

# CONFLICT OF INTEREST POLICY

## INDEX

[INTRODUCTION](#)

[AMENDMENT AND REVIEW](#)

[APPLICABILITY](#)

[POLICY STATEMENTS](#)

[EXAMPLES OF CONFLICT OF INTEREST](#)

[PREVENTION MEASURES](#)

[HOW TO DEAL WITH A POTENTIAL CONFLICT OF INTEREST](#)

[DISCIPLINARY POLICY](#)

## CONFLICT OF INTEREST POLICY:

### **INTRODUCTION:**

All INTERSOS employees and members of INTERSOS Board of Directors have a responsibility to be good administrators of the resources which are entrusted to INTERSOS and to conduct the affairs of INTERSOS in an ethical manner, and thus to avoid conflicts between the interests of the organization and their personal financial and other interests.

The Conflict-of-Interest Policy will enable staff to identify and avoid conflicts of interest and tells staff what to do if they occur. Its existence makes a clear statement that decisions taken on any basis other than what is best for INTERSOS constitute corruption and undermine programme quality. Such a policy helps staff resist improper approaches, protecting them and INTERSOS from any appearance of harbouring corruption.

### **AMENDMENT AND REVIEW:**

This policy, approved by the Director General, will be reviewed every 3 years by the Internal Auditor.

If deemed necessary, the Policy can be reviewed based on indications of the Director General.

Date:	Reviewed By:	Signature:

Date:	Approved By:	Signature:
June 28, 2021	Director General	

## **APPLICABILITY**

This policy applies to all individuals employed by, or acting as a representative of INTERSOS, both national and international, including all full-time, part-time and Project based contract employees, board members, supporters, interns, volunteers, and consultants/contractors.

## **POLICY STATEMENTS**

INTERSOS expects all Staff Members to adhere to the highest standards of accountability, which requires honest and ethical conduct. This requires that any potential conflicts of interest between a Staff Member's personal interests and the best interests of INTERSOS or its beneficiaries do not give rise to undue personal benefit, are disclosed, and are independently reviewed and approved before they arise.

Conflicts of interest arise when a staff member's outside interests affect (or are perceived to affect) his or her ability to act fairly and impartially at work. Opportunities for personal gain, or for family or close associates to benefit (nepotism or cronyism), may influence an individual's behaviour or decision-making to the detriment of the organization's mission. Being in a conflict-of-interest situation is not in itself a form of corruption, but can lead to it, especially if this is hidden. Other people's perceptions of conflict of interest are also important, as they can damage the organization's reputation for zero tolerance towards corruption. Only by eliminating conflicts of interest in the decision-making process can ensure staff behaviour that's fair, impartial and driven only by what's best for the organization.

## **EXAMPLES OF CONFLICTS OF INTEREST AT WORK**

Examples of when conflicts of interest arise include, but are not limited to:

- a) INTERSOS engaging in any transaction with or providing anything of value to a Staff Member related party.
- b) INTERSOS making employment decisions involving family members, including, but not limited to, whether to hire, promote or terminate the contract of a family member.
- c) An entity that a Staff Member has a Financial or Control Interest in competing with INTERSOS for donor funding or financial, programmatic, or other opportunities.
- d) Expatriate Staff Members engaging directly or indirectly, either in their own name or in the name or through an agency of another person, in any business, profession, or occupation in the foreign countries to which they are assigned or making loans or investments to or in any business, profession or occupation in the foreign countries to which the expat is assigned. (This is a

mandatory requirement under USAID grants and cannot be waived or approved for expatriates who are wholly or partially directly funded by USAID agreements.)

