decisions taken by a committee chair in relation to disclosure of conflict of interest before or during a committee meeting must also be recorded in the minutes of the relevant meeting



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Managing a conflict-of-interest situation

As soon as a member becomes aware that they have a conflict of interest or a potential conflict of interest in the process of making a decision in their role at the KIMS, they must declare it to their immediate responsible person.

5. If the member's manager has a conflict of interest in the matter, the member must disclose the conflict of interest to the next higher level of authority
6. The relevant manager, in consultation with the member who has disclosed the conflict of interest, must determine whether a conflict of interest exists and, if so, what further action needs to be taken.
7. If the relevant manager decides that further action needs to be taken, the member must have no involvement, or further involvement, in the matter giving rise to the conflict of interest unless the manager decides otherwise
8. Where it is determined that further action needs to be taken, the manager, in consultation with the member will decide on a course of action to manage or avoid the conflict of interest
9. Any decisions and action taken must be recorded in writing and filed by the relevant manager on the conflicts of interest register
10. If the member does not agree with the decision of their manager they may raise the matter with the postgraduate office dean or **KIMS secretary general**
11. To avoid doubt, the convenor of a meeting other than a committee meeting must deal with and record any conflict of interest that arises in the same manner as a manager would do