

# **EURADOS e.V.**

## **Code for the Management of the Conflicts of Interest**

### **Preamble**

EURADOS has adopted the following Code for the Management of the Conflicts of Interest on the basis of §14 of the EURADOS Constitution.

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## **1. Background**

EURADOS depends on the active involvement of its Members to accomplish its mission. EURADOS requires its Members to observe high standards of personal ethics and integrity in the conduct of their activities and responsibilities.

To this purpose EURADOS has issued codes to foster public confidence and to protect its interests.

## **2. Scope of this code**

This Conflict of Interest (Col) Code is intended to help ensure that, when Col arises, EURADOS has a process in place under which the affected individual will be advised of all the relevant facts concerning the Col and how EURADOS will address it.

## **3. Definition of Conflict of Interests**

For the purpose of this code, the Col is defined as:

A set of circumstances under which a EURADOS Member or employee with fiduciary responsibility is in a situation where his or her own self-interest might conflict with the interests of EURADOS. In other words, he/she has a direct or indirect business, or a professional or personal situation, or a relationship that might influence, or that might be perceived to influence, his/her judgment when serving the EURADOS Association.

A Col is therefore a situation in which a person has multiple interests; hence the Col is not created by an individual's behaviour, but by the circumstances. Col's are an inevitable fact of organisational life and are not in themselves signs of wrongdoing. What is important is how individuals respond once a Col is identified.

Interests are typically classified as:

Financial interests	Non-financial professional interests	Non-financial personal interests	Indirect interests
Where an individual may get direct financial benefit from the consequences of a decision they are involved in making	Where an individual may obtain a non-financial professional benefit from the consequences of a decision they are involved in making, such as increasing their professional reputation or promoting their professional career	Where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit, because of decisions they are involved in making	Where an individual has a close association with another individual who has a financial interest, a non-financial professional interest or a non-financial personal interest who would stand to benefit from a decision they are involved in making

While the risks of a Col arising may be more obvious where financial benefits are involved, Col can also arise as a result of personal relationships, or involvement in sporting, cultural or social activities. In the case of indirect interests, such an association may arise through relationships with close family members and relatives, close friends and associates, and business partners. A common-sense approach should be applied in such cases because staff and Members are not expected to know all the interests of these associations. However, they should declare what they are aware of.

Sometimes the interest can be perceived as influencing the decision. The perception should be the viewpoint of the reasonable person, that is to say a person with an adequate level of knowledge about the circumstance, who would reasonably consider that an individual's ability to apply judgement or act, in the context of serving EURADOS activities, is, or could be, impaired or influenced by another interest they hold. Personal enmity, as much as favouritism, has the potential to lead to a Col.

It should be noted that Col is not a situation where one person exercises his/her public office in order to get a private benefit. This constitutes fraud or corruption.

Sometimes the institution the individual is affiliated with can have an interest conflicting with EURADOS interests. However, such an interest is relevant to EURADOS - and only constitutes a Col – only if the individual serving EURADOS receives a (financial, professional or other) benefit from the institutional interest.

#### 4. Who is covered by this Code

All EURADOS Members, employees, and volunteers should be aware of and abide by the Col Code.

This code is of particular importance to EURADOS Members with fiduciary responsibility or those who are involved in making judgements or decisions. These include Council Members, Working Group (WG) Chairs, Task Group (TG) Chairs, members of the Organisation Groups for Intercomparisons, as well as employees. It also applies to Members of TGs when they are in charge of making decisions based on their own judgement, as for instance when contributing to development of recommendations. Finally, the code applies to external experts when they serve EURADOS.

Persons with fiduciary responsibility, those with positions of responsibility, and those in charge of decisions or coordination of decisions, must sign a Disclosure of Interest.

Managing Col is a shared responsibility between EURADOS and its Members. EURADOS is responsible for facilitating compliance with the Col policy by Members. All Members are responsible for complying with this code and for taking steps to mitigate any Col.

#### 5. Procedure to handle conflicts of interests

EURADOS strives to avoid Col to ensure that it preserves the highest standards of integrity and ethical principles. When it is impossible to avoid a Col, the Col will be disclosed and managed through three steps:

- Disclosure of the outside interest, which is in conflict with the interest of EURADOS.
- Evaluation of the level of seriousness of risk of the Col.
- Setting of actions to avoid or mitigate the Col.

