

AADK Conflict of Interest Policy

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1 Scope

The policy applies to anyone representing ActionAid: employees, volunteers (including board and assembly members), consultants, interns, dependents accompanying staff while working for ActionAid, and other individuals representing ActionAid, such as partners working in communities. Throughout AADK Conflict of Interest Policy (thereafter named as CoI) where the word "Staff" is used, this should be taken to include all the above-mentioned people.

This document focuses on conflict of interest and sets the minimum procedures for AADK affiliates to follow to effectively manage conflicts of interest, to create an environment where "Staff" are comfortable declaring any conflict they might find themselves in.

This will enable AADK to manage its exposure to fraud and corruption. This policy is in line with the AADK an [Anti-corruption and Whistleblowing Policy](#) as well as the [ActionAid Code of Conduct](#).

2 Policy Statement

All AADK staff, and others as specified in the policy scope, are obliged to adhere to the AA International Code of Conduct. The code of conduct is made up of 8 principles based on ActionAid's standards and values. Principle six of the code states:

"Avoiding conflicts of interest and duty – this means that I will be loyal and honest in my dealings with ActionAid, and not pursue personal, professional or family gain or advantage in such dealings. I will declare to ActionAid any connections with family, friends or business with other parties that may constitute a conflict of interest, and duty and ensure that my work does benefit any such connections.

I will not enter into any sort of business relationship on behalf of ActionAid with family, friends or other personal/professional contacts for the supply of any goods or service to ActionAid or any employment related matters without authorisation.

I will not directly manage somebody I am in a personal relationship with and will raise any potential issues related to this with my line manager.

I will not accept any additional employment or consultancy work outside of ActionAid that is a potential conflict of interest without prior permission from management."

3 Purpose of this policy

The purpose of this Policy is to prevent Conflicts of Interest where possible, and if not possible, to deal with them in an ethical and responsible manner, to disclose them and to mitigate the risk of Conflicts of Interest.

4 Definition

Conflict of Interest arises when a person's loyalties or interests are, might be, or might be perceived to be, in conflict with those of their organisation. Conflict can be between the private interests and the official or professional responsibilities of a person in a position of trust, or a conflict between competing duties.

Typically, this relates to situations in which the personal interest of an individual or organization might adversely affect a duty owed to make decisions for the benefit of a third party. This could be because of a private relationship or association with a person, group, or entity with whom you might also have an association or a professional relationship. It could also be because of a private interest or activities conducted during or outside of working hours.

Annex 1 describes some examples of situation where Conflicts of Interest do or do not arise.

5 Duties to Disclose Conflict of Interest

Current and Prospective Disclosure

It is the continuous responsibility of all "Staff" to scrutinize their transactions in and outside business interests and relationships, and to make immediate disclosure in writing of any transactions or relationships which may be considered to represent actual or potential conflicts. Disclosure is to be made as soon as the person becomes aware of the conflict, and prior to entering into the transaction or relationship involved. If in doubt about whether something is a conflict of interest, please disclose it to your direct line manager or the HR Team, so it can be further discussed and assessed.

All existing and new employees shall read and attest that they have read the conflict of interest policy.

Annual Disclosure Statement

In addition to any disclosures made in line with the above, the Leadership Team and board members will complete a Disclosure Statement every year. Other specialized positions, including but not limited to, Procurement, Finance, Criminal Activity Officer and HR staff and other staff making major contractual engagement on behalf of ActionAid (cf. HR, Financial or Procurement Manuals) may be asked to complete a Disclosure Statement at any time during their period of duty.

Confidentiality

Disclosures submitted under this policy will be considered confidential and will only be communicated on a need to know basis.

6 Mitigation Strategy

When a conflict of interest disclosure reveals a potential, perceived or actual conflict of interest, a management strategy is developed to document and proactively address questions that may arise regarding an individual's objectivity, integrity or professional commitment as a result of the disclosed activity, relationship or financial interest. The existence of a management plan demonstrates that "Staff" and AADK have considered the situation carefully, recognise the issues involved, and taken steps to prevent future problems.

A Conflict of Interest Management Strategy outlines the scope and nature of actions, conditions or restrictions put in place to manage, mitigate, or eliminate any actual, potential, or perceived conflict of interest. The strategy is developed by the employee in close collaboration with their direct line manager.

In some circumstances, simply the act of declaring the perceived, potential, or actual conflict may be sufficient to adequately mitigate or manage the conflict.

Other strategies may include consideration of activities of the following nature:

- Removal from situation or conflict.
- Restricted involvement in the situation or conflict.
- Recruitment of an independent third party to oversee parts of or all of the process.

More significant conflicts may also involve consideration of:

- Relinquishing an interest which is ongoing, unacceptable and/or likely to damage the reputation of AADK, or
- as a last resort, Resigning from the role.

7 Conflict of Interest Registration

The AADK Criminal Activity Officer maintains a confidential register with Board and Leadership members and all other disclosed current Conflicts of Interest.

The register includes:

- Name of the discloser
- Position
- Disclosure Statement file
- Short description of the conflict if any
- Mitigation strategy

Head of People & System Development (as Head of HR), the Operations Director, the Secretary General and the Board Chairperson will have access to the register to assess risks and mitigate them either at individual or general level.