- e) Hiring an unqualified relative to provide services INTERSOS needs.
- f) Starting a company/NGO that provides services similar to INTERSOS.
- g) Failing to disclose that you are related to a job candidate INTERSOS is considering hiring.
- h) Posting to social media about INTERSOS's weaknesses
- i) Offering paid services on your time off to a company supplier of INTERSOS
- j) Working part-time at a company/NGO that provides the same services provided by INTERSOS.
- k) Accepting payment from another company for information about INTERSOS
- l) Failing to report a subordinate or co-worker's wrongdoing because they are a friend.
- m) Sharing confidential information about INTERSOS with a competitor.
- n) Dating or having a romantic relationship with a supervisor or subordinate
- o) Making a purchase or business choice to boost a business that you have a stake in
- p) Accepting any type of gift or any offer of hospitality, any offer of holidays or other recreational trips.
- q) Owning part of a business that sells goods or services to INTERSOS.
- r) Reporting to a supervisor who is also a close friend or family member.
- s) Accepting consulting fees and providing advice to another company/supplier/ NGO for personal gain (occasionally teaching for a University/ private or public school is not a Conflict of interest if disclosed and agreed with the supervisor)
- t) Sharing information in an interview about INTERSOS's activities or plans
- u) Taking advantage of confidential information learned on the job for your own benefit.

## **PREVENTION MEASURES**

### **• Oblige staff to avoid conflict of interest situations**

Be clear that employees may not engage in conduct where potential for personal or professional gain might affect their activities on behalf of the organization. Staff should avoid actual or apparent conflict between work and private interests by disposing of the private interest or withdrawing from all related decisions at work.

### **• Ensure all staff sign an annual disclosure statement**

Staff should sign a yearly statement acknowledging their awareness of the policy and disclosing any real or potential conflicts of interest. Ensure that staff check with their supervisor regarding outside activities and associations that could cause or be perceived as conflict of interest. Provide a form listing specific types of interest. Make the declaration of interests a contractual obligation for employees; be diligent in collecting annual declarations and remind staff to update them if circumstances change. Inform staff of, and apply, sanctions for the non-declaration of interests.

### **• Create an open environment, conducive to discussion**

Communicate the policy widely and ensure staff don't feel afraid to disclose conflicts of interest. Be clear that having a conflict of interest isn't in itself wrong, but that not declaring it or remaining involved in decisions affected by it is unacceptable.

### **• Pursue diversity in situations of entrenched interests**

Pursue a strategy of intentional diversification of staff backgrounds in contexts where INTERSOS faces deeply entrenched regionalism or tribalism.

## **PREVENTION MEASURES IN THE PROCUREMENT PROCESS**

- 1) All officials involved in the procurement should declare any conflict of interest with bidders prior to the initiation of a bidding process and evaluation of tenders.
- 2) Prior to any meeting held in respect of any evaluation, adjudication or award of a contract, all persons must be required to acknowledge in writing that they have no conflict of interest in respect of the tender being considered.
- 3) Vendors who assist in developing specifications for procurement and/or purchased items delivery monitoring (i.e., Consultants developing Scope of Work, BoQ, or performing works monitoring in absence of own qualified technical staff) must be excluded from competition due to conflict of interest. This is different to market research. Vendors who participated in market research or have submitted reference bid are allowed to bid on a future procurement.

## **HOW TO DEAL WITH A POTENTIAL CONFLICT OF INTEREST**

In order for a conflict of interest to be considered properly approved and free from corruption, it must: (a) not involve undue personal benefit; and (b) the potentially conflicted Staff Member must do all of the following:

**Disclose** – At the earliest opportunity and prior to the conflict arising, disclose in writing the full details of the potential conflict of interest to both (a) the Staff Members responsible for reviewing and making decisions related to the transaction and (b) to the Head of Mission.

For Board Members and Directors Team, to INTERSOS' full board of directors, INTERSOS' Internal Auditor.

**Recuse** - recuse themselves and not participate in any decision, approval, or ongoing administration related to the transaction or conflict of interest. Recusal must begin at the moment when the Staff Member is aware that a potential conflict of interest might arise and must last for the duration of the potential conflict of interest (for examples, a Staff Member cannot participate in a decision to procure a certain item knowing that the likely sole source of the item is a company the Staff Member has a financial interest in; and a conflicted Staff Member cannot be engaged in overseeing the work or making decisions related to payment to a related party); and

**Report** - ensure that the transaction is reported on the Staff Member's Annual Conflict of Interest Questionnaire form.

## **DISCIPLINARY POLICY**

Any breach of this policy, including failure to make timely, complete, and accurate disclosure or report of an existing or potential conflict of interest, is a serious misconduct which may lead to termination of contract.