

# Conflict of Interest Policy

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INTERNATIONAL CROPS RESEARCH  
INSTITUTE FOR THE SEMI-ARID TROPICS

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## 1. Version Control

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### Policy Formulation:

<b>Policy Category:</b>	Governance
<b>Policy Formulation date:</b>	September 2020
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<b>Policy Approval date:</b>	1 Oct 2020
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<b>Policy Version:</b>	1.0
<b>Policy Owner:</b>	Director Human Resources

### Policy Amendments:

Date	Version	Changes made by	Changes approved by	Description of change

The Institute reserves the right to amend, suspend or rescind this policy at any time. While, 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 lack of clarity in the procedures. Such difficulties or lack of clarity 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.

## 2. Introduction

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ICRISAT (“Institute”) is committed to promote the highest ethical standards without compromising the professional judgement or decision making by ICRISAT workforce due to their personal interest. This “Conflict of Interest Policy” (“Policy”) has been formulated to provide all members of ICRISAT workforce with clarity on the principles for preventing and managing conflict of interests. This Policy forms part of the overarching Ethics Framework of the Institute as outlined in the “Ethics Policy”.

### 2.1. Objective

The objectives of this policy are as follows:

- a) To enable the development and maintenance of an effective control environment for conflict of interest management at the Institute
- b) To define obligations on the part of the ICRISAT workforce for preventing, managing, declaring conflicts of interest
- c) To prescribe formats for declaration of actual or potential or perceived conflicts of interest
- d) To define roles & responsibilities of various stakeholders to facilitate the effective implementation of this Policy
- e) To define a monitoring mechanism for ensuring compliance with the requirements of this Policy

### 2.2. Scope & Applicability

- a) This policy is applicable to all members of the ICRISAT Workforce, who may in their personal capacity, have an actual or potential or perceived conflict of interest affecting the Institute.
- b) This Policy applies whenever a member of the workforce recognizes, or should reasonably recognize, that a conflict of interest may arise from their current or future decisions/activities.

### 2.3. Roles & Responsibilities

- a) **Governing Board:** The Governing Board shall be responsible for providing oversight over the effective implementation of the overarching Ethics and Safeguarding Framework of the Institute, of which this Policy forms an integral component.
- b) **Ethics Committee:** This committee, headed by Director Human Resources, shall be responsible for effective implementation of the framework outlined in this policy and monitoring compliance with this Policy and underlying policies, procedures and/or guidelines.
- c) **Workforce:** All members of the ICRISAT workforce are responsible for adhering to the principles and requirements outlined in this Policy.
- d) **Supervisor:** The Supervisor (of each workforce member) is primarily responsible for ensuring that the workforce member’s work is delivered in line with the Institute’s expectations, policies and procedures. Specifically, he/she shall be responsible for the following:
  - i. Strictly adhere to this Policy within his or her area of functional responsibility;
  - ii. To provide appropriate guidance to those members of the ICRISAT workforce reporting to her or him;

- iii. Identify and help address potential areas where a conflict of interest may arise and report the same to the HR Program Partner;
  - iv. 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;
  - v. Inform the relevant HR Program Partner in writing of any conflict of interest that comes to his/ her notice, attaching the completed Conflict of Interest Disclosure Form;
  - vi. 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;
  - vii. 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; and
  - viii. Escalate to Director Human Resources when the conflict cannot be resolved, or where concerns remain even after having taken action to address the conflict.
- e) **HR Program Partner** shall be responsible for the following:
- i. Ensure all necessary trainings on conflict of interest management are provided to the members of ICRISAT workforce;
  - ii. Obtain Conflict of Interest Policy Declaration from all the new joiners at the Institute;
  - iii. Obtain the updated Conflict of Interest Policy Declaration from all members of ICRISAT workforce on an annual basis;
  - iv. 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;
  - v. Seek guidance as necessary from the ICRISAT Legal team, and/ or the Internal Audit Unit, and/ or any other relevant expert party;
  - vi. 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;
  - vii. 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;
  - viii. Retain all documentation related to the conflict on file for a minimum period of eight years;
  - ix. Escalate the conflict to the Director - Human Resources when the conflict cannot be resolved, or where concerns remain even after having taken action to address the conflict.
- f) **The Internal Audit Unit (IAU):** The IAU shall also make reasonable efforts during the course of their internal audit reviews to identify any red flags related to actual conflicts of interest and report the same to the Ethics Committee.

#### 2.4. Exception to the policy

Any exception to this Policy shall require an approval from Director General (DG) of the Institute and a post facto ratification shall also be obtained from the Governing Board at the next Board meeting. Any exceptions concerning the DG shall be approved by the

Governing Board. The Policy Owner shall be informed of these exceptions and he/ she shall maintain a record of these for monitoring purpose.