8 Disciplinary Action

Any breach of this policy, including failure to make timely, complete, and accurate disclosure of an existing or potential conflict of interest, shall subject the person involved to appropriate disciplinary action, up to and including termination of employment/engagement.

9 Standard Operating Procedures

New Starters

- Job applicants and newly hired or appointed employees are required to disclose any conflict of interest they may have immediately during the hiring or appointment process.
- They will be required to complete a declaration of conflict of interest section before their contract of employment.
- HR and the recruitment manager will be informed of such declaration.
- The Head of Team is responsible to discuss potential conflicts with the new employee and relevant stakeholders.
- A conflict of interest assessment must be documented and kept in the employee files if a conflict was reported.
- If measures cannot be put in place to avoid or mitigate the conflict of interest, a decision must be made, with advice from HR, to withdraw the offer of employment on the basis that it represents a significant risk to AADK. Evidence would need to be provided.

All Employees

All employees will be required to complete a Declaration of Conflict of Interest form according to the provisions of this policy.

- Employees must notify their Head of Team as soon as they know of a possible conflict of interest (this might be if their job or personal circumstances change).
- If the Head of Team believes a conflict of interest is evident, they should talk to the employee to see if there is a way it can be resolved. Measures may need to be put in place to manage the conflict of interest.
- The Head of Team must register this in writing, file it and communicate to relevant stakeholders (e.g. HR Team).

- If the matter cannot be resolved or if measures put in place are not working, then alternate procedures with advice from relevant stakeholders (e.g. HR Team) should be carried out.
- In general, declaration of interest forms must be in writing, properly filed, ensuring that forms are up to date, properly approved and protected from unauthorized access.

Members of AADK in governance roles and Leadership

Members of AADK in governance roles i.e. the Board and independent committee members as well as members of the Leadership Team will be required to complete a Declaration of Conflict of Interest form as soon they are elected and according to the provisions of this policy.

10 Associated Policies

- ActionAid Code of Conduct
- AAI SHEA and Safeguarding Overarching Policy
- Anti-corruption and Whistleblowing Policy
- AAI Protection from Sexual Exploitation and Abuse Policy
- AADK SOP SHEA Incident Management
- AADK Procurement Policy

Below are examples of situations where conflicts of interest might arise, those examples are not exhaustive and are only meant to provide some common understanding and awareness about areas where conflicts might arise.

Generally, "Staff" are expected to comply with all requirements of their duties towards AADK and should not get involved in activities which could interfere with the performance of their duties. Membership of not-for-profit boards or similar community activities are accepted to the extent that those activities do not interfere with the "Staff's" positions within AADK and should be disclosed as described below.

The mere fact that a "Staff" is, for example, affiliated in some way with an organization which receives AADK funding, does or does not necessarily result in a conflict of interest, depending on the person's specific roles/duties for AADK and for the other organization e.g. "Staff's" contribution to or influence in decision making processes.

Similarly, the fact that a particular situation does not fit squarely within one of the examples listed below, does not necessarily mean that no conflict of interest is present.

Accordingly, determinations may be necessary about whether any given situation in fact constitutes a conflict of interest, or whether a potential conflict may be permissible. Such determinations should be based on assessment of:

- The extent to which the "Staff's" performance of their duties to AADK are or may be affected
- An actual conflict may be eliminated
- Whether the appearance of potential conflicts or an existing conflict represent a reputational risk for the organisation.

AADK employees must avoid Conflicts of Interest whenever possible and if not, address as soon as possible, the substance, potential for and appearance of any Conflicts of Interest, so that the associated risks will be minimized.

1. What kind of associations can give rise to a conflict of interest?

- Associations with organizations or individuals who have a trading relationship with AADK as its supplier or customer;
- Associations with organizations tendering work for AADK. You need to avoid a situation where your knowledge or involvement in the tendering process could be viewed as influencing a commercial decision in favor of an organization with which you have a link. This includes partner organizations;
- Associations with Organizations that supply goods, works, and services to AADK. This becomes a matter of concern if you are involved in decisions that might

affect the choice of a supplier, the price paid for goods or services or arrangement for the provision of goods and services.;

- Active political involvement in a political party or organization (see below);
- Employing family members, or people with whom you have a close personal relationship, can create a conflict of interest (see below).
- Involvement in, oversight of, or influence over the selection, management or monitoring of AADK partner organizations with whom you have a business, personal or private association or interest. This includes associations with individual employees of partner organizations.
- Business or close personal associations with (so called) beneficiaries, program participants or other recipients of AADK funds or program support.

