



INTERNATIONAL CROPS RESEARCH
INSTITUTE FOR THE SEMI-ARID TROPICS

CONFLICT OF INTEREST POLICY

May 15, 2019

The Institute is entitled to amend, suspend or rescind this policy at any time. Whilst, the Institute has made best efforts to define detailed procedures for implementation of this policy, there may be occasions when certain matters are not addressed or there may be ambiguity in the procedures.

Such difficulties or ambiguities will be resolved in line with the broad intent of the policy, by the Director General or Governing Board Chair (on case to case basis). The Institute may also establish further rules and procedures, from time to time, to give effect to the intent of this policy and further the objective of good corporate governance.



1. **PREFACE**

ICRISAT (“the Institute”) has adopted the Code of Conduct (“the Code”), which lays down the principles and standards that govern the actions of the Institute and its workforce. Any actual, or potential violation of the Code, would be a matter of serious concern for the Institute.

ICRISAT is committed to uphold good corporate governance principles that are open, transparent, fair and objective, and demonstrate a commitment on the part of ICRISAT to operate in a manner intended to facilitate high levels of honesty and integrity amongst its workforce. ICRISAT is committed to conduct research and operations in a manner that will ensure professional judgment and decision making is not influenced by undue personal interests. The personal interests of ICRISAT’s workforce should not influence their professional judgment or decision-making on behalf of the Institute. ICRISAT respects the personal life of its workforce, but expects them to avoid situations that could result in a conflict between their personal interests and those of the Institute.

Accordingly, this “Conflict of Interest Policy” (“the Policy”) has been formulated with a view to provide all members of the Institute’s workforce with clarity on the relevant principles and rules for preventing and managing conflicts of interest.

2. **OBJECTIVE**

This policy is intended to provide all members of the ICRISAT workforce with clear guidance on the issue of conflict of interest. The Conflict of Interest policy is seen by ICRISAT as an important foundation for a “speak up” culture.

3. **POLICY**

This policy provides instructions on how to avoid conflicts of interest, so that an individual’s professional judgement and/or actions regarding a primary interest, will not be unduly or inappropriately influenced by a secondary interest, potentially resulting in an unethical act, breach of code of conduct or violation of institutional policies, procedures and guidelines.

The Policy aims to strengthen ICRISAT’s ability to promote accountability, integrity, and to provide an ethical working environment. As an element of the Ethics and Safeguarding Framework, the Conflict of Interest policy is firmly aligned to the Whistle blowing and Protection From Retaliation policy, and the Concern Resolution process.

4. **DEFINITIONS**

Institute	International Crops Research Institute for the Semi-Arid Tropics (ICRISAT)
Addressing a conflict of interest	The process of identifying and implementing strategies and practices to minimize the risks identified by the disclosed conflict of interest.
Avoiding a conflict of interest	When a member of ICRISAT’s workforce takes decisions or actions to ensure that a conflict of interest does not occur, or does not have the potential to occur.
Conflict of Interest	A situation that has the potential to undermine the impartiality of a member of the ICRISAT workforce, because of the possibility of a clash between the individual’s self-interest and the best interests of the Institute. A Conflict of Interest may be Actual, Potential or Perceived, and of the nature of any circumstance described in Section 6 of the Conflict of Interest policy.
Conflict of Interest Policy Declaration	A Conflict of Interest Policy Declaration is completed and signed by all members of the ICRISAT workforce on appointment/ engagement of services, and at subsequent points throughout their continued appointment/ engagement. This serves to remind individuals of their commitment to ICRISAT’s policy on Conflict of Interest, and prompt them to review their personal situation to ensure they have no Actual, Potential or Perceived Conflicts of Interest.