### **2.5. Frequency of Review**

This Policy shall be reviewed by the Policy Owner at least once in every 24 month period from the implementation date or from the date of last review or as directed by the Policy Council.

### 3. Policy Statement

#### 3.1. Understanding conflicts 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 conflict of interest broadly into three categories:

- a) **Actual conflict of interest:** It refers to a situation where the conflict of interest of a member of ICRISAT's workforce is not conditional to future circumstances or events.
- b) **Potential conflict of interest:** It refers to a reasonably foreseen situation where a conflict of interest may arise conditional to certain circumstances or events.
- c) **Perceived conflict of interest:** It refers to the conflict of interest that occurs when the member of ICRISAT workforce is or could be in a situation that may appear, according to a reasonable neutral third-party observer, to be a conflict of interest, even if it is not an actual or potential conflict of interest.

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

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

<p>Personal financial interests and relationships with business partners or competitors</p>	<p>ICRISAT workforce members must not:</p> <ol style="list-style-type: none"> <li>i. Own any interest equal to or greater than 1% in any company which competes with or does business with the Institute</li> <li>ii. Conduct Institute business with any entity in which they have a substantial interest, or with which they have a substantial affiliation</li> <li>iii. 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 of the Institute</li> </ol>
<p>Gifts, meals, travel, and entertainment</p>	<p>ICRISAT workforce members must not directly or indirectly solicit or accept from any Institute’s actual or potential business partner or competitor:</p> <ol style="list-style-type: none"> <li>i. Cash or cash equivalents (e.g., stocks, gift certificates, discounts not based on a collective agreement, etc.)</li> <li>ii. 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 workforce should refer to the guidelines on gifts issued by the Institute</li> <li>iii. 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</li> </ol>
<p>Fees, commissions, services, other favors</p>	<p>ICRISAT workforce members must not, directly or indirectly solicit or receive a fee, commission, service, or other favor from any actual or potential business partner or competitor of the Institute.</p>

### 3.2. Principles governing conflict of interest

#### 3.2.1. Obligations of the ICRISAT workforce

- a) As part of their ICRISAT employment contract, workforce members have the contractual obligation to avoid conflict of interest. Accordingly, they must take decisions or actions to ensure that a conflict of interest does not occur or does not have the potential to occur.
- b) Each member of the workforce shall on an ongoing basis review their personal situation to ensure they have no actual, potential or perceived conflicts of interest.

- c) Members of the ICRISAT workforce must disclose conflicts of interest to their immediate Supervisor as soon as they become aware of an actual or potential or perceived conflict of interest, and before the members of the ICRISAT workforce members engage in the conduct in question.
- d) ICRISAT workforce members should access appropriate advisory support, should they be in doubt about what circumstances might create a conflict of interest. They can reach out to their Supervisor or HR Program Partner or HR Workplace Relations Advisor or Dignity at Work Advisors.
- e) Any action or involvement or interest which may be seen to lead to a conflict of interest should be disclosed wherever requested and acted upon as appropriate by the members of workforce.
- f) Failure to disclose potential or actual conflicts of interest could result in disciplinary action under the applicable policies and procedures of the Institute.

### 3.2.2. Conflict of Interest Policy declaration

- a) 'Conflict of Interest Policy Declaration' shall be obtained, in the prescribed format, from all the members of ICRISAT workforce at the time of their appointment at the Institute.
- b) In addition, an updated 'Conflict of Interest Policy Declaration' shall be obtained from all the members of ICRISAT workforce at least on an annual basis.

### 3.2.3. Disclosure of Conflict of Interest

- a) Disclosure of 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.
- b) All disclosure of conflict of interest by the members of ICRISAT workforce shall be made as per the prescribed 'Conflict of Interest Disclosure Form'.
- c) Newly hired ICRISAT workforce members must disclose all conflicts of interest to the relevant HR Program Partner during the hiring process, who shall escalate these to the workforce member's immediate Supervisor.
- d) Transparency, in the form of such disclosure, shall be maintained to mitigate risks to protect the integrity and reputation of ICRISAT and its workforce.

### 3.2.4. Addressing Conflicts of Interest

- a) Addressing a conflict of interest is the process of identifying and implementing strategies and practices to minimize the risks identified with disclosed conflicts of interest.
- b) It is the responsibility of the Supervisor and HR Program Partner to take immediate action to mitigate any risks associated with the disclosed conflict. Specific responsibilities of the Supervisor and HR Program Partner are defined in the **Roles & Responsibilities Section (Section 2.3)** of the Policy.

### 3.2.5. Reporting potential misconduct and protection from retaliation

- a) Any member of the ICRISAT workforce who perceives a potential breach of this Policy is required to promptly exercise their duty in accordance with the "Whistle Blowing and Protection from Retaliation Policy" and "Concern Resolution Procedure".

- b) 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 “Whistle blowing and Protection from Retaliation”.

