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# Prevention of Conflict of Interest Policy



## CONTENT

### Table of Contents

<b>CONTENT</b> .....	1
FOREWORD .....	3
1. INTRODUCTION .....	4
2. INTERPRETATION AND SCOPE.....	5
2.1 Scope of Application .....	5
2.2 Definitions.....	5
2.3 Information and adherence to the policy .....	6
2.4 Purpose of the policy .....	6
3. GENERAL PRINCIPLES.....	7
3.1 Neutrality .....	7
3.2 Impartiality.....	7
3.3 Confidence of Stakeholders .....	7
3.4 Hierarchical Responsibility.....	7
3.5 Confidentiality .....	7
3.6 Political or public activity .....	7
3.7 Protection of Privacy .....	8
3.8 Information held.....	8
3.9 Professional resources .....	8
3.10 Responsibility of line managers.....	8
3.11 Termination of professional duties .....	8
3.12 Relations with former NCRO staff.....	9
4. MECHANISMS TO FIGHT CONFLICTS OF INTEREST .....	9
4.1 Prevention of conflicts of interest .....	9
4.2 Reporting .....	9
4.3 Action to be taken in the event of a conflict of interest .....	9
4.4 Declaration of interests .....	10



4.5	Incompatible external interests .....	10
4.6	Gifts .....	10
4.7	Reaction to offers of unfair advantages .....	11
4.8	Vulnerability to the influence of third parties.....	11
5.	IMPLEMENTATION OF THE POLICY .....	11
5.1	Implementation date of the policy.....	11
5.2	Adherence to the policy .....	11
6.	THE END .....	12



## FOREWORD

This Prevention of Conflict of Interest Policy is developed with a view to bringing harmonization in the NCRO activities.

The manual is aimed at regulating the internal day-to-day affairs of NCRO and is not purported to address legal or other issues outside the organization. For issues outside the organization, reference to laws and regulations issued by government authorities should be made.

Besides the implementation of this manual, any law and regulation applicable to NCRO must be properly complied with and this is the responsibility of top management to ensure that nothing is being done in violation of government laws and regulations applicable to NCRO.


This updated version of the manual shall come into force w.e.f the date (1 July 2021) when the Board of Directors NCRO approves the updates of this manual. The scope of this manual extends to all activities.

All the staff members are responsible to make themselves familiar with its contents and for proper implementation of the same. Failure to comply with these regulations will be met with appropriate actions

The manual includes policies and procedures, while different standard formats are put as appendixes.

As the Board of Directors approves this manual, any future changes should also be approved by the Board of Directors before incorporating them into this manual.

This manual should be reviewed regularly to see if any updates are lagging or if any procedures should be changed.

NCRO Director 





## 1. INTRODUCTION

Owing to the constant human suffering caused by the civil war in Afghanistan, we decided to create a nongovernmental organization, Narcotic Control and Rehabilitation of Afghanistan in 1993. Being renamed in 2005, National Consultancy and Relief Association, and later on the appellation changed in 2012 to New Consultancy and Relief Organization (NCRO).

NCRO was established with a view to serving the needy Afghans, particularly Afghan Returnees from neighboring countries and the internally displaced persons (IDPs) due to natural disasters or internal conflicts in Afghanistan. NCRO is a fully voluntary organization and provides services to the aforementioned categories of people, irrespective of gender, race, language or geographical locations. NCRO assistance is always free and within the rules and regulations of the country. It never seeks compensation or reimbursement from its beneficiaries.

NCRO is registered as a nongovernmental organization, with the government (Ministry of Economy).

The commitment of NCRO is guided by the following four core values:

- **Responsibility:** we contribute to the efficient and responsible delivery of aid with the means and the resources that have been entrusted to us.
- **Impact:** we are committed to promoting better aid practices and policies to support the communities and the people with whom we engage.
- **Enterprising-spirit:** we are enterprising and engage in our work with a spirit that creates value and overcomes challenges.
- **Inspiration:** we strive to inspire all those around us through our vision, values, approaches, choices, practice, actions and advocacy.

### A. Policy Statement

NCRO is committed to respecting the highest standards in terms of efficiency, responsibility and transparency in its activities. To this end, NCRO's Conflict of Interest Prevention Policy:

- Encourages prevention.
- Promotes detection.
- Sets out a clear investigation procedure.
- Sets out a mechanism of sanctions.

The purpose of this policy is aimed at guiding NCRO staff and partners, and must be considered together with:

- NCRO's Code of Conduct.
- NCRO's Grievance Policy.
- NCRO's Child Protection Policy.
- NCRO's Conflict of Interest Prevention Policy.
- NCRO's Anti-Fraud, Bribery & Corruption Policy.
- NCRO's Sexual Exploitation and Abuse Policy.
- NCRO's Data Protection Policy.
- NCRO's procedures and manuals.



## 2. INTERPRETATION AND SCOPE

### 2.1 Scope of Application

1. This policy applies to all NCRO staff and governance members.
2. The provisions of this policy may also be applied to any person employed by an entity that carries out missions for NCRO.
3. In particular, this policy applies to consultants, suppliers, sub-grantees and implementing partners depending on specific clauses and conditions of the grant agreement.

### 2.2 Definitions

#### **Terminologies:**

A “conflict of interest” stems from a situation in which a staff of NCRO and/or the other entities referred to in 2.1 scope of application of this policy has a personal interest which will be in conflict with the organization’s (NCRO) interest and likely to influence or appear to influence the impartial and objective exercise of their professional role Or any situation in which will the employee has a choice to select between NCRO and others' interests.

The personal interest of staff of NCRO and the other entities referred to in 2.1 scope of application of this policy covers any interest for themselves or for their relatives or organizations with which they have or have had business or political relations.

**Consultant:** Under the term of this policy, a “consultant” is a third party, individual or group, with or without legal personality, who directly or indirectly provides any type of consulting services to NCRO, whether for a fee or not.

**Supplier:** Under the term of this policy, a “supplier” is a third party, individual or group, with or without legal personality, who directly or indirectly provides any type of goods and/or services to NCRO, for a fee or not.

**Governance:** Under the terms of this policy, the term “governance” refers to any Member elected by decision making bodies to participate in NCRO’s managerial and administrative governance bodies. In particular, NCRO’s Committee Administrators are Governance members.

**Implementing partner:** Under the terms of this policy, an “implementing partner” is a partner to whom the implementation of one or more projects or activities has been delegated, and to whom a budget has been allocated for this purpose. In particular, this refers to national NGOs and/or public institutions.

**Stakeholders:** Under the terms of this policy, “stakeholders” are individuals or groups, with or without a legal personality, who directly or indirectly, voluntarily or involuntarily, contribute to, participate in



or benefit from, in any way, the actions, programs and activities of NCRO.

**NCRO Staff:** Under the terms of this policy, the term “NCRO staff” refers to any person employed by NCRO. The interns and volunteers of NCRO are considered to fall within this category, for the purposes of this policy.

**Sub-Grantee:** Under the terms of this policy, a “sub-grantee” is an individual or group, with or without a legal personality, who receives a budget to carry out a project or activity.

### 2.3 Information and adherence to the policy

1. This policy is published under the authority of NCRO. NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, are required to conduct themselves in accordance with this policy and must therefore be aware of and have understood its provisions and any changes. When they are unsure of how to proceed, they should seek the advice of a competent person, notably their line manager.
2. It is the responsibility of NCRO staff with managerial responsibilities, as well as the other entities referred to in 2.1 scope of application of this policy, to ensure that staff under their supervision comply with this policy; and to take or propose appropriate disciplinary measures as sanction against any violations of its provisions.
3. The policy will be oriented to all staff regularly, the orientation will be provided in local languages. The policy will be translated into local languages and given to staff not able to read English.
4. This policy shall form part of the working conditions of NCRO staff and the conditions for the performance of the missions of the other entities referred to in 2.1 scope of application of this policy from the moment they certify that they have read it.
5. NCRO will review the provisions of this policy at regular intervals.

### 2.4 Purpose of the policy

The purpose of this policy is to:

1. Implement mechanisms to prevent and fight conflicts of interest applicable to NCRO staff and the other entities referred to in 2.1 scope of application of this policy.
2. Specify the rules on integrity and conduct relating to the fight against fraud and corruption that NCRO staff and the other entities referred to in 2.1 scope of application of this policy must observe to eliminate wrong doings at its origin.
3. Enable all employees to disclose actual or possible conflict of interest to the NCRO management as per the provisions provided in this policy and Human resource policies.



### **3. GENERAL PRINCIPLES**

#### **3.1 Neutrality**

NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, must fulfil their duties in a neutral and apolitical manner, in accordance with the law, legitimate instructions and ethical rules relating to their roles.