##### *a. Disclosure of Interest (DoI)*

Disclosure statements are essential for maintaining transparency and avoiding conflicts. All EURADOS Members with fiduciary responsibilities (see point 4) or Members or others who assume roles covered by this Col code, should sign and date an initial DoI form (Annex II). All such individuals should review and update their form whenever interests have changed or new interests arise, and every three years at minimum. The DoI form should be completed whether or not external interests are identified.

Candidates for elected positions (Council Members and WG Chairs) should submit the Dol form when presenting their candidacy. The Council reviews the Dol form of potential candidates for election. The Dol of Council Members shall be stored in the EURADOS sharepoint and is made available, together with the evaluation, to anyone within the Association, or with a reasonable interest outside the organisation, who requests to see it.

The EURADOS Office will assist Members in determining if they need to update their Dol when confronted with a potential conflict.

The Dol forms will be kept on file at EURADOS Office for a period of three years, or one year after the conclusion of the relevant activity or decision-making process, whichever is longer, unless otherwise determined by the Executive Board. The register of interests shall be used to record any relevant outside interests of EURADOS Members and the steps taken, if any, to manage these. The register is also available for all Members who requests to see it.

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***The 'impartial observer test'***

EURADOS Members may hold interests for which they cannot see potential conflict. However, caution is always advisable because others may see things differently. It is important to exercise judgement and to declare such interests where there is otherwise a risk of imputation of improper conduct.

**This thought experiment may be a useful way to identify Col.** The test is as follows:

1. You are a Member of EURADOS.
2. You have some personal interests.
3. Would an impartial observer think that you are likely to, or may be likely to, be improperly affected by these personal interests?

If you answer yes to the final question, then it is likely that you have a Col.

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***b. Evaluation of the level of seriousness of risk of the Col***

The level of seriousness of risk will be assessed, depending of the situations, by the chair of the meeting or of the task (herein referred to as Policy leads), with reference to the text in this section. In case of doubt, the chair will consult with the EURADOS Council.

The severity of the Col depends on:

- the likelihood that decisions made under the relevant circumstances would be unduly influenced by a secondary interest;
- the seriousness of the harm or wrong that could result from such influence.

In assessing the likelihood of undue influence, it is reasonable to examine the secondary interest: for instance, the value of the secondary interest (e.g., the size of the financial gain); the duration and depth of a relationship (e.g. a multiyear consulting agreement; a long-term funding of a university vs. a one-time grant; serving on a company's scientific advisory board, vs. accepting a fee for speaking about a company-sponsored research project); the latitude the individual enjoys in making important decision in the secondary interest.

In assessing the seriousness of possible harm from a Col it is reasonable to weight the primary interest: for instance, the primary interest goal; the scope of the consequences (e.g. dealing with patients has a larger potential for harm); the extent of accountability.

### *c. Setting of actions to avoid or mitigate the conflict*

If it is concluded that a declared interest is potentially significant, one of the following options, or a combination of these, may be considered to determine under what conditions, if any, the EURADOS Member may participate in the activity or meeting:

- Participate in any relevant discussion or refrain from participating in any relevant discussion;
- Be present (in the room) during the time of any relevant discussion or remove themselves (from the room) during the time of any relevant discussion;
- Vote on any relevant matter or abstain from voting on such a matter.

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### *The "balancing test"*

A Col assessment essentially involves carrying out a "balancing test". In deciding on the actions, the contribution, tasks and function of the expert as well as the availability of alternative experts with the required expertise must be considered and weighted by:

- the nature, type and magnitude of the expert's interest and therefore the degree to which the interest may be reasonably expected to influence the expert's judgment against
  - the adequacy of measures/options available to protect the independence and integrity of the decision-making process.
- 

## **6. Periodic review**

This EURADOS Col code will be regularly reviewed and updated to ensure that it remains relevant to EURADOS.

## 7. Promotion of a culture of disclosure

EURADOS is engaged in promoting a culture of disclosure by:

- informing new Members about this code on Col;
- providing opportunities for Members to get additional information on the Col policy when there is a demand from them;
- clearly stating within this policy the expectation that all Members who bear responsibility for any EURADOS matters must record any Col in a register of interests;
- providing easy access to the register of interests to any reasonable request;
- making Col a regular agenda item in any Council or other meetings and noting that a conflict may not be apparent until after a debate or decision on a new topic is proposed.