Closely related persons	The ICRISAT workforce member's family members, someone with whom the ICRISAT workforce member has an intimate relationship, and those living in the same household as the ICRISAT workforce member.
Disclosure of Conflict of Interest	The act of formally sharing the existence, nature, and all relevant facts of a conflict of interest with the ICRISAT workforce member's Manager, in writing.
Disciplinary Action	Any action that can be taken on the completion of/during the investigation proceedings including but not limited to a warning, imposition of fine, and suspension from official duties or any such action as is deemed to be fit considering the gravity of the matter, in accordance with Disciplinary Procedures.
Disciplinary Procedures	Clause 16 - Disciplinary Procedures as mentioned in the Personnel Policy Manual.
Supervisor	The immediate supervisor of the ICRISAT workforce member. The Supervisor is primarily responsible for ensuring that the workforce member's work is delivered in line with the Institute's expectations, policies and procedures.
Newly hired ICRISAT workforce members	Individuals who have recently been engaged to work for the Institute.
Workforce	Refers to particular individuals who have a contractual relationship with ICRISAT such as members of Regular Staff Cadres, members of the Non-Regular Special Assignments category, members of Short-term contracts, members of Job-contracts, Learner-Participants and Third-party contractors; regardless of their position, type of employment, or location.
Protected Disclosure/ Disclosure	A concern raised via the concern line number or on the case management tool made in good faith that discloses or demonstrates information that may evidence unethical or improper activity. Protected Disclosures/ Disclosures should be factual and not speculative in nature.
Whistle Blower (WB)	Someone who makes a Protected Disclosure under the Whistle Blowing and Protection from Retaliation Policy
Retaliation	<p>A direct or indirect administrative decision and/or action that adversely affects the employment or working conditions of a Whistle Blower. Such action is taken for the purpose of punishing, intimidating or injuring the Whistle Blower because the WB has:</p> <ul style="list-style-type: none"> • Reported suspected wrongdoing that implies a significant risk to the Institute; and/or • Cooperated with a duly authorized audit or an investigation of a report of wrongdoing. <p>Retaliation can include without being limited to:</p> <ul style="list-style-type: none"> • Harassment; • Discrimination; • Unsubstantiated negative performance appraisals; • Unjustified contractual changes: termination, demotion, reassignment or transfer; • Unjustified modification of duties; • Unjustified non-authorization of holidays and other leave types; • Unjustified termination or compensation decreases, or poor work assignments or threats of physical harm • Malicious delays in authorizing travel, or the provision of entitlements; • Threat to the Whistle Blower, their family and/or property including threats that may come from outside ICRISAT. <p>Retaliation will be treated as gross misconduct and is subject to appropriate disciplinary action, in accordance with Disciplinary Procedures.</p>

5. SCOPE

This policy is applicable to all members of ICRISAT's Workforce, who may perceive a potential conflict of interest, personally, or affecting the Institute in general.

6. PRINCIPLES AND RULES

6.1 Understanding Conflict of Interest

Conflicts of interest may arise where a member of the ICRISAT workforce places her or his personal interests before the interests of ICRISAT, and where such personal interests unduly and inappropriately influence that individual's professional judgments, decisions, and/or actions. Such situations may involve external parties, including closely related persons.

Making judgments, taking decisions, or pursuing actions when facing a conflict of interest may make it difficult to perform work for ICRISAT objectively and effectively, and may have negative legal, regulatory and/or reputational consequences.

ICRISAT defines conflicts of interest broadly:

- i. **Actual conflict of interest** (where a member of the ICRISAT workforce perceives an existing conflict of interest to be occurring);
- ii. **Potential conflict of interest** (where a member of the ICRISAT workforce perceives that a situation exists that may result in a conflict of interest);
- iii. **Perceived conflict of interest** (where a member of the ICRISAT workforce perceives a particularly sensitive situation that may appear to be a conflict of interest, even if this is not the case).

Common examples of conflict of interest situations include, but are not limited to:

- personal workplace relationships (e.g. hiring or supervising a closely related person),
- external mandates (e.g. serving on the board of directors or scientific advisory board of an ICRISAT competitor),
- outside employment (e.g. having a second job with a ICRISAT customer, supplier, or competitor),
- promoting personal financial interests (e.g. owning a substantial share of an ICRISAT supplier/partner),
- receiving fees, commissions, discounts, gifts, entertainment, or services (e.g. receiving cash from a ICRISAT business partner).

Members of the ICRISAT workforce are expected to recognize when they have, potentially could have, or could be perceived as having, a conflict of interest. Some high-risk conflicts of interest include, but are not limited to:

Personal workplace relationships	ICRISAT workforce members must not: <ul style="list-style-type: none">• Be in a supervisory, subordinate, or control relationship (e.g., having influence over conditions of employment) with closely related persons• Be involved in any hiring or advancement decision regarding closely related persons (including internal/external hiring, internal transfers, promotions, advancements etc.)
Outside engagements, including employment	ICRISAT workforce members must not have any kind of paid or unpaid engagement with: <ul style="list-style-type: none">• An Institute business partner or competitor, unless it meets the Institute's business purpose or does not influence (and cannot be perceived as influencing) the individual's business judgment• Any other person or company if this impacts their performance at the Institute
Personal financial interests and relationships with business partners or competitors	ICRISAT workforce members must not:

	<ul style="list-style-type: none"> • Own any interest equal to or greater than 1% in any company which competes with or does business with the Institute • Conduct Institute business with any entity in which they have a substantial interest, or with which they have a substantial affiliation • Act as an official of, or advisor or consultant to, any government agency with regulatory or supervisory power over the Institute unless approved by the Director General
Gifts, meals, travel, entertainment	<p>ICRISAT workforce members must not directly or indirectly solicit or accept from any Institute business partner or competitor:</p> <ul style="list-style-type: none"> • Cash or cash equivalents received from actual or potential business partners or competitors (e.g., stocks, gift certificates, discounts not based on a collective agreement, etc.) • Gifts; if a gift is received nonetheless, it must be returned if it influences or could be perceived as influencing the workforce member’s business judgment. Members of ICRISAT’s workforce should refer to Clause 2.7 – Corruption, Favors and Gifts (Clause 2.2 subsequent to approval of proposed changes in PPM) of the PPM for guidelines on gifts. • Meals, travel, or entertainment, unless it predominantly meets the Institute’s business purpose, and does not influence (and cannot be perceived as influencing) the ICRISAT workforce member’s professional judgment. Accepting entertainment of a non-ordinary, exceptional nature requires the written approval of the Director, Human Resources.
Fees, commissions, services, other favors	<p>ICRISAT workforce members must not, directly or indirectly:</p> <ul style="list-style-type: none"> • Solicit or receive a fee, commission, service, or other favor from any actual or potential Institute business partner or competitor as stated in Clause 2.7 –Corruption, Favors and Gifts (Clause 2.2 subsequent to approval of proposed changes in PPM) of the PPM.

6.2 Seeking Advice and Support

ICRISAT encourages its workforce members to access appropriate advisory support, should they be in doubt about what circumstances might create a conflict of interest.

Advice and support can be sought from a Supervisor, Program HR Partner, “[HR Workplace Relations Advisor](#)”¹ or one of a trained group of specialists – “[Dignity at Work Advisors](#)”².

6.3 Avoiding Conflicts of Interest

Avoiding a conflict of interest is when a member of ICRISAT’s workforce takes decisions or actions to ensure that a conflict of interest does not occur or does not have the potential to occur.

As part of their ICRISAT employment contract, workforce members have a contractual obligation to ICRISAT, and accordingly, must avoid conflicts of interest.

¹ *HR Workplace Relation Advisor* - Is a trained HR professional, and is the HR point of contact for Ethics and Safe Guarding Policies and Concern Resolution Process

² *Dignity at Work Advisors*- The Dignity at Work Advisors are volunteers from across the ICRISAT workforce who have received training in various aspects of Ethics and Safe Guarding Policies and Concern Resolution Process and are bound by appropriate confidentiality agreement. They are available to provide information and advice on a confidential basis to any member of workforce who feels they want to raise a concern of protected disclosure, grievance, complaint about harassment, bullying or discrimination. The access to Dignity at Work Advisors is available to any workforce member, regardless of their area of work or location or nature of their contract with ICRISAT. It is intended that this network of advisors is a further avenue of support, in addition to other support/welfare groups which already exist.

6.4 Conflict of Interest Policy declaration

A Conflict of Interest Policy declaration is completed and signed by all members of the ICRISAT workforce on appointment/ engagement of services (Refer Appendix I), and at subsequent points throughout their continued appointment/ engagement to remind individuals of their commitment to ICRISAT's policy on Conflict of Interest, and prompt them to review their personal situation to ensure they have no Actual, Potential or Perceived Conflicts of Interest.

It is the responsibility of the workforce member to ensure that their Conflict of Interest Policy declarations are updated promptly, so as to enable their Supervisor to determination an appropriate plan of action to manage the conflict.

Newly hired ICRISAT workforce members must disclose all conflicts of interest to the relevant HR Program Partner during the hiring process, who will escalate them to the workforce member's immediate Supervisor.

6.5 Disclosure of Conflicts of Interest

The Disclosure of a Conflict of Interest is the act of formally sharing the existence, nature, and all relevant facts of a conflict of interest with the ICRISAT workforce member's Supervisor in writing, using the Conflict of Interest Disclosure Form (refer Appendix II.)

Members of the ICRISAT workforce must disclose conflicts of interest to their immediate Supervisor as soon as they become aware of an Actual conflict of interest, a Potential conflict of interest, or a Perceived conflict of interest, and before the ICRISAT personnel engages in the conduct in question.

Transparency, in the form of such disclosure, is critical. It mitigates risks and helps to protect the integrity and reputation of ICRISAT and its workforce.

