



**NEW ZEALAND  
NUTRITION  
FOUNDATION**

## **NEW ZEALAND NUTRITION FOUNDATION**

### **CODE OF ETHICS AND GUIDELINES FOR BEST BUSINESS PRACTICE**

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## **Introduction**

The 1991 Constitution of the New Zealand Nutrition Foundation (NZNF) details the rules and objects of the Foundation, its powers and duties, membership issues, conduct of business and all matters of management and business.

As we move into an environment that reflects a complex society and new endeavours for the NZNF, it is desirable that clear guidance be provided for all those associated with the Foundation. This includes a code of ethics and guidelines for best business practice to ensure the the protection of the Foundation's charitable, independent and professional status.

It is incumbent upon the NZNF, as a Charitable Trust, to be generous to those in need, lenient in judging others, and to promote good communication with other organisations, charitable or otherwise.

### **Ethical Principles**

Ethics are the moral principles that govern a person's behaviour or how an activity is conducted.

For non-government, not-for-profit organisations, there are ethical risks in joining forces with for-profit organisations. The risks may arise because of different values and standards in the two groups, some of which are related to money and its use. To reduce and avoid the risks, a code of ethics and guidelines for best business practice are desirable.

## **The Mission of the New Zealand Nutrition Foundation**

The **Mission** which is central to the Foundation's work states

**" to enhance the quality of life of all New Zealanders by encouraging informed, healthy and enjoyable food choices as part of an active lifestyle."**

**"Quality of life"**, is determined by a balance of many interactive factors. The Foundation's interest and expertise naturally focusses on food and health and is therefore exposed to many organisations in our multilayered community, including health and educational organisations and the food industry which will include competitive, profit making, industrial enterprises.

The **Foundation** will accomplish its **Mission** by –

- Providing up-to-date scientifically credible food/nutrition/health information.
- Co-ordinating and encouraging/supporting the exchange of food and nutrition information between professional groups, food producers, food manufacturers and Government agencies.
- Promoting the knowledge and practice of the principles of good nutrition and thereby promoting health and wellbeing to New Zealanders.
- Developing and assisting the acquisition, dissemination and application of knowledge concerning the promotion of informed, healthy and enjoyable food choices in New Zealand, including practical strategies for implementing this information.
- Facilitating focussed programmes to improve the health and wellbeing of groups targeted because of nutrition health needs eg older persons, children.
- Supporting nutrition campaigns and organisations promoting well researched nutritional strategies and messages.

## **Code of Ethics for NZNF**

The NZNF will:

- Work with the food industry and other food and health related organisations to provide scientific nutrition information, advice and comment, to assist them to provide food products and nutrition and health consumer information that support the New Zealand Ministry of Health's Food and Nutrition Guidelines (NZNFG) and inclusive of the Healthy Eating - Healthy Action (HEHA) strategy.
- Encourage and support food industry initiated innovations to provide consumer products with energy and nutrition profiles more consistent with the NZNFG.
- Permit the food industry to acknowledge the source of generic advice or specific data, through an approved statement explaining the nature of the advice and/or data provided. Any approved acknowledgement may not be used to indicate the NZNF's endorsement of any product.
- Use its logo on generic information and material supporting a sponsored scientific meeting or educational activity and to support another NGO, the Government or other organisations undertaking public services for public good.
- Use a NZNF trademark or symbol where the criteria required for trademarking has been achieved or approved. The exact meaning of the Trademark must be made clear. It is the responsibility of the NZNF (owner of the Trademark) to ensure the exact meaning and requirements are readily available and widely known.
- Charge and receive financial compensation for the relevant costs of providing intellectual property and related services.

The NZNF will not:

- Label, identify or promote as 'bad' any food that is consistent with and approved by Food Standards Australia New Zealand (FSANZ) and meets the NZNFG. (Any new scientific information should be considered as it evolves and reviewed in compliance with FSANZ.)
- Use a NZNF logo, any NZNF related information, or on any material related to food product or information that may be interpreted as endorsement of a specific product.

## **Guidelines for Best Business Practice**

The Foundation will:

- Be financially accountable
- Be true to its mission
- Establish and foster a network of work-related partnerships
- Maintain its independence
- Base recommendations on scientific evidence

### **1. Financial Accountability**

The NZNF is funded by an endowment fund, membership subscriptions (individual and corporate), sponsorship, grants, donations and fees from contracted work which is charged at rates commensurate with the work involved.

As a registered charitable organisation, the NZNF will maintain openness about its source of the funds acquired for salaries, fixed costs, member services, programmes and other activities.