#### **3.2 Impartiality**

In the context of their professional roles and/or their missions, NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, must act in accordance with the law and exercise their discretionary power in an impartial manner, taking into consideration only relevant circumstances.

#### **3.3 Confidence of Stakeholders**

NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, have a duty to conduct themselves at all times in a way that reflects and upholds NCRO's values of integrity, impartiality and efficiency and contributes to strengthen the confidence of all stakeholders.

#### **3.4 Hierarchical Responsibility**

NCRO staff report to their immediate line manager and/or the head of their functional department, unless otherwise provided for by law.

#### **3.5 Confidentiality**

Duly considering the stakeholders' potential right to access information, NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, must process all the information and all the documents acquired during or as part of the exercise of their duties with the necessary confidentiality.

#### **3.6 Political or public activity**

1. Subject to respect of fundamental and constitutional rights, NCRO staff must ensure that their personal participation in political activities or their involvement in public or political debates does not alter the confidence of stakeholders, international, national or local authorities, or NCRO, with regard to their ability to complete their mission fairly and impartially.
2. In the performance of their duties, NCRO staff must not use the resources for partisan purposes.





### **3.7 Protection of Privacy**

All the necessary measures must be taken to ensure that the privacy of NCRO staff and of the other entities referred to in 2.1 scope of application of this policy, is appropriately respected; as a result, the declarations provided for this policy must remain confidential, unless otherwise provided for by law.

### **3.8 Information held**

1. Considering the general framework of international law regarding access to information held by private individuals, NCRO staff and the other entities referred to in 2.1 scope of application of this policy should disclose information only with respect to the rules and requirements applicable to NCRO.
2. NCRO staff and the other entities referred to in 2.1 scope of application of this policy must take appropriate measures to guarantee the security and confidentiality of the information for which they are responsible or of which they are aware.
3. NCRO staff and the other entities referred to in 2.1 scope of application of this policy must not seek access to information that would be inappropriate for them to have. NCRO staff, as well as the other entities referred to in 2.1 scope of application of this policy, must not make inappropriate use of the information they may obtain in or as part of the exercise of their duties.
4. In the same way, NCRO staff and the other entities referred to in 2.1 scope of application of this policy must not retain professional information that may or should be legitimately circulated, or circulate information they know, or have reasonable grounds to believe, is inaccurate or misleading.

### **3.9 Professional resources**

In the exercise of their discretionary power, NCRO staff and the other entities referred to in 2.1 scope of application of this policy must ensure that the staff and the property, facilities, services, and financial resources entrusted to them are managed and used in a useful, effective and economic manner. They must not be used for private purposes unless this is authorized in writing by the Executive Director or his/her delegate.

### **3.10 Responsibility of line managers**

1. NCRO staff in charge of managing or supervising other NCRO staff must do so in accordance with the policies and objectives of NCRO. They must respond to the acts and omissions of their staff that violate these policies and objectives if they have not taken the due diligence measures expected from a person in their position to prevent such acts or omissions.

### **3.11 Termination of professional duties**



1. NCRO staff must not take undue advantage of their role within NCRO to obtain an employment opportunity outside of NCRO.
2. NCRO staff must not use or disclose confidential information obtained by them in their capacity as NCRO staff unless they have been authorized to do so by NCRO in writing, and in accordance with the law.

### **3.12 Relations with former NCRO staff**

NCRO staff should not give former NCRO staff preferential treatment or privileged access to NCRO.

## **4. MECHANISMS TO FIGHT CONFLICTS OF INTEREST**

### **4.1 Prevention of conflicts of interest**

1. NCRO staff and the other entities referred to in 2.1 scope of application of this policy must prevent their private interests from conflicting with their duties. It is their responsibility to avoid such conflict, regardless of whether this conflict is actual, potential, or likely to appear as such.
2. Under no circumstances may NCRO staff and the other entities referred to in 2.1 scope of application of this policy take unfair advantage of their professional position for their personal interest.

### **4.2 Reporting**

1. NCRO staff and the other entities referred to in 2.1 scope of application of this policy, believe that they are required to act unlawfully, improperly, or unethically, which may be in violation of this policy or otherwise inconsistent with this policy, should report it to their line manager and/or the NCRO Country Coordinator / Representative.
2. NCRO staff and the other entities referred to in 2.1 scope of application of this policy who have reported an aforementioned case of misconduct in accordance with this policy, and who believe that the response provided is not satisfactory, may report this in writing to [Complaint@ncro-afg.org](mailto:Complaint@ncro-afg.org)

### **4.3 Action to be taken in the event of a conflict of interest**

1. Since NCRO staff and the other entities referred to in 2.1 scope of application of this policy are generally the only ones who know if they are in a position of a possible or actual conflict of interest, they are personally required to:

- be attentive to any actual or potential conflict of interest;
- take measures to avoid such a conflict of interest;
- inform their line manager of any conflict of interest as soon as they are aware of this
- Comply with any final decision that requires them to resolve the situation, in particular by removing themselves from the situation, or renouncing the benefit from which the conflict stems.

#### **4.4 Declaration of interests**

In accordance with this policy, NCRO staff and the other entities referred to in 2.1 scope of application of this policy who occupy a position and/or exercise a mission in which their personal or private interests are likely to be affected by their

Professional functions and/or missions must declare the nature and extent of their interests whenever they assume a position or at the time of each mission, and then at regular intervals and at the time of any change of situation.

Not all conflict of interest relevant relationships need to be terminated, following the reporting the committee or person responsible for managing the conflict of interest cases will study and decide the level of conflict of interest after that a decision will be made. The disclosed conflict of interest could be tolerable and not harm the organization and the relationship may continue.

#### **4.5 Incompatible external interests**

1. NCRO staff and governance members must not engage in any activity or transaction, or occupy any paid or unpaid position or role, that is incompatible with the correct exercise of their professional functions, or that harms this. If it is unclear whether an activity is compatible, staff must request the opinion of their line manager.
2. Subject to the applicable legislation, NCRO staff, and governance members are required to inform and obtain the approval of NCRO before performing certain paid or unpaid activities, or accepting any positions or roles, outside of their work for NCRO.
3. NCRO staff and governance members must declare their affiliation with or membership of organizations likely to harm their role or the correct performance of their duties at NCRO.

#### **4.6 Gifts**

1. NCRO staff and the other entities referred to in 2.1 scope of application of this policy must not solicit or accept gifts, favors, invitations, or any other benefit intended for them. In accordance with NCRO's Code of Conduct, this does not include conventional hospitality or small gifts valued under 1,000.00Afs gifts above this value must be reported to the line manager.



2. If NCRO staff is unsure whether or not they may accept a gift or hospitality, they must request the opinion of their line manager.

#### **4.7 Reaction to offers of unfair advantages**

1. If NCRO staff and the other entities referred to in 2.1 scope of application of this policy are offered an unfair advantage, they must take the following measures to protect themselves:
  - Refuse the unfair advantage. It is not necessary to accept it with a view to using it as proof;
  - try to identify the person who made the offer;
  - avoid prolonged contact, although knowledge of the reason for the offer may be useful in a statement;
  - in the event that the gift above 1,000.00 cannot be refused or returned to the sender, may be submitted to NCRO management
  - Continue to work normally, particularly on the contract in relation to which the unfair advantage was offered.
2. Any significant gift which could not be refused must be handed over to NCRO with an explanatory note.

#### **4.8 Vulnerability to the influence of third parties**

NCRO staff and the other entities referred to in 2.1 scope of application of this policy must not place themselves or allow themselves to be placed in a situation that requires them to grant a favor to any person or entity in return. In the same way, their public and private conduct must not leave them vulnerable to the undue influence of third parties.

### **5. IMPLEMENTATION OF THE POLICY**

#### **5.1 Implementation date of the policy**

This Conflict of Interest Prevention Policy comes into effect after approval by NCRO's board of directors on 1<sup>st</sup> of July 2021.

#### **5.2 Adherence to the policy**

NCRO staff and the other entities referred to in 2.1 scope of application of this policy certify that they adhere to these principles by signing the NCRO Policy Acceptance Form and/or by signing their employment contract.

#### **Failing to Disclose a Conflict of Interest**

This section applies to a situation where a conflict of interest was not disclosed by an interested person



before the transaction took place or further progress of the situation. Upon discovery of the violation, the issue should be brought to the notice of the NCRO management (Executive Director and HR) which can take the following routes:

1. If NCRO's management has a reasonable cause to believe that a person has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.
2. If, after hearing the response of the interested person and making further investigation as may be warranted in the circumstances, NCRO's management determines that the person has failed to disclose an actual or possible conflict of interest, it will initiate appropriate disciplinary and corrective action. This action may include, but not limited to, the issuance of a warning or termination on his/her contract with NCRO.

## **6. THE END**