

OCTOBER 31, 2018

CONFLICT OF INTEREST POLICY

IRAQ

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1. Purpose

The objective of this policy is to ensure that actual, potential and perceived conflicts of interest are identified and managed effectively. Proper management of conflicts of interest is required to maintain our integrity and accountability.

2. Scope

The principles and procedures in this Policy apply to all Arbeiter Samariter Bund staff in Iraq and to all people who work within the Arbeiter Samariter Bund including:

2.1. Executives, managers and employees (whether full time, part time, casual, permanent or temporary), and

2.1. Volunteers, contractors and consultants.

3. Policy Statement

The Arbeiter Samariter Bund is committed to ensuring that conflicts of interest are identified and managed so that they do not affect the services, activities or decisions of the organization.

To achieve this, we will:

3.1. Identify and declare all conflicts of interest;

3.2. Develop, implement and monitor action to appropriately manage the conflict; and

3.3. Report all identified conflicts to:

1. Line Manager
2. The Conflicts of Interest Register in the office. (for all workers);
3. The individual's personal file (where appropriate or required)

3.4. Deal firmly with breaches of this Policy

4. Definitions

Arbeiter Samariter Team: ASB all staff.

Worker: Any person performing work for a ASB entity regardless of whether it is paid or voluntary. Executives, Employees, Volunteers, contribute to work interests.

Work interests: The interests of one or more ASB in pursuit of its vision, mission and objectives.

Private interests: Personal, professional or business interests including those of individuals, groups or organizations that workers associate with outside of the ASB team.

Pecuniary interest: A private interest involving actual or potential financial gain or loss by a worker or a worker's relative or other close associate if they own property, hold shares or are associated with a firm bidding for ASB work.

Non-pecuniary interest: A private interest without a financial component where there may be a tendency for favoritism or prejudice to arise due to friendship, animosity or other personal involvement with another person or group.

Conflict of interests: A clash between a worker's private interests and work interests that gives, or may give or be perceived to give, advantage to the worker or to others who are associated with the worker.

Conflict of duties: A competing interest between an official duty for one entity and the official duty of another (e.g. a director, executive or manager in the ASB team who is a director of another entity). A competing interest between duties for two entities within the ASB team is exempt from this Policy.

5. Roles and Responsibilities

Everyone in the ASB is responsible for identifying, disclosing and resolving conflicts of interest. Specific responsibilities are to:

5.1 Representative and Senior Managers

Retain awareness when conflicts of interests arise to ensure conflicts are disclosed and resolved with all pertinent details recorded in the meeting minutes. Ensure the 'tone at the top' has an integrity focus by complying with the spirit of this Policy when conflicts of interest arise.

Provide leadership in implementing and giving effect to this Policy. Facilitate compliance with this Policy. Participate in conflict of interest resolution with those they supervise and lodge the resolution in the conflict of interests' register. Take appropriate action for breaches of this Policy.

5.2 Senior Administration and Financial Manager

Maintain a central Conflict of Interest Register and monitor & review the effectiveness of the Register.

5.3 Workers

Retain awareness of potential conflicts of interest that might affect them and avoid them where possible. Promptly identify and disclose any actual or potential conflicts of interest that might be perceived to affect the proper performance of their work.

6. Application- Managing Conflicts of Interest

There are three key components to management of a conflict of interest:

6.1 Report;

6.2 Resolve;

6.3 Register.

6.1 Reporting a Conflict of Interest:

When we become aware that we may have a conflict of interest we must report that fact to our supervisor. Reporting a conflict allows us to work with our supervisor to resolve it. Remember that a conflict may be actual, perceived or a potential conflict and it may be pecuniary or non-pecuniary. If not managed properly, either kind can be equally damaging to our own and our organization's reputation.

When Country Representative or Senior Management have a conflict of interest or conflict of duties, the conflict is reported to the meeting members and ASB- Germany.

7. Examples of conflicts of interest:

1. Purchasing goods or services supplied by the family business of a worker, or family company, relative or close friend
2. Participating in a tender for goods or services where a relative or friend will be submitting a bid
3. Directly negotiating for a friend or relative for them to provide goods or services to ASB for payment
4. Involvement in selection of a relative or friend as an employee
5. Sale of an entity asset to a worker without an equitable process
6. Worker voting on a decision which directly affects their private interests
7. Worker knowing ASB confidential information that could impact private interests.

8. Resolving a Conflict of Interest

The main ways resolution can be achieved are:

1. Restrict
 2. Recruit
 3. Remove
 4. Relinquish
1. Restricting the person with the conflict in the participation of decision making is an appropriate method where the conflict is not likely to arise frequently. Restriction could include one or more of the following:
 1. Not participating in any critical criteria setting or decision making role in the process
 2. Refraining from debate about the plan or proposal
 3. Limiting access to information and/or denying access to sensitive documents or confidential information in the process
 4. Withdrawing from discussion of the plan or proposal
 5. Abstaining from voting on the decision
2. Recruiting an independent person to oversee all or part of the process is an appropriate method where the conflict is more significant and needs more proactive management but

the person with the conflict has particular expertise and cannot be easily replaced. Recruiting strategies include:

1. Arranging for an independent third party to make the decision
 2. Requiring another person in the organization to obtain three written quotes to compare against any bid by a family member
 3. Engaging an independent third party to oversee or review the integrity of the decision-making process – this strategy is particularly appropriate where there is a reasonably perceived, but not actual, conflict of interest or the conflict of interest is only identified at or near the conclusion of the process or after the making of the decision Increasing the number of people sitting on decision-making committees to balance the influence of a single member who may have a conflict of interest but who has some special reason to remain on the committee
 4. Seeking the views of those likely to be concerned about a potential, actual or reasonably perceived conflict of interest about whether they object to the person with the conflict having any, or any further, involvement
3. Removing the person with the conflict from the process is appropriate where there is ongoing serious conflict of interest and restriction or recruitment is not practical or feasible.
1. Removing the person with the conflict from any involvement
 2. Abstaining from any formal or informal discussion about the matter
 3. Separating the person with the conflict from the situation where there may be a perception of exerting a covert influence on decisions or actions
 4. Re-arranging duties and responsibilities to a non-conflicting function but not to a person who is supervised by the person with the conflict
 5. Transferring to another project or another area of the organization
4. Relinquishing the private interest that gives rise to the conflict
1. Liquidating the private interest in an arm's-length transaction
 2. Divesting or withdrawing support for the private interest

9. Registering a Conflict of Interest

All conflicts of interest must be registered in the Conflicts of Interests Register. This Register is kept by the Admin Finance senior officer and helps us show that the conflict has been declared and resolved. It adds transparency to the situation.

The Admin Finance senior officer ensures that all conflicts of interest reported by Directors and ASB Team that are recorded in the meeting minutes are also registered in the Conflict of Interests Register.

10. Breach of Policy

Failure to disclose a conflict of interest is a breach of the Code of Conduct and for Directors is also a breach of the Board Governance Charter. It may result in initiation of

disciplinary that could involve severance from the organization if deemed to be an incident of misconduct, wrongdoing or an abuse of power or authority.

11. [Authority](#)

This Policy is approved by the Senior Manager Team

12. [Relationship with Other Policies](#)

Other organizational policies that should be read in conjunction with this policy and with

1. Code of Conduct
2. Gift & Benefits Policy
3. Whistleblower Policy
4. Fraud Control & Corruption Prevention Policy
5. Disciplinary Procedure
6. Managing Underperformance and Misconduct Policy