

Table of Contents

Background.....	1	
Conflicts of Interest.....	1	
Background.....	1	
Definitions.....	2	Eliminate
Discussion	2	
How to Avoid a Conflict of Interest.....	2	
ISO	4	
IDF	4	
Membership Data	4	
Why do we need member data?	4	
What data do we need?.....	5	Eliminate

Discussion Paper

Background

I have prepared this paper for consideration at our next meeting – Wednesday 22nd July.
It addresses two topics: conflict of interest, and membership data.

Conflicts of Interest

Background

The main reasons that ICAR’s membership structure makes a distinction between voting (full) and non-voting (associate) members are:

- To ensure that the interests of the organisations actively involved in animal recording operations predominate.
- To ensure decisions on recording guidelines are not biased by commercial interests and particularly those of the suppliers of devices used to facilitate animal recording.
- To ensure Service-ICAR decisions relating to technical and commercial aspects of its services are free from self-interest of service providers, and service users.

The downsides of the current approach includes:

- The manufacturers of recording devices have considerable knowledge and expertise that can be very useful in designing guidelines. ICAR’s Groups obtain access to this knowledge by including “manufacturer” participation on a non-membership basis.

- b) The non-voting members are excluded from participating in general assembly decisions in which they have a genuine and legitimate interest. For example, governance and finances.

The purpose of this discussion is to explore other options for dealing with conflicts of interest and opening the way for ICAR to provide better value for all members.

Definitions

The four top ranking definitions from a Google™ search are:

- a) A conflict of interest (COI) is a situation in which a person or organization is involved in multiple interests (financial, emotional, or otherwise), one of which **could possibly corrupt the motivation of the individual or organization**¹.
- b) A situation that **has the potential to undermine the impartiality of a person** because of the possibility of a clash between the person's self-interest and professional interest or public interest².
- c) A situation in which a party's responsibility to a second-party **limits its ability to discharge its responsibility** to a third-party³.
- d) A term used to describe the situation in which a public official or fiduciary who, contrary to the obligation and absolute duty to act for the benefit of the public or a designated **individual, exploits the relationship for personal benefit**, typically pecuniary⁴.

I have highlighted in **yellow** the parts of these definitions which represent the greatest potential threat to ICAR.

Discussion

I located the following on the web:

How to Avoid a Conflict of Interest

Businesses need to establish a policy by which conflicts of interest between a business and its board, employees and contractors are avoided. In this policy, identify/list what situations constitute unethical conflicts and charge a committee with the responsibility of implementing the policy by screening for the conflicts listed. Such a policy should also clearly state all the potential resulting actions the organization may take in response to any conflict of interest found in regard to any individual already associated with the organization and any candidates for hire.

Step 1

¹ https://en.wikipedia.org/wiki/Conflict_of_interest, accessed 17th July 2015.

² <http://www.businessdictionary.com/definition/conflict-of-interest.html#ixzz3g95sAFLz>, accessed 17th July 2015.

³ <http://www.businessdictionary.com/definition/conflict-of-interest.html#ixzz3g96OwoDA>, accessed 17th July 2015.

⁴ <http://legal-dictionary.thefreedictionary.com/conflict+of+interest>, accessed 17th July 2015.

Decide who in the organization to charge with the task of drafting the formal conflict policy. Ideally, the entity in charge of formulating this policy and overseeing its application and continued maintenance should be the human resources committee of the board of directors, which usually includes one or two members of the board, the human resources director and the organization's CEO or the duly designated representative thereof.

Step 2

List everyone in the organization to whom the policy applies. A simple blanket statement that the policy applies to "everyone in the organization" is inherently vague and leads to questions. Be specific from the start by listing each category of person the policy applies to, including board members, officers, management, employees, contractors and share holders if relevant. Include also other organizations that function as a single entity in its relationship to the organization in question, such as corporations as shareholders.

Step 3

Consider what constitutes a conflict of interest and make a list of these situations, with definitions when relevant. Include preventing or eliminating situations, such as the following: any applicable member of the organization who owns or has a financial interest in a competing company where that individual might be influenced to make a business decision not in the best interest of the organization if he gains financially by favoring the competing interest; any applicable member of the organization using her position to influence a hiring or promotion decision in favor of a personal and/or family relationship, including nepotism; any organization member running for public office where the public position may be used to further the organization's political, financial and/or public relations interests; and close relationships between individuals of varying levels of authority within the organization where such relationship may be perceived as favoritism, thus leading to allegations of alienation. Always include a statement that the organization intends to follow the spirit of the policy as well as its letter to prevent any attempt exempt a conflict by strict construction of policy language.