- NZNF will have clearly defined financial relationships with the food industry, Government, non-Government organisations, consumers, and other bodies. Some of these relationships may involve a monetary transaction.
- The funder may not coerce or overly influence the NZNF's policy or actions either implicitly or explicitly and the acceptance of funds must not be such as to cause adverse publicity.
- Income derived from NZNF activities must be consistent with the services rendered and to provide for ongoing needs as identified in the Strategic and Annual Plans.
- While it may be acceptable for a member of the paid staff or Executive of the NZNF to accept assistance to scientific meetings, symposia or like events, such attendance must be considered of benefit to the NZNF and have a clear application to the work of the NZNF.
- It is the responsibility of the Executive Committee to oversee the financial management of the Foundation and to authorise budgets and expenditure.

The NZNF or its employees will not:

- Use donated money, whether from Government, public donation, industry, individuals or other sources, for purposes for other than for which it was given, unless the donor group specifically approves the alternative use of the money. Such alternative use will be clearly shown in the Financial Reports.
- endorse a product or in any way suggest that a product is superior to another company's product.
- accept any gifts of substance from members of the Food and related industries.

## **2. Work-related partnerships**

The nature of the activities of the NZNF demand associations with a wide variety of health and professional organisations, commercial entities and community groups. The success of these relationships/partnerships is crucial to the favourable outcome of NZNF's Mission. It is essential that the nature of these relationships is understood and where appropriate a risk assessment is carried out prior to accepting the relationship - see Appendixes II and III.

The NZNF will always aim to determine and apply the best scientific and societal information for any of its actions. However it is recognised that being politically correct can, in certain circumstances, threaten cooperation and healthy partnerships. In such events, the actions can be deferred or modified.

Relationships, including a variety of partnerships will be established and fostered with the following:

### **The Food Industry**

Partnerships with the commercial "For-Profit" food and related industries is key to accomplishment of the NZNF Mission but such associations have potential of both real and perceived "conflicts of interest". However there is a growing awareness in many businesses of the social needs of communities and a desire to support these.

The risk for the charitable organisation comes at the interface where, by working with the multifaceted food industry, the not-for-profit organisation could be seen to be aiding and abetting increased industry profit, disturbing fair competition and selective brand and industry promotion.

The art of effective cooperative partnerships is to avoid becoming a bellwether follower promoting profit and/or becoming a shareholder in commercial profits.

The following factors indicate the nature of NZNF's relationship with the Food Industry -

The NZNF will:

- Support efforts by companies to modify product or products to improve the nutritional value. Such support may be by a precise statement of the reason for the support and this may not be used on the product or its information leaflet. In any other communication, the statement must be used in full and the source identified.
- Be available to check scientific data and scientific fact in member organisations' company publications/statements, including consumer information, as part of their yearly subscription. However the name of the NZNF may not be used by the company in any of their communications/publications, without the express written approval of the Executive Council.
- Be "party to/act in" an advisory role on any Food Industry related committee only as a non-voting observer.
- Respond to members' specific requests of a nutrition/ health/lifestyle nature, with scientific information and material for which a charge commensurate with the work involved is incurred.
- Review (but not write) information material to ensure scientific detail is factual and relevant but the NZNF cannot be cited as the author.
- Maintain a fully professional relationship with credible documentation of all transactions and commitments when giving professional advice.
- Allow the NZNF name and logo to be used only when sponsoring programmes, projects and activities are agreed to by the NZNF.
- Make every effort to avoid company, food or beverage bias.

The NZNF may not:

- Have any financial interest in any branch of the food industry by way of shares, or schemes which provide a financial benefit based on company profit.
- Be represented on any company board or committee with the responsibility for determining industry business structure and/or company policy that is a conflict of interest to the NZNF.

Food industry producers, manufacturers, distributors, promoters and providers may:

- Be corporate members of the NZNF on payment of a yearly subscription and for which certain clearly defined services may be provided.

- Recognise NZNF contributions but only in predetermined words agreed to by the NZNF Executive Council. This approval may not be used in any manner which could be mis-understood to imply endorsement of a product, a brand, service or a company

### **Non Government Organisations**

Cooperative partnerships with Non Government Organisations (NGOs) carry risks. Best business practice provides the rules for working together and identifies possible risks and the ways of protection against risks.

The Foundation will:

- Work cooperatively with NGOs while accepting and respecting differences of approach and alternative views.
- Work for the common good.
- Not become servile to alternative opinions that are against its considered option.
- Remain in communication (if possible), in the event of a disagreement
- Avoid too close an alignment with activist organisations.

