

Conflict of Interest Guidelines for the Nomination of Thesis Examiners for Graduate Research Degrees¹

The guidelines are designed to ensure the integrity and transparency of the examination process, protect the candidate, the examiners, and the University against potential negative perceptions during and beyond the examination process.

The appointment of suitably qualified, experienced, and independent thesis examiners is a critical element of the examination processes for graduate research degrees at any University. Independence of examiners² is an important quality indicator of an institution's examination process, ensuring that examination is undertaken independently and is free of bias.

A conflict of interest exists where a potential examiner has worked with the candidate on matters directly related to the thesis research. To ensure independence of the examination process, an examiner should not be nominated if there is the potential for actual or perceived conflict of interest with:

- (i) the student,
- (ii) the supervisory team,
- (iii) the University,
- (iv) subject matter, or
- (v) with other members of the Examination panel, including the Convener.

Nomination of Examiners

The nomination of examiners is made by the supervisory team and subsequently formally approved by the head of school or department³. Management of conflicts of interest is primarily the responsibility of the supervisory team, using these guidelines as an initial reference. Any questions or issues related to actual or potential major conflicts should be raised with the relevant Dean or Head of Department in the first instance, and discussed with the Dean of Graduate Research School as necessary.

While there is no presumption that any individual will behave inappropriately, it is not reasonable for potential examiners to make decisions about their suitability to examine (with reference to these or other guidelines). However, it is reasonable to expect examiners to declare conflicts of interest and to note these as appropriate.

No conflict of interest exists in situations where a candidate attends a conference organised by a potential examiner, has informal contact with a potential examiner at conferences or workshops etc, or presents papers in a department at which a potential examiner works, or submits papers to a journal edited by a potential examiner.

There is a range of circumstances which have the potential to introduce bias and compromise the independence of the examination. In dealing with potential conflicts of interest it is important to:

¹ *Acknowledgement: these guidelines are based upon those developed by the Australian Council of Graduate Research.*

² *These guidelines apply primarily for the nomination and appointment of external examiners; however, relevant provisions may also apply to nomination of internal examiners where appropriate.*

³ *Students may indicate the name of any person whom they believe should not be appointed as an examiner, giving reasons. Students may also initiate a discussion with the primary supervisor as to a range of possible examiners. The overall process should not result in the student being given the name of the final recommended examiners.*

- Distinguish between **major conflicts** (as outlined below) which generally preclude appointment of the examiner, and **minor conflicts** (as outlined below) which should be declared and explained, but don't necessarily inhibit the examiner's independence; and,
- Consider **disciplinary and/or cultural factors** which may arise from smaller departments or smaller fields/communities of study that might alleviate perceived conflicts of interest (as outlined below).

In situations where there is a relatively small community of researchers (e.g. Māori or Pacifica, or area of expertise), there is a higher likelihood of a personal or professional relationship such as through network associations, research grants or publication outputs. In some instances, there may be a previous supervisory and/or examination relationship between the examiner and candidate or supervisor. In each case, there may be mitigating circumstances, and it is the supervisor's responsibility to ensure there is full disclosure of the nature of the relationship to the Dean of Graduate Research School to consider exceptional cases for approval. This process is essential to ensure the integrity and transparency of the nomination process.

There may be challenges in balancing the need to find an independent examiner and the need to find an examiner with focal expertise in the field of the thesis. However, it should be noted that specific expertise within the narrow field of the thesis is not the only (nor necessarily the primary) consideration in selecting a potential examiner. An examiner's broad knowledge of the particular field of research, experience as a supervisor and as an examiner of research degree candidates, plus their broad familiarity with the expectations of the research degree (and the thesis) are all equally important considerations in the selection and nomination of examiners.

Major Conflicts of interest

Listed below are examples of different types of major conflicts of interest that may arise between the examiner and various parties including the candidate, the supervisor/advisor, the University, the subject matter itself, and another member of the examination panel (including the Convener).

It should be noted that the followed list is indicative of major conflicts of interest and should not be considered exhaustive.