6.6 Addressing Conflicts of Interest and Key Responsibilities

"Addressing a conflict of interest" is the process of identifying and implementing strategies and practices to minimize the risks identified with the disclosed conflict of interest.

All members of the ICRISAT workforce are responsible for adhering to the principles and rules set out in this Conflict of Interest Policy.

It is the responsibility of the workforce member to ensure that their Conflict of Interest declarations are updated and that they disclose conflicts of interest to their immediate Supervisor as soon as they become aware.

It is the responsibility of the Supervisor to take immediate action to mitigate any risks associated with the disclosed conflict. Specifically, the Supervisor is required to:

- Strictly adhere to this Policy within her or his area of functional responsibility, to lead by example, and to provide appropriate guidance to those members of the ICRISAT personnel reporting to her or him;
- Treat the information disclosed by the member of the ICRISAT workforce with appropriate confidentiality and without bias;
- Fairly evaluate the conflict of interest situation disclosed by the member of the ICRISAT workforce, including the risks to the Institute's interests and reputation;
- Inform the relevant HR Program Partner in writing, attaching the completed Conflict of Interest Disclosure Form;
- Make a pragmatic decision to address the conflict of interest so that risks to ICRISAT are minimized and the personal interests of the workforce members are protected as far as possible;
- Communicate the decision and its reasoning to the workforce member in writing, copying the relevant HR Program Partner, and take steps to ensure the workforce member understands and complies with the decision;
- Escalate to the Director, Human Resources when the conflict cannot be resolved, or where concerns remain.

Specifically, the HR Program Partner is required to:

- Ensure all newly hired ICRISAT workforce members receive appropriate training and complete Conflicts of Interest Policy Declaration during the hiring process, and at subsequent points throughout their continued appointment/ engagement;

- Treat the information disclosed by the member of the ICRISAT workforce, and/or their Supervisor, with appropriate confidentiality and without bias;
- Fairly evaluate the conflict of interest situation disclosed by the member of the ICRISAT workforce, and/or their Supervisor, including the risks to the Institute's interests and reputation;
- Seek guidance as necessary from the ICRISAT Legal team, and/or the Internal Audit Unit, and/or any other relevant expert party;
- Make a pragmatic decision to address the conflict of interest so that the risks to ICRISAT are minimized and the personal interests of the ICRISAT workforce member are protected as far as possible;
- Communicate the decision and its reasoning to the ICRISAT workforce member and/or their Supervisor, and take steps to ensure the workforce member understands and complies with the decision;
- Retain all documentation related to the conflict on file for a minimum period of seven (7) years;
- Escalate the conflict to the Director, Human Resources when the conflict cannot be resolved, or where concerns remain.

7. IMPLEMENTATION

7.1 Training and Awareness

ICRISAT workforce members must familiarize themselves with this policy, and participate in periodically held training sessions which will be organized by the ICRISAT Human Resource Services Unit, in collaboration with the Internal Audit Unit.

Supervisor will receive additional training on their specific responsibility to evaluate and effectively address conflicts of interest.

7.2 Reporting Potential Misconduct/Non-Retaliation

Any member of the ICRISAT workforce who perceives a potential breach of this Policy is required to promptly exercise their duty in accordance with ICRISAT's policy on Whistle blowing and Protection from Retaliation.

Any member of the ICRISAT workforce who reports potential misconduct, or who provides information or otherwise assists in the investigation of potential misconduct, will be protected against retaliation in accordance with ICRISAT's policy on Whistle blowing and Protection from Retaliation.

8. BREACH OF THIS POLICY

Breaches of this Policy will not be tolerated and may lead to disciplinary and other actions, up to and including the termination of employment, as specified in *Clause 16.0, Disciplinary Procedures of the Personnel Policy Manual*.

9. REPORTS

An annual status report on the total number of Disclosures of Conflict of Interest received under this Policy during the period, and the mitigating actions taken, will form part of the Annual Human Resource Report to the Governing Board.

10. MONITORING & REVISION

The Director Human Resources shall monitor, on behalf of the Director General, the operation of this policy. This policy will be reviewed once in 24 months by Director, Human Resources, in consultation with Internal Audit Unit.

Appendix I: Conflict of Interest Policy declaration

I, _____, acknowledge that I have read and understood the Conflict of Interest Policy of ICRISAT. I declare that I do not have any conflict as defined by this policy at the time of signing this document.

I, further declare that I shall immediately bring to the notice of my Supervisor, as soon as I become aware of any situation where I may have a conflict of interest.

I agree to comply with the policy, and to actively participate in all related training required of me.

I understand that I am liable to be held responsible if a violation is proven.

Signature:

Name:

Date:

