

Africa Rice Center
(AfricaRice)

Staff Policy on Conflict of Interest

Objective of the Policy

This policy is an essential part of the code of conduct and ethics as defined in the Human Resources Policy manuals of the Africa Rice Center (AfricaRice). Its purpose is to manage rather than prohibit conflicts of interest. It is closely related to the policy of intellectual property of the institute.

Scope of the Policy

This policy applies to all AfricaRice staff members. It can be extended to consultants, joint appointments and other collaborators when their contracts so stipulate.

This policy covers all the various activities that AfricaRice staff may engage in, in the context of their employment by AfricaRice.

The rules of governance of AfricaRice contain provisions on conflict of interest of Board Members.

Overview of the policy

- ◇ All staff members and other individuals to whom this policy applies are expected to observe the proper code of conduct and demonstrate the highest ethical standards possible in their dealings with AfricaRice.
- ◇ Any potential or actual conflict of interest should be disclosed as early as possible.
- ◇ The Conflict of Interest committee will then make recommendations to the Director General on the handling of specific cases.

- ◇ An important aspect of the policy is that all staff members will be requested to make regular disclosures on potential or actual conflicts of interest they may have in addition to a statement when they are hired.

Definition of Conflict of Interest

Conflict of interest arises whenever the personal or professional interests of a staff member are potentially at odds with the best interests of AfricaRice. A conflict of interest does exist even if there are no improper acts as a result of it. A conflict of interest could be understood as a "conflict of roles": It arises when the outside activities and interests of an AfricaRice staff member prevent or may prevent them from performing their work in an objective, unbiased or transparent manner. This is especially so when they are in a position to influence AfricaRice's business, research or development work, or other decisions or policies in ways that could lead directly or indirectly to a financial gain or any other type of gain (favor, gift, recognition, free use of AfricaRice facilities or services), for the staff member, his/her family, close relatives, business or professional associates or give improper advantage to others to the detriment of AfricaRice.

Obvious conflicts of interest arise when:

- The staff member supervises either directly or indirectly a spouse, close relative or business associate. The Personnel Policy Manual contains provisions on recruitment of relatives which should naturally be followed at all times.
- The staff member or one of their close relatives or business associates is party to a contract with AfricaRice.
- S/he or one of their close relatives or business associates is an officer, director or partner of a party to a contract.
- S/he or one of their close relatives or business associates is an investor in a party to a contract.
- S/he or one of their close relatives or business associates has a consulting relationship or a management role or holds equity in an organization funding research at AfricaRice.

- S/he seeks personal gain from the use of information or material received in a confidential context or from the use of AfricaRice's assets.

Obligations of each staff member

Each staff member is expected to perform his/her duties honestly, in good faith, with a view to the best interests of AfricaRice and generally maintain the highest degree of integrity in their work, to avoid any conflict of interest or appearance of conflict. They should take appropriate action at all times to comply with the present policy and to avoid any potential conflict of interest. Staff are under a continuing obligation to disclose any potential conflict of interest as soon as it is reasonably known.

Failure to disclose actual or potential conflicts of interest could result in disciplinary action.

One key rule is that if a staff member is unsure as to whether the situation s/he is facing constitutes a conflict of interest, s/he should immediately ask for guidance. A first step may be to turn to her/his supervisor. The Human Resource department, the Internal Audit unit or any member of the Management Committee are always available to provide guidance as well.

A staff member should not take steps by him/herself to reduce the appearance or reality of the conflict of interest. S/he should disclose it and follow the decisions made by the Director General based on the recommendations made by the Conflict of Interest Review Committee.

Gifts

Gifts received by AfricaRice staff members in the course of business of a value lower than US\$50 do not constitute a violation of this policy.

Disclosure of potential or actual conflict of interest

- Each staff member shall report to the Director General any actual or potential conflict of interest as soon as practicable after becoming aware of the conflict using the form presented in Appendix 1. This includes a principal investigator becoming aware of a potential conflict of interest in the course of the development of a project proposal.

- As part of the TQM process, each principal investigator will fill a disclosure form every time they submit a proposal to the Office of the Deputy Director General for Research.
- Each employee will fill the form presented in Appendix 1 upon hiring.
- All budget holders, all Human Resources, Procurement, Stores and Finance staff will systematically fill the disclosure form by attaching it to the Annual Performance Appraisal form.
- All other employees will fill the form on a biannual basis. The HR Unit will indicate which units are to fill it each year.
- Those disclosure forms will be sent to the Human Resource Department who will file a copy in the employee's file, review them and immediately submit any form indicating a potential or actual conflict of interest to the Director General.

Conflict of Interest Review Committee

Role

The role of the Conflict of Interest Review Committee is to advise the Director General on all matters related to actual or potential conflicts of interests in the institute. This includes:

- ⇒ Making recommendations on disclosed cases of actual or potential conflicts of interest
- ⇒ Monitoring the implementation of the recommendations as approved by the Director General
- ⇒ Investigating reported or alleged cases of undisclosed conflicts of interest and make appropriate recommendations to the Director General
- ⇒ Preparing a regular report to the Board on its activities
- ⇒ Recommending changes to the present policy
- ⇒ Maintaining appropriate records of all its deliberations and decisions.

Composition

The Committee is constituted by the Director General. The Committee will include the Deputy Director General for Research (chair), the Intellectual Property Officer, the Director of Finance and Administration, the Human Resources Manager, a

program leader (on a rotating basis with a change every year) and two GSS representatives.

If any of those staff members has an actual or potential conflict of interest themselves related to the matter at hand, they will withdraw from the committee. The Director General may also decide to request that a member withdraws. In such cases, another staff member will replace him/her.

Process

The committee will be tasked by the Director General to work on the claims they have received. The committee will therefore meet on a needs basis.

The Committee may need internal or external expertise during its deliberations. The committee decides what additional information is required and what administrative oversight or other appropriate mechanism will be required to manage the conflict situation that has been presented to them. The review committee may:

- Allow the research or business action, proposal, decision or policy to go forward without modification, or
- Require some specific type of administrative oversight or management (e.g. ensuring the involved staff member does not participate in any way in the decision-making process) or
- Recommend the withdrawal of the proposed action, proposal, decision or policy.

The recommendation will be made to the Director General. Once approved by the Director General, the recommendation is notified to the employee and becomes binding to all involved in the decision-making process or other activity involving the conflict of interest.

Appendix 1- Disclosure form- Conflict of Interest

Disclosure forms with "yes" answers to one or more of the following questions are to be forwarded to the Director General.

Possible cases of conflict of interest	Yes	No
I have an ownership interest in a company or firm having dealings (*) or intending to have dealings with AfricaRice.		
I am an employee, director or officer of a company or firm having dealings or intending to have dealings with AfricaRice		
My spouse, partner, one of my dependents, a family member (close relative) or a close business associate has an ownership interest or is an employee, director or officer of a company or firm having dealings or intending to have dealings with AfricaRice.		
I, my spouse, partner, one of my dependents, a family member (close relative) or a close business associate have received or are likely to receive preferential treatment, recognition or other benefits as a consequence of my association with AfricaRice.		
I, my spouse, partner, one of my dependents, a family member (close relative) or a close business associate are in a position to benefit directly or indirectly from an action, policy or transaction made by AfricaRice.		
I am facing another case of actual or potential conflict of interest		

(*) "Dealings" include funding AfricaRice, procuring goods or services to AfricaRice, leasing goods or services to AfricaRice, working in partnership with AfricaRice,

If you have answered yes to any of the options above, please provide full details below:

Signature: _____ Date: _____

Approved by Board, September 2008