Conflicts with the Candidate

Working relationships

- Examiner has co-authored a paper with the candidate within the last five years⁴
- Examiner has worked with the candidate on matters regarding the thesis (e.g. as an advisory team)
- Examiner has employed the candidate or been employed by the candidate within the last five years
- Examiner is in negotiation to directly employ or be employed by the candidate
- Examiner has acted as a referee for the candidate for employment
- Examiner has held a grant with the candidate within the last five years⁵

Personal and whānau relationships

- Examiner is or was married to the candidate
- Examiner is a known relative of the candidate (e.g. member of their immediate whānau)
- Examiner is legally family to the candidate (e.g. step-father, sister-in-law)

⁴ Mitigating circumstances may exist, for example where the paper in question has a large author list and where the examiner and candidate have not collaborated directly.

⁵ Mitigating circumstances may exist, for example where the grant in question is held by a large consortium of relatively independent researchers.

- Examiner and the candidate have an existing or a previous emotional relationship, are co-residents, or are members of a common household
- Examiner is a friend, associate, or mentor of the candidate
- Examiner is either a legal guardian or dependent of the candidate or has power of attorney for the candidate
- Examiner is in a social relationship with the candidate, such as co-Trustees of a Will or god-parent

Business and Professional relationships

- Examiner is currently in or has had a business relationship with the candidate in the last five years (e.g., partner in a small business)

Conflicts with the supervisor/advisor

Working relationships

- Examiner was a candidate of the supervisor within the past five years
- Examiner has co-supervised with the supervisor in the past five years
- Examiner holds a patent with the supervisor which is still in force⁶
- Examiner had directly employed or was employed by the supervisor in the past five years
- Examiner is in negotiation to directly employ or be employed by the supervisor
- Examiner has co-authored a publication with the supervisor in the past five years⁷
- Examiner has held a grant with the supervisor within the last five years⁸

Personal and whānau relationships

- Examiner is or was married to the supervisor
- Examiner is a known relative of the supervisor (e.g. member of their immediate whānau)
- Examiner is legally family to the supervisor (e.g., step-father, sister-in-law)
- Examiner and the supervisor have an existing or a previous emotional relationship, are co-residents, or are members of a common household
- Examiner is a friend, associate, or mentor of the supervisor
- Examiner is either a legal guardian or dependent of the supervisor or has power of attorney for the supervisor
- Examiner is in a social relationship with the supervisor, such as co-Trustees of a Will or god-parent

Business, professional and/or social relationships

- Examiner is currently in or has had a business relationship with the candidate in the last five years (e.g., partner in a small business)

Conflict with the University

Working relationships

- Examiner is currently in negotiation with the University for a work contract (other than examining thesis)

⁶ Mitigating circumstances may exist, for example due to the nature and extent of patents, which can range from being very simple and short term, to larger more complicated patent agreements.

⁷ Mitigating circumstances may exist, for example where the paper in question has a large author list and where the examiner and supervisor have not collaborated directly.

⁸ Mitigating circumstances may exist, for example where the grant in question is held by a large consortium of relatively independent researchers.

- Examiner has/had a formal grievance with the University

Conflict with subject matter

- Examiner has a direct commercial interest in the outcomes of the research

Conflict with other examiners

Working relationships

- Examiner works in the same department/school as another examiner

Personal relationships

- Examiner is married to, closely related to or has a close personal relationship with another examiner

Minor Conflicts of Interest

- Examiner has had personal contact with the candidate that may give rise to the perception that the examiner may be dealing with the candidate in a less than objective manner
- Examiner has a current professional relationship, such as shared membership of a Board or Committee (including editorial and grant decision boards), with the supervisor
- Examiner has examined for the University three or more times in the past 12 months and/or five or more times in the past five years.
- Examiner has received an Honorary Doctorate from the University within the past five years
- Examiner graduated from the University within the past five years
- Examiner is currently working for the University pro bono (for example, on a review)
- Examiner has a current professional relationship with the University (for example, membership of a Board or Committee)
- Examiner has a current Visiting position with The University or has had such a position during the candidature of the candidate or in the past five years
- Examiner has a professional relationship with another examiner