



INTERNAL STEERING DOCUMENT

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Dealing with disqualification and conflicts of interest, etc. in connection with engaging external support

Introduction

It is extremely important for the general public and other parties to have full confidence in Swedish authorities always taking action that is objective and follows the rule of law in all situations. The 'objectivity principle' expressed in Chapter 1, Section 9 of the Instrument of Government states that the actions of authorities are to be founded on objectivity and impartiality. This principle implies authorities being obliged to treat similar cases in a similar manner and that those involved in administering a matter do not allow themselves to be influenced by irrelevant considerations.

The objectivity principle is, for example, guaranteed through the disqualification regulations contained in the Administrative Procedure Act (1986:223).

The disqualification regulations of the Administrative Procedure Act

The disqualification regulations of the Administrative Procedure Act apply to officials at authorities who deal with administrative, decision-making or drafting/preparatory work in a way that might influence the outcome of an item of business. External experts and specialists engaged as consultants by the Swedish Radiation Safety Authority usually only have an advisory function and do not participate otherwise in the administration of an item of business. Consequently, they are not formally subject to the disqualification provisions of the Administrative Procedure Act. On the other hand, this does not preclude the issue of impartiality from arising for this group of people, nor preclude an authority, when engaging consultants, from being obliged to



take into account the constitutional requirement of objectivity and impartiality.

SSM's form for declaration of disqualification

It is of crucial importance that the experts and specialists who receive consulting assignments from an authority do not have the kind of background or interests that might influence the capability of an authority to deal with items of business objectively and impartially, or which might be assumed to undermine such authority's credibility. For this reason, it is imperative to be able to demand of all consultants engaged by the Swedish Radiation Safety Authority that their impartiality cannot be put in question.

Thus, in order to be engaged as consultants by the Swedish Radiation Safety Authority, it is essential for such consultants to disclose in advance any circumstances that might be assumed as having an impact on their objectivity and impartiality in their assignments from the Authority. Once they have commenced their assignments, consultants are also obliged to regularly notify the Authority about any such circumstances arising. Such disclosure and obligatory notification shall also apply to corresponding circumstances at the firm where the respective consultant is employed and on the part of family members of such consultant.

The attached disqualification declaration must be used to account for possible cases of disqualification, conflicts of interest and other ties in the past four years. However, it is the past two years that are attributed the most importance in the assessment of the Authority.

The Swedish Radiation Safety Authority will then assess whether the circumstances described might in some way have a negative impact on the Authority's capacity to act objectively and impartially, or might have serious consequences in terms of how other parties view the actions of the Authority in a certain respect. Such assessment relates to individual cases and, for example, is partly due to the scope of the relevant assignment, the kind of service and the specific field.

Once the Swedish Radiation Safety Authority has assessed that an assignment to a certain consultant fulfils the requirements imposed on objectivity and impartiality, and the consultant, or the Authority's decision, is subsequently criticised or put in question in terms of something stated in a disqualification declaration, it is the responsibility of the Authority to defend its own decision.



Typical situations when assessing cases of possible disqualification and conflicts of interest

Several typical situations when assessing cases of possible disqualification and conflicts of interest are grouped below in order to facilitate consultants' self-evaluation of their risk of conflicts of interest. The Swedish Radiation Safety Authority always makes its own assessment in individual cases, however. The typical situations described only serve as examples to help make this kind of assessment. The risk of something being deemed unacceptable is generally greatest in the top-ranked situations of the respective group.

Disqualification, conflicts of interest and ties applying over the past four years must be described using the Authority's standard form. In most cases, the past two years are considered in the assessment. However, it is important for the Swedish Radiation Safety Authority to be aware of any positions held, assignments or other circumstances over the past four years which, directly or indirectly, might be deemed to have a bearing on one's assignment from the Authority, as these may have an impact on the assessment in an individual case. The circumstances of an individual case are always of key significance for an assessment.

1. Relatively strong ties to undertakings/interested parties with activities within the area

- a. Board assignments in an undertaking that has, or had, assignments from another undertaking or interested party with this kind of activity.
- b. Employment with an undertaking with operations within the area, or with an undertaking that has, or had, assignments from this kind of undertaking.
- c. Own business with operations related to the assignment.
- d. Consultant for the kind of undertaking referred to in items a–c.
- e. Participation in a form of innovative undertaking with operations within the area, but which does not yet supply developed products.
- f. Holding a patent relating to the assignment.

