



# GENERAL CONFLICT OF INTEREST POLICY

## 1. SCOPE

This general policy applies to all staff members of the Organization Amis de l'Afrique Francophone-Benin (AMAF-BENIN), to people associated with the implementation of activities, projects and programs of AMAF- BENIN, to consultants, volunteers, members of the Board of Directors and the control committee, members of departmental or regional coordination teams and volunteers working or traveling on behalf of AMAF-BENIN , during their normal working hours and outside these, hereinafter referred to as the "members of AMAF-BENIN".

This document focuses on conflicts of interest and establishes the minimum procedures that AMAF-BENIN members must follow in order to effectively manage conflicts of interest and create an environment in which members feel comfortable to declare any conflict of interest that may concern them. These procedures will allow AMAF-BENIN to manage its exposure to the risks of fraud and corruption. This policy is in line with AMAF-BENIN's Anti-Fraud and Corruption Policy and the Code of Conduct for members and non-members of AMAF-BENIN staff, hereinafter referred to as the "Code of Conduct".

## 2. GENERAL POLICY STATEMENT

All AMAF-BENIN staff members as well as any other person mentioned in the scope of this policy are required to respect the AMAF-BENIN Code of Conduct. The Code of Conduct is structured around six principles based on the standards and values of AMAF-BENIN. The third principle of the Code contains the following statement:

As a staff member of the AMAF-BENIN Organization, I undertake to: Fulfill my duties and conduct my private life in such a way as to avoid any possible conflict of interest with the action of the AMAF-BENIN Organization. I will declare any financial, personal or family interest (or close intimate relationship) in official activities, which could have an impact on the action of the AMAF-BENIN Organization (e.g.: market for goods/services, employment or promotion within the AMAF-BENIN Organization, partner organizations or beneficiary groups). I will inform the AMAF-BENIN Organization of any intention to run as a candidate or to assume any other official role for a political party or public office, in order to determine whether this will create conflicts, apparent or real, with my functions at the AMAF-BENIN Organization. Although the giving or accepting of gifts is a normal cultural practice, I will not accept monetary or inappropriate gifts from governments, recipients, donors, suppliers and any other person offered to me due to my employment within the AMAF-BENIN Organization. If offering and accepting donations is a normal cultural practice, I will ensure that donations are within reasonable limits and are consistent with purchasing policies. I will report these donations to my superiors and, if necessary, give them to the AMAF-BENIN Organization. I will ensure that assistance from the AMAF-BENIN Organization is not offered in exchange for any service or favor from anyone. I will act against all forms of corruption and will not offer, promise, give or accept any bribe.

### **3. PURPOSE OF THIS POLICY:**

This policy aims to prevent, as far as possible, any risk of conflict of interest and, when this risk is not avoidable, to manage these situations in an ethical and responsible manner, declare their existence and limit their consequences associated risks.

### **4. DEFINITIONS**

Conflict of interest: A situation in which an individual's loyalties or interests are, could be, or are likely to be perceived as being in conflict with those of his or her Organization. Such a situation may result from a personal relationship or association with an individual, group or entity with whom the person in question may also have a professional relationship or association. It can also result from personal interest or private activities carried out by the person during working hours or outside.

### **5. REPORTING OBLIGATION AND DISCIPLINARY MEASURES**

#### **5.1. Statement of actual or potential facts**

a. Each member of AMAF-BENIN is permanently required to monitor its transactions as well as its personal interests and relationships, and to immediately declare in writing any transaction or relationship likely to be considered as constituting a real or real conflict of interest potential. Said declaration must be made as soon as the person becomes aware of the existence of the conflict of interest, and before proceeding with the transaction or entering into the relationship in question. If there is any doubt regarding the possibility that a situation constitutes a conflict of interest, you should inform your line manager so that the situation can be analyzed.

b. All staff members, former or newly recruited, are required to read and declare having read this Conflict of Interest Policy.

#### **5.2. Annual declaration certificate**

In addition to the declarations mentioned above, certain specific staff members are required to complete a Declaration Certificate each year. These people are generally agents working within the Organization or members of management, or people who occupy specific positions, notably in purchasing and human resources, or other areas as defined by the different members.