2. Personal and familial relationships that could give rise to conflict of interest

- The employment of people who are related in a direct management line can create a conflict of interest. Therefore, recognized partners, people closely related to, or in a personal relationship with, an AADK employee cannot be employed into a position where they would be in a direct management / Subordinate line. The same applies to the engagement of consultants and the taking on of volunteers, interns and students. Advice should be sought from HR and alternative line management arrangements made.
- Where existing employees are subsequently in a personal relationship or become related, they should discuss their employment position with HR. The purpose of this review is to ensure that matters of management, supervision, audit and possible role conflict including avoiding (the perception of) nepotism and favoritism can be considered, as well as any possible benefits to AADK. The objective is to be reasonable, to safeguard AADK and to maintain good employee relations.
- In certain circumstances, where your family or close personal contacts work for organizations or partners with which AADK conducts business, it is important that such relationships are known in advance and you are not placed in a difficult position. Business dealings on AADK's behalf with someone in another organization whom you know well on a family or personal basis, could affect AADK's reputation and integrity. In these circumstances, employees should discuss the relationship with their Head of Team.
- If, during their AADK employment, an employee is considering employment, a voluntary role or a consultancy contract for a close personal relative or friend, the relationship must be declared in writing, and any related decision referred to the employee's Head of Team. If the employee has concerns about a relationship and is not sure if it comes within the scope of this policy, they are advised to discuss this matter, in confidence, with HR.

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3. Internet Web Sites

- If you are developing an Internet web site for yourself or an outside organization, you must not use AADK copyright material or information (whether confidential or otherwise) and must not link to any AADK website or online documentation without the prior written permission of AADK.

4. Purchasing

- Anyone involved in purchasing, tendering or commissioning must not have an undeclared interest in any outside organization involved in the process. Where an interest does exist, they are not permitted to become involved in the commercial processes. Unless their Head of Team has given specific permission, they must not provide information or assistance to any organization or individual tendering work for AADK. Everyone tendering for goods, works, and services needs to receive and feel that they have received fair and equal treatment.

5. Private Purchases and Gifts

- You and your immediate family must decline all gifts from organizations or individuals with whom you have or might have dealings on behalf of AADK. This includes goods and services in kind or at preferential rates, cash and entertainment outside the scope of normal business hospitality.
- As a rule of thumb its always better to reject gifts, however, you can accept normal business hospitality on a reasonable scale when representing AADK and its interests. Examples of such gifts and hospitality are inexpensive merchandise, two-three bottles of wine, meals and invitation for smaller events.
- You should never place yourself in a position where the hospitality could be interpreted as a form of inducement.
- Inappropriate and significant gifts and hospitality must be declined and recorded on the AADK [Gifts and Hospitality Register](#). Those are not limited to being expensive but also cover such that would cause embarrassment to ActionAid like engaging in behavior that contradict our values or policies.
- Employees and volunteers working in teams with online sale, are not permitted to re-sell items purchased in AADK online shops.
- If you have any questions or concerns, please, refer to the [Procurement Policy](#) chapter 3.7 or speak to your Head of Team or HR.

6. Political Activities

- AADK supports the right of employees to be politically engaged and active. However, active involvement in a political party or organization can give rise to questions of impartiality. What is acceptable is dependent upon the individual's job, their level in the organization and the extent of their political involvement.

- Standing for election requires consent from AADK which will not be unreasonably withheld. However, AADK retains the right to consult with you on how to conduct yourself so that AADKs name does not come into disrepute.
- In the case of local government elections, you must campaign in your own time and make sure that there is no conflict with your work in AADK. Polling day itself should be taken either as holiday or as unpaid leave. You can be elected to a position within local government and remain in employment if there are no issues of impartiality or conflict of interest. Employees are expected, where possible, to schedule council commitments outside core working hours but may agree a reasonable working schedule with their manager to make up lost hours. Active campaigning during working hours is not acceptable.
- If one of your family or a close personal contact is standing for election it is acceptable to express personal support for the individual standing for election. You should however not use AADKs name and where your support extends to political support this will be subject to the considerations outlined above.

7. Trade Union/Staff Association Activities

- Employees are free to take part in activities organized by a union/staff association that is recognized by AADK.
- Employees who are elected as accredited trade union representatives may, from time to time, comment on political matters whilst representing the interests of their members.
- When expressing such views, employees should state that they are expressing these views as a trade union representative and that they are not necessarily reflecting the views of AADK.

8. Use of information and resources

- Anyone working for AADK must not use AADK resources to further their private interests or do any work for an outside company. You should seek the permission of your Head of Team before using AADK information or making reference to AADK in any book, article, lecture or statement to the press.
- Employees must not reveal confidential information, including personal data, received in the course of their duty, to a supporter, supplier, or other organization. This is a commitment to confidentiality gained during employment and continues after you have left AADK.
- Employees are not permitted to take their partner or any other personal contact on a business trip at AADKs expense, unless it is a requirement of the formal duties of the visit and has been approved in advance (in writing) by the appropriate Cluster Director. In any other circumstances, if you wish to be accompanied, you must have the authorization of your Head of Team and all expenses for the companion, including, but not limited to travel and accommodation, must be paid for by the employee/companion.

9. You should talk to your manager if:

- You currently hold an elected position in Local Government at any level.
- You intend to re-stand for a position you already hold.
- If you seek nomination or are selected as a candidate (the immediate consideration being to safeguard AADKs reputation for impartiality).
- You act as a voluntary advisor to an elected politician.
- You hold an elected office in a political party.
- You wish to stand for election to local Council, parliament, or political party.