Step 4

Include at least two separate chains of reporting to ensure anonymity and freedom from repercussion to encourage employees to come forward with information concerning conflicts.

Step 5

Set out a step-by-step procedure by which alleged conflicts are examined and designate who conducts this investigation.

Step 6

Consider and then clearly state all potential resulting actions the organization may take in response to a disclosed conflict, or a situation found to constitute a conflict after formal investigation.

Step 7

Maintain the policy actively by continuing to add to or alter it in response to the organization's needs. In this way the policy becomes a "living document" that grows and changes with every new situation encountered by the organization.

Step 8

Apply the policy consistently, and charge the policy committee with continued oversight of the application process so employees, applicants and the public understand that the organization is vigilant in its efforts to identify conflicts of interest, and committed to preventing them in the first place.

About the Author⁵ - An attorney for more than 18 years, Jennifer Williams has served the Florida Judiciary as supervising attorney for research and drafting, and as appointed special master. Williams has a Bachelor of Arts in communications from Jacksonville University, law degree from NSU's Shepard-Broad Law Center and certificates in environmental law and Native American rights from Tulsa University Law.

ISO

ISO seems to deal with the issue of conflicts of interest in the following ways:

- a) Its members are national standards organisations
- b) It has a code of ethics (copy attached)

IDF

IDF seems to deal with conflicts of interest in the following ways:

- a) Its members are on a national basis and there is an option for “partners” – not clear to me what they are – there are only two Tetrapak and one other.
- b) A search for “conflict of interest” on their website comes up blank.

Membership Data

Why do we need member data?

- a) Decide type of membership and potentials for conflict of interest
- b) Determine membership fees
- c) Communicate – official business, newsletters, fees, ...
- d) Provide services – Service-ICAR (CoQ, ID testing, Device Testing, Interbeef, ...), Interbull (Dairy, Genoex PSE, ...)
- e) Participation in Groups – nominate members, identify members
- f) Participation in conferences –
- g) Prepare international statistics
- h) Audits and transparency
- i) ...

⁵ <http://smallbusiness.chron.com/avoid-conflict-interest-817.html>, accessed 17th July 2015.

What data do we need?

- a) Organisation details (Name, Legal status, Contacts for range of purposes, Address)
- b) Recording Operations (Species, Registration, Breeds, Traits, Processes, Volumes, Performance, Territory)
 - a. Species – cattle, sheep, goats, alpaca, ..
 - b. Registration – parturitions, births, parentage, movements, deaths, imports, exports
 - c. Breeds – species:breeds
 - d. Trait sets (by species) – mating, calving, birth, growth, milk production, conformation, functional, fibre, health/disease, carcass, ...
 - e. Operating Processes (by species for registration, and trait sets – links directly with relevant ICAR guidelines) – data collection on-farm by farmer, technician data collection on-farm, milk sample collection, milk testing on-farm, milk testing central lab, sample testing, slaughter data, central database, genetic evaluation, Interbull service participation, Interbeef service participation
 - f. Number of animals for each species:breed:trait (within set) combination in each calendar year
 - g. Average performance level for each species:breed:trait (within set) combination in each calendar year
 - h. Territory – countries in which operations take place
- c) Related Organisations in Recording Processes (suppliers of data, users of information, equipment suppliers)
 - a. Data/Sample suppliers – for genetic evaluation units, for database operators, for milk testing labs, for registrations
 - b. User of information –
 - i. **numbers herds (customers) of each species** for each type (genetic evaluation, farm management, quality assurance, health/welfare)
 - ii. for genetic evaluations ()
 - iii. ...
 - c. Equipment suppliers – type of equipment, supplier for each combination ...
- d) ICAR service participation (service, volumes, fees, contacts, ...)
 - a. Interbull
 - b. Interbeef
 - c. CoQ – links to operations of organisation
 - d. ID device testing
 - e. Recording device testing
 - f. Genetic analysis certification

- g. Annual conference participation
- h. Surveys
- i. ...

Brian Wickham
Draft 17th July 2015