## 8. Sources

EU. The European Code of Conduct for Research Integrity.

[https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020-ethics\\_code-of-conduct\\_en.pdf](https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020-ethics_code-of-conduct_en.pdf)

AAPM. Code of ethics for the American Association of Physicists in Medicine (Revised): Report of Task Group 109. Med. Phys. 46 (4), April 2019.

NIH. Managing the Conflict of interest.

<https://ethics.od.nih.gov/topics/conflicts.htm#:~:text=Managing%20real%20and%20apparent%20conflicts,t hen%20other%20options%20are%20available>

OECD. Managing Conflict of Interest in the Public Sector A TOOLKIT.

[https://read.oecd-ilibrary.org/governance/managing-conflict-of-interest-in-the-public-sector\\_9789264018242-en#page1](https://read.oecd-ilibrary.org/governance/managing-conflict-of-interest-in-the-public-sector_9789264018242-en#page1)

Australian Government. Managing conflicts of interest guide for not-for-profit commissions.

<https://www.acnc.gov.au/tools/guides/managing-conflicts-interest-guide>

National Health Service (NHS) in England. Managing Conflicts of Interest in the NHS.

<https://www.england.nhs.uk/wp-content/uploads/2017/02/guidance-managing-conflicts-of-interest-nhs.pdf>

WHO Declaration of interest.

<https://www.who.int/about/ethics/declarations-of-interest#:~:text=Generally%20speaking%2C%20a%20conflict%20of,interest%20goes%20beyond%20financial%20interest>

## **Annex I: Examples of procedures to handle Col in EURADOS**

### **A) MANAGEMENT OF Col IN THE COUNCIL OR EXECUTIVE BOARD**

It is important that the interests of those who are involved in the Council are well known. EURADOS ensures that Council Members operate in a manner consistent with the following principles:

- The EURADOS Chair should consider any known interests of Members in advance, and begin each meeting by asking for disclosure of relevant interests in the agenda's topics
- Members should take personal responsibility for declaring relevant interests at the beginning of each meeting and as they arise
- Any new interests identified should be added to the EURADOS register
- The vice chair (or other non-conflicted Member) should chair all or part of the meeting if the chair has an interest that may prejudice their judgement
- If a Member has an interest, then the chair will evaluate the level of risk and will consider the following approaches and ensure that the reason for the chosen action is documented in minutes or records:
  - Requiring the Member not to attend the meeting
  - Ensuring that the Member does not receive materials relating to the nature of their interest
  - Requiring the Member not to attend all or part of the discussion and decision on the related matter
  - Noting the nature and extent of the interest, but judging it appropriate to allow the Member to remain and participate
  - Removing the Member from the group or process altogether

Similar rules should be applied to any Task Group which is in charge of making judgements or taking decisions. In case of doubt, the Policy lead (e.g. the chair of the Task Group) consults with the EURADOS Council.

### **B) SPONSORED RESEARCH**

Partnerships between EURADOS and external bodies on research are important for driving innovation and sharing best practice. However, there is potential for Col to occur, particularly when research funding by external bodies does or could lead to a real or perceived commercial advantage.

Principles and rules:

- Funding sources for research purposes must be mentioned and made transparent.
- There must be a written protocol and written contract between EURADOS, the Institutes at which the study will take place and the sponsoring organisation, which specifies the nature of the services to be provided and the payment for those services.
- The study must not constitute an inducement to prescribe, supply, administer, recommend, buy or sell any medicine, medical device, equipment or service.
- An independent review of decisions and results should be foreseen by external advisors. In presence of independent reviews there is generally less potential for harm and less cause for concern.

### **C) SPONSORED EVENTS**

Sponsorship of EURADOS events by external parties is valued. However, there is potential for Col between the organiser and the sponsor, particularly regarding the ability to market commercial products or services.

Principles and rules:

- Sponsorship of events by appropriate external bodies should only be approved if a reasonable person would conclude that the event will result in clear benefit for the organisation and EURADOS.
- No information should be supplied to the sponsor from which they could gain a commercial advantage, and information which is not in the public domain should not be supplied.
- When the sponsored event is organised within a EURADOS event, for instance a conference or the Annual Meeting, sponsors or their representatives may attend or take part in it at the organisation's discretion, but they should not have a dominant influence on the content or the purpose of the EURADOS event.
- The involvement of a sponsor in an event should always be clearly identified in the interest of transparency.
- Organisations should make it clear that sponsorship does not equate to endorsement of a company or its products and this should be made visibly clear on any promotional or other materials relating to the event.

