



**CONFLICT OF INTEREST, CONFIDENTIALITY,
INTELLECTUAL PROPERTY, AND DUTY OF
LOYALTY POLICIES**

G-05/02
Issue Date: 06/10/05
Rev No: 00

I. PURPOSE

This document outlines policy on conflict of interest, confidentiality, intellectual property and duty of loyalty for employees, assessors and committee members of PNAC, who are involved in the process of accreditation.

II. CONTENT

1. Conflict of interest
2. Protection of PNAC's intellectual property
3. Duty of loyalty
4. Hold harmless

III ASSOCIATED DOCUMENT



**CONFLICT OF INTEREST, CONFIDENTIALITY,
INTELLECTUAL PROPERTY, AND DUTY OF
LOYALTY POLICIES**

G-05/02
Issue Date: 06/10/05
Rev No: 00

1. Conflict Of Interest


Since its inception, PNAC has had a policy that actual or apparent conflicts of interest must be avoided as mandated by normal business ethics. "Conflict of interest" means that condition or circumstance wherein a person is unable or is potentially unable to render impartial services, assistance, advice, assessment, evaluation or decision for PNAC because of other activities or relationships with other persons, or wherein a person has or may be able to obtain an unfair competitive advantage.

Consistent with the principles set forth in national and international standards, PNAC believes that it is vital that its accreditation services be impartial and objective, uninfluenced by the private interests of individuals acting for or on behalf of PNAC. Accordingly, any person directly involved in actions relating to the PNAC processes of accreditation shall not have direct participation in PNAC actions that may involve an actual or apparent conflict of interest. The President and/or the Chairman of PNAC shall, as promptly as possible, employ all possible means to prevent or overcome any such actions that may conceivably be in violation of this policy. Some examples of improper actions or conflicts of interest under this policy are:

- Showing favoritism or partiality towards any applicant;
- Concealing previous employment with an applicant;
- Taking money or other gifts from any person to influence the outcome of an assessment, either positively or negatively;
- Making promises to an applicant that cannot be fulfilled;
- Making compliance findings contingent upon receipt of future consulting work;
- Specifically referring to the names of organizations when discussing other assessment experiences with the organization being assessed;
- Concealing financial interest in an applicant organization; and
- Promoting other ventures of the assessor (eg, training or software) in a manner creating the appearance of a Conflict of Interest.

If any PNAC staff/member, assessor, Council member or Board member is asked to undertake any PNAC activity which is or could be interpreted to create a conflict of interest, the person is obliged by this policy to divulge the potential conflict of interest to appropriate staff, the DG of PNAC. Any PNAC staff/member, assessor, Accreditation Committee member or Board member who undertakes any PNAC activity when an actual or potential conflict of interest exists and which was not declared in advance, is in violation of this policy.

All information provided by applicants in connection with a request for an application package, an application for accreditation, an assessment or proficiency testing is confidential. Such information is examined by a small group of PNAC staff, assessors, and Accreditation Council and external bodies as needed for recognition of the program. These groups must treat this information with utmost confidentiality. Such information shall not be released unless the applicant provides PNAC permission in writing to do so. Documents necessary to convey information about accredited laboratories and their

	<p align="center">CONFLICT OF INTEREST, CONFIDENTIALITY, INTELLECTUAL PROPERTY, AND DUTY OF LOYALTY POLICIES</p>	<p>G-05/02 Issue Date: 06/10/05 Rev No: 00</p>
---	---	--

scopes of accreditation are not confidential. Unauthorized or inappropriate disclosure of confidential information is prohibited.

2. Protection Of PNAC’s Intellectual Property

Violation of copyright law is theft of intellectual material. Unless otherwise specified, any intellectual materials created by PNAC become the property of PNAC. Permission to copy PNAC intellectual property must be received in advance of such activity.

Facilitating any violation of PNAC copyright by, for example, distribution to competitors is strictly prohibited.

3. Duty of Loyalty

All employees, independent contractors and Board members are required to perform all activities, at all times, under common ‘Duty of Loyalty’ expectations. ‘Duty of Loyalty’ is based on, but not limited to, excluding both actions and omissions that may injure or compromise past, current and future status of the organization.

4. Hold Harmless

PNAC shall indemnify and hold harmless its directors, officers, employees, agents and volunteers, members of PNAC committees, assessors, and all other representatives of the PNAC accreditation program, their heirs and legal representatives from any and all claims for loss, liability or damage, including costs, fees and expenses that arise out of or in connection with the acts or omissions of such person committed in the performance of the accreditation program activities provided that such person acted in good faith and in a commercially reasonable manner that was consistent with the best interests of PNAC.

The assessor, an independent contractor, agrees to indemnify, defend and hold harmless PNAC, its officers, agents, and employees from any and all claims and losses accruing or arising from the assessor’s willful negligence or intentionally wrongful acts in connection with the performance of this Contract

Associated Document

Contract between PNAC and Assessor

F-05/02