2. Relatively loose ties to undertakings/interested parties with activities within the area

- a. Participation in marketing or product development; "lending one's name".
- b. Specialist/expert/member of scientific council for undertakings or interested parties.
- c. Member of an advisory board/reference group or the like.
- d. Lecture paid for by an undertaking relating to the expert's research and knowledge.



- e. Participation in an undertaking's board of research for the assessment of research applications together with other experts.
- f. Advisory expert to undertakings regarding grants for researchers/research.
- g. Participation in an editorial board with the aim of examining the scientific nature of contributions to corporate publications or the like.

3. Services/positions held/research grants/contributions in which undertakings with activities within the area are involved

- a. Personal professors or the like paid for by an undertaking.
- b. Research grants to a certain researcher of a relatively significant nature and connected to research with a special focus.
- c. Research grant(s) or contribution(s) to a certain researcher of a limited nature and connected to basic research.
- d. Corporate financing of conference travel and the like.
- e. Professorship or the like appointed independently by a university or other institution of higher education following funding by an undertaking to faculty or the like.
- f. Research grant(s) or contribution(s) from an undertaking to faculty or the like.
- g. Own publications.



Declaration of disqualification, conflicts of interest and other ties for consultants engaged by the Swedish Radiation Safety Authority

Personal data

First name:

Last name:

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Title:

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I have read the Authority's information concerning disqualification, conflicts of interest and other ties in connection with my assignment as a consultant. In connection herewith, I have provided a description below of positions held by me, assignments or other circumstances which, directly or indirectly, might be deemed to have a bearing on my assignment from the Swedish Radiation Safety Authority.

1. Employment background

This refers to positions held in the immediately preceding past four years that might be viewed as related to the assignment from the Swedish Radiation Safety Authority. Please note that the past two years are attributed the greatest importance.

Name of employer	Position/function and relevant dates

Initials:.....



2. Boards, councils and trade organisations

This refers to board and ‘advisory board’ assignments, assignments in councils and committees, etc. of trade organisations, in scientific contexts or similar assignments.

Source of assignment (name)	Principal nature of the assignment and relevant dates

Additional details

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3. Consulting assignments

This refers to consulting assignments over the immediately preceding past four years as an employee or business owner that may be viewed as related to the assignment from the Swedish Radiation Safety Authority. Please note that the past two years are attributed the greatest importance.

Source of consulting assignments	Principal nature of the assignment and relevant dates

Initials:.....



Additional details

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4. Consulting assignments from employers

Other assignments and commitments from your present or previous employer(s) over the immediately preceding past four years with a link to the assignment from the Swedish Radiation Safety Authority. Please note that the past two years are attributed the greatest importance.

Source of assignment	Principal nature of the assignment and relevant dates

Additional details

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Initials:.....



5. Other ties

This refers to:

- relatives or other personal relationship to someone conducting an activity encompassed by items 1–4 above,
- shares/options or a similar holding in an undertaking,
- other kind of tie to undertakings or associations,
- ties to undertakings or associations whose work is closely related to one's own field of expertise and which might be deemed as related to the assignment from the Swedish Radiation Safety Authority,
- holding a patent or other asset of intellectual property, commissioned professional assignments for another party or in one's own business/own activity or comparable form of or ownership of rights which might be assumed to have or be attributed a commercial value, and
- other short-term or long-term commissioned assignments of a more or less temporary nature that might be deemed as related to the assignment from the Swedish Radiation Safety Authority.

This disclosure refers to ties over the immediately preceding past four years related to the assignment from the Swedish Radiation Safety Authority.

Please note that the past two years are attributed the greatest importance.

Activity	Name/context and relevant dates

Additional details

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Initials:.....



6. Other circumstances

This refers to circumstances which, to an outside party, might appear to serve as a factor that could influence you in your assignment from the Swedish Radiation Safety Authority.

I have no ties or other circumstances to disclose of the kinds referred to in items 1–6 above.

I undertake to immediately notify the Swedish Radiation Safety Authority in the event I should, within the duration of my ongoing assignment for the Authority, accept an assignment or receive a contribution/sponsoring by an undertaking, a trade organisation or other party whose interests are related to my assignment or which otherwise might be assumed to directly or indirectly have an influence on my assignment. I am aware that this disqualification declaration constitutes an official document which is usually made public.

Signature:

Date:

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Name (please print):

City:

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