## Annex II: Disclosure of Interest

### Personal data

First name \_\_\_\_\_

Last name \_\_\_\_\_

Affiliation \_\_\_\_\_

1. Are you employed, or have you been employed in the last two years, in a concerned<sup>§</sup> commercial entity?  
Yes  No

If Yes:

Commercial entity <sup>1</sup>	Role <sup>2</sup>	From/to <sup>3</sup>	Area of activity <sup>4</sup>

- Please indicate name, location and nature of the commercial entity.
- Please indicate your position in the commercial entity (Governance, SEO, employee, advisory, ...)
- Please specify the relevant period of time each activity took place in (month/year).
- Please indicate the subject matter of the activity such as types of substances, products, guidance documents, processes or policies

2. Are you a current Member, or have you been a Member in the last two years, of an occasional consultancy/business advice to a concerned<sup>§</sup> commercial entity? Yes  No

If Yes:

Commercial entity <sup>1</sup>	Role <sup>2</sup>	From/to <sup>3</sup>	Area of activity <sup>4</sup>

- Please indicate name, location and nature of the commercial entity.
- Please describe your consultancy role
- Please specify the relevant period of time each activity took place in (month/year).
- Please indicate the subject matter of the activity such as types of substances, products, guidance documents, processes or policies

3. Do you have any intellectual property right (IPR) (including patents, trademarks, know-how and/or copyrights) related to a product owned by you or of which you are directly a beneficiary? Yes  No

If Yes:

Name of the product <sup>1</sup>	Type of IPR <sup>2</sup>	Area of activity/subject of matter <sup>3</sup>

- Please indicate the name of the product
- Please describe the type of IPR (including patents, trademarks, know-how and/or copyrights)
- Please indicate the subject matter of the activity such as types of substances, products, guidance documents, processes or policies

<sup>§</sup> By "concerned" we mean "concerned with radiation protection, radiation production and dosimetry".

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4. Do you currently receive or have received in the last two years a support to your own research activities from a concerned<sup>5</sup> commercial entity? Yes  No

If Yes:

Commercial entity <sup>1</sup>	Role <sup>2</sup>	From/to <sup>3</sup>	Area of activity <sup>4</sup>

1. Please indicate name, location and nature of the commercial entity.
2. Please describe your role in the research activity (PI, collaborator, ...)
3. Please specify the relevant period of time each activity took place in (month/year).
4. Please indicate the subject matter of the activity such as types of substances, products, guidance documents, processes or policies

5. Are you receiving or have received in the last two years a support to any of your own activities from a funding received by the organisation/institution to which you belong from a concerned<sup>5</sup> commercial entity?

Yes  No

If Yes:

Commercial entity <sup>1</sup>	From/to <sup>2</sup>	Area of activity <sup>3</sup>

1. Please indicate name, location and nature of the commercial entity.
2. Please specify the relevant period of time each activity took place in (month/year).
3. Please indicate the subject matter of the concerned commercial activity such as types of substances, products, guidance documents, processes or policies

6. Are you currently receiving or have received in the last two years a support to your own activities from a concerned<sup>5</sup> commercial or service activity carried out by the institution you belong to? Yes  No

If Yes:

Commercial/service activity <sup>1</sup>	From/to <sup>2</sup>

1. Please describe the commercial or service activity which is carried out by the institution you belong to.
2. Please specify the relevant period of time each activity took place in (month/year).

7. Any other fact of relevance or additional comments.

\_\_\_\_\_

I agree that the information provided by me can be used by EURADOS for three years in order to allow EURADOS to be compliant with its *Code for the management of the conflict of interest*.

All data will be removed as soon as I will no longer be in the position for which I need to disclosure my interest. For any further issues regarding your personal data, see the [Data Privacy Statement](#).

With my signature, I agree to the above statement and to the [Data Privacy Statement](#), which I have read.

\_\_\_\_\_

**Place and Date**

\_\_\_\_\_

**Signature**