### **3.2.6. Confidentiality**

All disclosure forms, conflict of interest management plans and related information shall be maintained by the Institute with utmost confidentiality. It shall be the duty of all workforce members who may have access to confidential or sensitive information to maintain confidentiality and treat such information with due care while addressing the conflict of interest at hand.

### **3.3. Training and Awareness**

- a) All members of the Institute’s workforce should be made aware of this Policy at the time of onboarding and they must complete the training on preventing and managing conflict of interest.
- b) The Human Resource Services should conduct annual refresher trainings on the requirements of this Policy and monitor closely the participation of each member of the workforce in these sessions. The training defaulter list should be shared with the Ethics Committee at least on an annual basis.
- c) The Human Resources Unit will take initiatives to raise awareness on preventing, managing, declaring and disclosure of conflict of interest.
- d) Supervisors shall also receive additional trainings, as deemed appropriate by the Ethics Committee and the Human Resource Services Unit on their specific responsibilities to evaluate and effectively address conflicts of interest.

### **3.4. Breach of this policy**

Breach of this Policy will not be tolerated and may lead to disciplinary and other actions, up to and including the termination of employment, as per applicable policies and procedures of the Institute.

### **3.5. Monitoring**

- a) The Director Human Resources shall monitor on periodic basis, on behalf of the Director General, the operation of this policy.
- b) The Internal Audit Unit (IAU) shall also make reasonable efforts during the course of their internal audit reviews to identify any red flags related to actual conflicts of interest and report the same to the Ethics Committee.
- c) The Ethics Committee will recommend changes to this Policy to reflect evolving norms, practices and changes to ICRISAT processes and systems.

### **3.6. Reporting**

- a) The Ethics Committee shall, at least on a quarterly basis, inform the Director General on the compliance status of this policy or any breaches during the period.
- b) 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, should be presented to the Governing Board by Director Human Resources.

## 4. Appendix

### 4.1. Key Terms

Term	Definition
<b>Closely related persons</b>	The ICRISAT workforce member’s family members, someone with whom the ICRISAT workforce member has an intimate relationship, and/or those living in the same household as the ICRISAT workforce member.
<b>Conflict of Interest</b>	Conflict of interest refers to an actual, perceived or potential conflict where the personal interests of an ICRISAT workforce member may be in conflict (or perceived to be in conflict) with the interests of the Institute.
<b>Dignity at Work Advisors</b>	The Dignity at Work Advisors are volunteers from across the ICRISAT workforce who have received training in various aspects of Ethics Framework and its underlying policies and Concern Resolution Procedure and are bound by appropriate confidentiality agreement. They are available to provide information and advice on a confidential basis to any member of workforce. 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.
<b>HR Workplace Relation Advisor</b>	A trained HR professional and the HR point of contact under the “Concern Resolution Procedure”
<b>Institute</b>	International Crops Research Institute for the Semi-Arid Tropics (ICRISAT)
<b>Policy Council</b>	A council consisting of nominated members from the ICRISAT Executive Team, constituted for ensuring compliance with the policy management framework of ICRISAT.
<b>Protected Disclosure/ Disclosure</b>	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.
<b>Retaliation</b>	<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> <ol style="list-style-type: none"> <li>i. Reported suspected wrongdoing that implies a significant risk to the Institute; and/or</li> <li>ii. Cooperated with a duly authorized audit or an investigation of a report of wrongdoing.</li> </ol> <p><b>Retaliation can include without being limited to:</b></p> <ol style="list-style-type: none"> <li>i. Harassment;</li> <li>ii. Discrimination;</li> <li>iii. Unsubstantiated negative performance appraisals;</li> <li>iv. Unjustified contractual changes: termination, demotion, reassignment or transfer;</li> </ol>

	<ul style="list-style-type: none"> <li>v. Unjustified modification of duties;</li> <li>vi. Unjustified non-authorization of holidays and other leave types;</li> <li>vii. Unjustified termination or compensation decreases, or poor work</li> <li>viii. assignments or threats of physical harm</li> <li>ix. Malicious delays in authorizing travel, or the provision of entitlements;</li> <li>x. Threat to the Whistle Blower, their family and/or property including threats that may come from outside ICRISAT.</li> </ul> <p>Retaliation will be treated as gross misconduct and is subject to appropriate disciplinary action, in accordance with Disciplinary Procedures.</p>
<b>Whistle Blower</b>	Someone who makes a Protected Disclosure under the “Whistle Blowing and Protection from Retaliation Policy” of the Institute.
<b>Workforce</b>	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.

#### 4.2. Reference Documents/ links

- A. Ethics Policy
- B. Code of Conduct
- C. Whistle Blowing and Protection from Retaliation Policy
- D. Concern Resolution Procedure
- E. Conflict of Interest Policy Declaration
- F. Conflict of Interest Disclosure Form