

# Guidance: Conflicts of interest and how to manage them

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## What are conflicts of interest when providing hearing services?

Conflicts of interest are anything that could reasonably be expected to impair the independence or objectivity of your clinical judgement and your provision of hearing services to a client. Conflicts of interest may relate to personal, corporate and/or financial interests and do not need to be directly related to you. For example, conflicts of interest may arise through friendships, family connections, business relationships and future career opportunities.

The Code of Conduct for audiologists and audiometrists includes this requirement:

*“4.3 Members must disclose any matters that they are aware of that could reasonably be expected to impair the independence or objectivity of their clinical judgement and their provision of hearing services to the client (i.e. represent a Conflict of Interest).”*

## How do I decide what to declare to my clients?

You should declare everything to your clients that could be perceived as affecting the independence or objectivity of your clinical judgement. There doesn't need to be an actual conflict of interest in order for you to declare, it is all about what people may perceive as a conflict.

Identifying and managing conflicts of interest are a part of any person's professional life and are not something to be ashamed of.

It can be difficult to see a situation from another person's point of view and identify all potential perceived conflicts of interest. It is therefore a good idea to explore potential and actual conflicts of interests and how they may be perceived by others regularly with your employer or a colleague.

## The ERC is here to provide support

The Ethics Officer can provide a sounding board and, if you want it, seek support and further information from the Ethics Review Committees (ERCs) on identifying and managing conflicts of interest.

The Ethics Officer and ERCs recognise that managing conflicts of interests in some situations can be very complex and a recurring issue, for example when working in a small community. The Ethics Officer and ERCs therefore explore each scenario with you on a case by case basis rather than providing generic information.

If you would like to talk through a conflict of interest, you can contact the Ethics Officer at [ethics@auderc.org.au](mailto:ethics@auderc.org.au) or (03) 9940 3911.

## Do I need to disclose conflicts of interest in writing?

Under the Code of Conduct for audiologists and audiometrists, disclosures of conflicts of interest can be made verbally or in writing, as long as they are clearly communicated to the client in a way that they can understand. It is also important to not rush the client in making decisions so that they have time to digest the information you have provided. This is in line with the Code of Conduct for audiologists and audiometrists *Standard 4 - Members must promote the client's right to participate in decisions that affect their hearing health.*

## Conflicts of interest, financial incentives and hearing aids

The Australian Competition and Consumer Commission (ACCC) explored financial incentives (in particular, incentive-based sales and commissions) that are used to motivate hearing practitioners (audiologists and audiometrists) to sell hearing aids. This led to the publication of the 2017 ACCC report [Issues around the sale of hearing aids](#) which concluded that “We [the ACCC] are particularly concerned about sales-based remuneration arrangements for clinicians that create incentives for clinicians to supply hearing devices that are unnecessary, or more expensive than a consumer needs.”

Declaring financial incentives, including preferred-supplier arrangements and bulk-purchase discounts, is a way to support your client in making an informed decision about which hearing aid they want to purchase.

The Code of Conduct for audiologists and audiometrists includes this requirement:

*“6.3e Members must disclose any potential financial incentives related to providing a particular service that they are aware of, as these may represent a conflict of interest. This includes disclosure of any direct or indirect financial incentives associated with the purchase and sale of devices or supplies including, without limitation, when devices and supplies are manufactured by a related party (including the member’s employer), exclusive supply arrangements, price discounts (including volume discounts), commissions, gifts or rewards.”*

This requirement is in line with the [Australian Government Hearing Services Program Service Provide Contract](#) Terms and Conditions (the HSP Contract), requirement 9.5.

I don’t know about my employer’s financial arrangements with suppliers: Do I need to find out about them so I can declare to clients?

You do not need to declare anything that you do not know about, as something you do not know about cannot affect your clinical judgement, impartiality and/or ability to provide evidence-based client centred care.

However, without knowing the details of your employer’s supplier arrangements, you might notice that you only offer certain brands of hearing aids. If you think other brands may meet your client’s needs, you should let your client know. However, this does not mean that you are unable to explain why you think the brand you stock will meet their needs (if indeed it does). A simple verbal declaration in this situation could be:

*“We supply the [XX] brand hearing aids at our clinics, but there are other brands that may also meet your needs. I think the [XX] brand [XX model] hearing aid would work for you as [describe why you feel the aid will meet their needs].”*

## Conflicts of interest are about more than just financial incentives

The ACCC and media focus on financial incentives and hearing aid sales means that many hearing practitioners now equate conflicts of interest with financial incentives. However, conflicts of interests are much broader.

Throughout your interactions with clients, you should be self-reflecting and aware of any potential conflicts of interest that may affect the independence or objectivity of your clinical judgement.

In some cases, the conflict of interest may mean that it is not suitable for you to provide services to that client. For example, a client comes to you who turns out to be your close friend’s parent. Your friend has told you a lot of personal details about the client, including how your friend thinks that the client is faking their hearing loss. Your friend is then told by their parent that they have seen you for an appointment and your friend tries to get you to share details of the client’s appointment, which you refuse to do and this frustrates your friend. Despite trying to remain impartial, you feel like your friend’s comments about their parent is affecting your objectivity and you are also in a difficult position as this friendship is important to you. You decide that it is best to manage this conflict of interest by referring the client to another practitioner in your clinic.

## Contact

If you have any questions regarding the regulation of audiologists and audiometrists in Australia or the work of the Ethics Review Committees, please contact the Ethics Officer at:

E: [ethics@auderc.org.au](mailto:ethics@auderc.org.au)

P: (03) 9940 3911

Website: [auderc.org.au](http://auderc.org.au)