

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Supplementary Budget Estimates 2015 - 16, 21 October 2015

Ref No: SQ15-000777

OUTCOME: 1 - Population Health

Topic: Wind Farms and Human Health

Type of Question: Written Question on Notice

Senator: Madigan, John

Question:

- a) What steps are you taking, as CEO, to ensure that there are NO FUTURE commercial conflicts of interest in any of the work conducted by the NHMRC, especially in this area?
- b) What steps are you taking, as CEO, to ensure that the community and government are fully informed about ALL conflicts of interest, be they commercial, ideological, or any other, which may affect the integrity of the NHMRC's decisions especially in this area, and in particular in any research which is funded by the NHMRC?
- c) Could you please provide the identity of each of those NHMRC appointed experts who are deciding who gets the research funding which the Federal Government has previously allocated, along with their full disclosures of any possible conflicts of interest?
- d) Will you, as CEO of the NHMRC, guarantee to rural residents, that there will be complete integrity in the conduct of the researchers selected?
- e) Will you commit to fully investigating any examples of impropriety, dishonesty, or conflicts of interest in either those on the selection panel or the researchers selected are raised by community members, Senators, or anyone else, and making those investigations publicly available to affected parties?
- f) Will you guarantee that if any conflicts of interest, dishonesty or other impropriety are demonstrated that research grant recipients will be immediately forced to relinquish their funding in order to maintain public confidence in the NHMRC's own integrity, and the conduct of taxpayer funded researchers?
- g) Recent Fairfax media reports earlier this week have suggested that the NHMRC may choose not to fund any research? Is this correct?
- h) Why would the NHMRC not choose to work with the researchers to modify the research proposals if there are valid methodological problems identified with the research project proposal which might otherwise receive funding and provide useful information to government authorities to protect the health of Australian rural residents through improved siting and wind turbine noise pollution regulation?
- i) Furthermore, why is the NHMRC not publicly committing to putting the research proposal or proposals submitted by the various researchers out for peer review and public comment, prior to a final decision? Health Canada did so. The fact that Health Canada took no notice of recommendations from credible independent experts and researchers who were not commercially conflicted with respect to the wind industry is another separate issue but at least there was the opportunity for public scrutiny and comment.

Answer:

- a) The National Health and Medical Research Council (NHMRC) is committed to ensuring that interests of any kind are dealt with consistently, transparently and in accordance with Part 5, 42A of the *NHMRC Act* and sections 16A and 16B of the *Public Governance, Performance and Accountability Rule 2014*.

NHMRC views the identification and management of conflicts of interest as central to ensuring that there is no influence in decision making due to competing interests that could erode the integrity of decisions.

NHMRC recognises that many experts, who bring critical knowledge and experience to NHMRC's processes for developing guidelines and evidence-based health advice, will often have experience and personal interests in the topic under review that need to be identified, declared and managed. When considering declarations of interest, NHMRC must find the appropriate balance between the degree of expertise required for a committee to make sound recommendations on a particular issue and the existence of any actual or perceived conflicts that arise. NHMRC also recognises that any interests must be transparent and appropriately managed in order to maintain the integrity of NHMRC guidelines and evidence-based health advice.

The process for managing declarations of interest by committee members is guided by NHMRC's *Guideline Development and Conflicts of Interest* policy, which is available on the NHMRC website at:

http://www.nhmrc.gov.au/_files_nhmrc/file/guidelines/developers/nh155_coi_policy_120710.pdf.

- b) In relation to the peer review process, details regarding NHMRC's Declarations of Interest process can be found on the NHMRC website at:
<http://www.nhmrc.gov.au/book/guide-nhmrc-peer-review-2015/4-principles-obligations-and-conduct-during-peer-review>

The members appointed to the peer review panel to assess the Wind Farms Targeted Call for Research (TCR) undertook a disclosure of interest process that was comprehensive and robust. They were required to consider summary information against each application and disclose details of any interests. Members provided a statement confirming whether they currently have (or have previously had) any interests or involvement (either financial or non-financial) in activities regarding wind farms and human health. Members of the peer review panel each disclosed that they either have no interest, or the Office of NHMRC has determined that the declared interest is 'low' and therefore manageable, and should not preclude their involvement in peer review.

A Community Observer was present at the peer review panel meeting and provided additional independent assurance that NHMRC processes, including application of the conflicts of interest policy, were followed.