### **Government**

The Foundation will:

- Work with Government agencies and departments to support and improve consumer information and programmes, for example, Healthy Eating-Healthy Action.
- Maintain communication links and work with the Government and its agencies, (for example FSANZ, NZFSA, Ministries of Health, Education and Senior Citizens,) to develop and implement policies designed to improve the health of the residents of New Zealand.

### **Consumers and Community Organisations**

The Foundation will promote user-friendly communication strategies based on scientific credible information.



## **Academia**

The Foundation will

- Maintain a close surveillance of credible peer-reviewed nutrition and health literature.
- Evaluate the relevance of current scientific reports

### **3. Maintenance of Independence**

The importance of our independence and credibility is crucial to achieving our mission. It is very easy through simple actions to cast a shadow on the name as credibility lost is not easy to regain.

The Foundation will establish protocols to ensure that:

- Our credibility – one of our most valuable attributes - is jealously guarded.
- Guidelines for managing risks inherent in dealing with the commercial world are followed.
- The name and logo of the NZNF are recognised as valuable assets.

### **4. Science**

All food/nutrition recommendations must be based on best scientific evidence available and the level of evidence indicated. Fundamental to all activities of the NZNF is the level of scientific evidence for our activities. The level of available evidence is very variable ranging from proven beyond any reasonable doubt to belief (ie without evidence).

For food and nutrition health sciences the levels of evidence are:

- Meta-analysis of multiple intervention population studies with control groups and with laboratory confirmation of the basic mechanisms.
- Well conducted intervention population studies with controls.
- Comparative studies of populations.
- Longitudinal observational population studies.
- Case Studies.
- Chance observation.
- Unproven hypothesis.

Where the evidence is poor but a reasonable hypothesis based on sound scientific principles is present, this should be used to encourage research. Science is the boundary

between the known and unknown.

**Protecting against "The Law of Unexpected Consequences."**

Some public health interventions have been found to produce effects opposite to those intended. These observed boomerang effects occur in a variety of interventions. One explanation lies in the theory of psychological reactance – the state of arousal in opposition to the perceived threat to personal choice.

## **Appendix I: Definitions**

**Acknowledge:** Accept that (something) exists or is true.

**Activist:** One who follows a policy of vigorous action in a cause.

**Advocacy:** Speaking in favour of a policy, a person, an action etc.

**Bellwether:** One who leads a group – especially a thoughtless group.

**Collaborate:** To work willingly with the enemy. Work in combination

**Co-operative:** Willing to work together as friends, family etc.

**Endorse:** Declare one's public approval of,

**Endorsement:** The act or the action of endorsing, the act of ratifying.

**Lobbyist:** One who lobbies or influences an MP (derived from hall used by the public for interviews with MPs)

**Ratify:** Give formal consent to

**Stakeholder:** A third party with whom money is the prime raison d'être.

**Support:** Give approval to, confirm a statement.

(Definitions are taken either from the Oxford Reference Dictionary, the Compact Oxford Reference Dictionary or the Britannica World Language dictionary).

## **Appendix II: Partnerships**

### **Co-operative partnerships**

The sort of partnership working to produce and refine a mutually desired action for which there was prior approval.

This partnership is ideal for pleading a cause; developing guidelines; establishing the scientific evidence base; recommending research, etc.

*Moderately good at raising awareness of an issue.*

*Principal outcome is advocacy.*

*Risk – becoming an obsequious follower*

### **Collaborative partnerships**

This is a partnership which potentially brings together groups with differing attitudes and approaches. The aim of this partnership is to understand the differences and seek through mutual discussion a road-map to resolve issues, and avoid conflict.

*Provides the link between Social Issues and Commercial Interests.*

*Risk – becoming an obsequious follower.*

### **Activist (lobbyist) Partnerships.**

Excellent at raising awareness. Strong tendency to suggest solutions which require regulation and are restrictive, based on good-intention rather than evidence. (While well-motivated, these actions have a high risk of unintended consequences). By their mere nature, lobbyists alienate a certain proportion of the population before they even voice their opinion.

Suggest areas needing research.

*Risk – fueling bureaucracy.*

### **Appendix III – Risk Assessment Checklist**

- Does the organisation have any products or services we cannot support?
- Is the organisation of a reputation comparable to our own? If not are we willing to help them lift in return for our support?
- Will we alienate other stakeholders to the point which is unacceptable, financially or otherwise?
- Will this support assist us to provide the services we are really here for?
- Will our brand – our reputation and our services – be improved or suffer?
- If money is offered, is this what we really need, or is a more integrated package better, with professional advice, access to other support, volunteer time etc. as options?
- Do we have an exit clause in case promises made are not met?
- Where will we be in say three years without this support?