

Conflict of Interest Policy

Purpose

The purpose of this policy is to ensure that all employees of AVSI POLSKA effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of AVSI POLSKA and manage risk.

Objective

AVSI POLSKA aims to ensure that all employees are aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of AVSI POLSKA.

Policy coverage

This policy applies to all employees and cooperators of AVSI POLSKA.

This policy supplements any conflict of interest obligation arising under an employee's contract of employment or other contract. It is expected that all employees/cooperators participate fully in conflict of interest disclosure and management.

Policy statement

AVSI POLSKA recognises the importance of providing a framework in which conflicts of interest are identified, disclosed and managed appropriately.

AVSI POLSKA is committed to building a workplace that is free from fraud or corruption or the perception of fraud or corruption. This policy has been developed because conflicts of interest may arise, and do not need to present a problem to staff or AVSI POLSKA if they are openly and effectively managed. For these reasons it is important that all employees/cooperators share a responsibility for strengthening this commitment to identify, disclose and manage conflicts of interest appropriately.

Having a conflict of interest does not necessarily amount to a breach of this policy. However, failure to disclose a conflict of interest may constitute a breach.

Apart from the obligations under this policy, employees/cooperators may also have obligations arising under their contract of employment/other contract or under another AVSI POLSKA policy in relation to:

- engaging in other employment or paid activities

Definition of conflict of interest

Conflict of interest arises where an employee's duty to AVSI POLSKA is affected by a personal interest. In such cases, the line between personal and professional conduct may become blurred and interfere with an employee's/cooperator's capacity to perform their position.

Personal interests may be financial or non-financial, and may be held in relation to:

- family members
- close friends
- associates.

Conflict of interest is commonly 'positive' (e.g. motivated by financial/personal gain) but can also be 'negative' (e.g. motivated by harm to another person).

It is worth bearing in mind that conflict of interest can arise without intent to 'cross the line' between professional and personal interest. In other words, conflict of interest can be not only actual, but also **potential** or **perceived**.

- A **potential** conflict of interest is one which is foreseeable from the circumstances, but has not yet become actual (for example, where a job applicant is related to a recruitment panel member, but the applications have not yet been processed).
- A **perceived** conflict of interest is one where the circumstances indicate to a reasonable person that an employee's/cooperator's duty to AVSI POLSKA is affected, whether there is an actual conflict of interest or not.

Typical conflict of interest situations

There are many situations where a conflict of interest may arise. Some of the more common situations are outlined below.

Other employment/paid activities

An employee undertaking other employment or paid activities may give rise to a potential/actual/perceived conflict of interest, particularly when the other work is related to work duties. Depending on the circumstances, an employee's/cooperator's ability to perform their work duties may be adversely affected by the other employment/activities.

Apart from ongoing obligations under this policy, an employee/cooperator must meet certain conflict of interest obligations under their contract of employment or other contract. Namely, the employee/cooperator must notify the principal in writing of the other employment/activities. The principal will then determine whether a potential/actual conflict of interest exists. All conflicts of interest are to be managed in the interests of AVSI POLSKA.

Disposal of AVSI POLSKA assets

The disposal of AVSI POLSKA assets has potential conflict of interest implications such as fraud or unofficial use of equipment.

Accepting gifts and benefits

It is a policy at AVSI POLSKA that employees may not accept gifts and benefits from the third persons.

The employees/cooperators:

- do not solicit gifts or benefits
- refuse all offers of gifts or benefits that could reasonably be perceived as undermining the integrity of AVSI POLSKA or themselves
- inform the gift giver that 'thanks is enough' and the gift is thoughtful but not required in relation to their work or services
- refuse all offers of gifts or benefits from individuals or organisations about which they are likely to

make decisions (e.g. tender processes, procurement or licensing or regulation)

- refuse all offers of money or items easily converted to money, such as shares
- refuse bribes and report bribery attempts to the principal
- seek advice from the principal if unsure how to respond to an offer of a gift or benefit of more than a nominal value.

Procuring goods and services

A potential or perceived conflict of interest may exist when a contractor used at AVSI POLSKA is also engaged by an employee/cooperator for private work. In some situations, a contractor may offer or provide private work at a discounted rate to ensure they remain in good favour for future contracts. This may mean that an employee/cooperator receives a private benefit which could become a potential conflict of interest if they are also involved in decisions for the procurement of goods or services for AVSI POLSKA.

If it could be perceived that the contractor's work performed for the employee in their private capacity is a conflict of interest then the employee should ensure that the private work is charged at standard and published rates. Furthermore, the employee should declare the engagement of the contractor for private work and/or any relationship with the contractor prior to any future awarding of contracts for the procurement of goods or services for AVSI POLSKA.

To avoid a potential or perceived conflict of interest for the procuring of goods and services it is recommended that procurement decisions are made by a panel rather than one person.

Staff recruitment

A conflict of interest exists in the recruitment of a person with whom an employee/cooperator has a current or past professional/personal relationship or in whose recruitment they have a vested interest.

Where an employee/cooperator is part of a recruitment panel and becomes aware of such a relationship to a job applicant, they should declare the conflict of interest to the principal. The principal will then determine a conflict of interest management plan (see below 'Managing a conflict of interest') in consultation with the employee/cooperator, for example the employee may remove himself/herself from the recruitment panel.

Identification and disclosure of conflict of interest

All employees/cooperators have a continuing responsibility for identifying, declaring and managing any potential or perceived conflict of interest that applies to them.

Where an employee/cooperator suspects that they may have a potential/perceived/actual conflict of interest, the employee needs to discuss any conflict of interest with the principal and provide the principal with a completed Conflict of Interest Declaration form. Employees/cooperators should provide all information on the reporting form relevant to the identified conflict of interest in order to allow the principal to fully assess whether a conflict of interest in fact exists.

There may be circumstances in which a potential/actual/perceived conflict of interest involves the principal. In such a situation, the principal or another employee/cooperator should discuss the matter directly with the employer.

Managing conflict of interest

If the principal determines there is a potential/perceived/actual conflict of interest, the principal will

prepare and propose a conflict of interest management plan. The employee/cooperator has a responsibility to discuss any proposed conflict of interest management plan with the principal.

The principal will consider any input the employee/cooperator may have in relation to the proposed management plan, however the employee/cooperator is obliged to follow any conflict of interest management plan decided upon by the principal.

There may be circumstances in which a potential/actual/perceived conflict of interest involves the principal. In such a situation, the principal will work with the employer to develop the conflict of interest management plan.

Conflict of interest management plans will ensure conflicts are managed and resolved based on the following strategies:

Record and disclose	Ensure all information surrounding the conflict of interest has been disclosed and documented appropriately.
Restrict	Restrictions are placed on the employee's/cooperator's involvement in the matter or the scope of the work is reformulated or there is a restriction on access to certain information.
Recruit and monitor	A non-conflicted third party is used to oversee part or all of the process that deals with the matter.
Remove	The employee/cooperators removes themselves, or is removed, from the matter. For example, in a situation in which a job applicant is related to a member of the recruitment panel for that position, a conflict of interest management plan might be for that panel member to step down from their position during the selection process for that position only.
Relinquish	The employee/cooperator relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed using one of the other options above, the employee/cooperator may consider removing themselves from the process.

Conflict of interest management plans included in the Conflict of Interest Declaration form should be reviewed regularly to ensure they remain effective.

Consequences of breaching this policy

Conflicts of interest are not in themselves unethical or contrary to this policy. However, if an employee/cooperator fails to identify (or, where required, manage/monitor) any actual/perceived/potential conflict of interest, this may result in disciplinary action or, depending on the seriousness of the circumstances, termination of employment or cooperation.

Conflict of interest checklist for employees/cooperators

1. Complete the Conflict of Interest Declaration form.
2. Discuss circumstances of the conflict of interest situation with the principal or employer.
3. Follow the conflict of interest management plan decided upon by the principal or employer.
4. Monitor the conflict of interest situation on an ongoing basis, informing the principal or employer of

any change to circumstances of the conflict of interest situation.

Policy review

This policy will be reviewed every two years to take account of any changed technology, legislation, expectations or practices.