- c) No. Confidentiality of peer review panel membership underpins the peer review principle of 'impartiality'. Disclosure of peer reviewers' identity risks compromising the provision of impartial assessment by expert reviewers.
- d) The *Australian Code for the Responsible Conduct of Research, 2007* (the Code) guides institutions and researchers in responsible research practices and promotes research

integrity. NHMRC funds Administering Institutions who have responsibility for providing support to researchers to ensure compliance with the Code. This is a prerequisite for receipt of NHMRC funding. In line with the NHMRC's *Statement on Consumer and Community Participation in Health and Medical Research*, applicants to the Wind Farms TCR were also required to include community and consumer participation in the planning, conduct and reporting of the research.

All successful applicants will need to have obtained the appropriate human research ethics approval from a registered Human Research Ethics Committee before release of any awarded funds as stated in section 12.2 of the NHMRC Funding Rules 2015.

- e) Any complaints about impropriety, dishonesty or conflicts of interest about those on selection panels or the researchers selected, are taken seriously by the NHMRC. NHMRC will ensure that its processes for declaring conflicts of interest have been properly followed and, where the case involves research funded by NHMRC, may refer the matter to the administering institution for further investigation.

Peer review participants have an obligation to ensure that each application is judged consistently and objectively on its own merits, against published assessment criteria. Peer reviewers must be fair and impartial and not introduce irrelevant issues into consideration.

In addition, a Community Observer present at the peer review panel meeting provided additional assurance that NHMRC processes have been followed transparently, responsibly, and consistent with policy.

Investigations into complaints regarding individuals often cannot be made publically available due to reasons of privacy.

- f) The NHMRC expects the highest levels of research conduct and integrity to be observed in the research that it funds. Institutions that administer NHMRC funding are bound by a Funding Agreement and through this agreement by the requirements of the Code.

Under the terms of the Funding Agreements between NHMRC and Administering Institutions, when breaches or misconduct occurs, as defined in the Code, NHMRC may take action in relation to the Administering Institution or the researcher.

In response to proven research misconduct, NHMRC may:

- apply additional conditions to existing grants
- restrict or suspend participation in NHMRC peer review committees
- restrict consideration of applications for future NHMRC funding (up to 5 years)
- suspend, terminate or recover funding.

These actions are set out in the *NHMRC policy on misconduct related to NHMRC funding, 2015* which is publically available on the NHMRC website.

- g) The *Targeted Call for Research into Wind Farms and Human Health Call-Specific Funding Rules* state that "NHMRC reserves the right to not expend the amount allocated to this TCR if, in the assessment of the independent expert peer review panel, applications of sufficient quality are not received." Therefore, there is the potential for funding not to occur.

- h) Once submitted to NHMRC, an application is considered final and no changes may be made, even after receipt of assessor comments. The provision of advice to specific applicants on how to modify a research proposal to increase the likelihood of a successful outcome introduces bias into the assessment process, particularly when it is a competitive funding round designed to elicit the best ideas.

There is a plethora of information in the public domain that potential researchers can access to inform their research proposals. Apart from the Review undertaken by NHMRC, the *Targeted Call for Research into Wind Farms and Human Health Call-Specific Funding Rules* outline to potential applicants the aims, objectives and desired outcomes of the call. It includes examples of research that will not be supported, and what to include in the Grant Proposal in order to submit the best possible application. Category Descriptors also offer guidance.

- i) The Wind Farms TCR research questions are directly identified in the NHMRC *Information Paper: Evidence on Wind Farms and Human Health*. The draft Information Paper underwent public consultation for a period of 45 days from February 2014.

Review of applications submitted to the TCR is undertaken against publically available criteria, by peers with expertise in the fields of research identified in the applications submitted. This ensures that the most worthy applications are funded, based on the science of the proposal.

Until such time as findings are published, grant proposals are confidential in order to protect the intellectual property rights of the Administering Institution, researcher, research trainees, and sponsors of the research, as appropriate. While appointed peer review panel members are bound by strict confidentiality requirements, consulting with the wider community would risk a breach of these intellectual property rights.

It should be noted that NHMRC does not itself undertake field-based scientific research. Rather, NHMRC funds Australia's best researchers who are selected through the peer review process to conduct research and build a body of evidence. Health Canada undertook the Wind Turbine Health and Noise Study in collaboration with Statistics Canada to support a broader evidence base in relation to wind turbines.