#### **5.3. Confidentiality**

Statements made within the framework of this policy will be considered confidential and will only be disclosed if necessary, under the "need to know" principle.

#### **5.4. Disciplinary measures**

Any violation of this policy, in particular any failure to declare promptly, completely and accurately any real or potential conflict of interest, is likely to result in disciplinary measures against the person concerned, which may go up to his dismissal/dismissal.

## **6. SITUATIONS LIKELY TO GIVE RISE TO A CONFLICT OF INTEREST**

Examples of situations that could give rise to a conflict of interest are provided below as well as in Appendix 1. These examples are not exhaustive and are only presented to highlight situations that regularly give rise to a risk of conflict of interests.

Members of AMAF-BENIN are required to comply with all requirements associated with their obligations to AMAF-BENIN and must refrain from taking part in activities likely to harm the achievement of their missions. Membership in committees of non-profit organizations or the carrying out of similar community activities are tolerated to the extent that said activities do not harm the functions of the member of AMAF-BENIN, and these must be communicated according to the conditions set out below.

Depending on the precise roles/missions of the person concerned vis-à-vis AMAF-BENIN and the Organization in question, the simple fact that a member of AMAF-BENIN is, for example, affiliated in one way or another to an organization that collaborates with AMAF-BENIN on joint activities does not necessarily constitute a conflict of interest. Likewise, the fact that a given situation does not fit exactly within the scope of one of the examples provided in Annex 1 does not necessarily mean that no conflict of interest exists.

Consequently, it is appropriate to determine whether or not a given situation actually constitutes a conflict of interest, or whether a potential conflict could be tolerated (if it does not affect the AMAF-BENIN member's performance of its obligations towards AMAF-BENIN and is therefore not considered material). This process aims to ensure that actual conflicts are resolved, and to avoid the emergence of potential conflicts of interest wherever possible.

AMAF-BENIN staff members must avoid any conflict of interest to the extent possible. When this is not possible, they are required to resolve problems related to the nature, probability and occurrence of the conflict as quickly as possible in order to limit the associated risks as much as possible.

Appendix 1 presents examples of situations likely to give rise to a conflict of interest.

## **7. MINIMUM CONFLICT OF INTEREST RESOLUTION PROCEDURES**

### **7.1. New staff members**

- a. Applicants, new recruits and newly appointed staff members are required to declare immediately during the recruitment or appointment process any possible conflicts of interest concerning them.
- b. These people must complete a "Conflict of interest declaration" before their employment contract comes into force.
- c. The Human Resources department and the recruiting manager must be informed of the existence of a possible conflict of interest.
- d. Managers are responsible for addressing the potential conflict of interest with the new recruit and relevant stakeholders within the Organization (Human Resources and Legal departments for example).
- e. A conflict of interest assessment must be completed and kept in the staff member's file if a conflict of interest is declared.

f. If no measures can be put in place to avoid the conflict of interest, the decision may be taken, after consultation with the Human Resources department, to withdraw the job offer on the grounds that the recruitment poses a significant risk for AMAF- BENIGN. In this case, proof must be provided.

## **7.2. All staff members**

a. Under the provisions of this policy, all staff members are required to complete a conflict of interest declaration form.

b. Staff members must notify their manager of any potential conflict of interest as soon as they become aware of it (for example, if their position or personal situation changes).

c. If the line manager considers that the conflict of interest is evident, he/she should discuss with the staff member to determine whether it can be remedied. Measures could be put in place to manage the conflict of interest.

d. The manager must record this information, archive it and communicate it to the relevant stakeholders in the affiliate and the country, as well as to the staff member's host affiliate (the Human Resources department for example), the optionally.

e. If the problem cannot be resolved or if the measures adopted are ineffective, other procedures, established in consultation with the relevant stakeholders of the affiliate or the country (Human Resources and Legal departments for example) must be applied.

f. As a general rule, conflict of interest declaration forms must be completed in writing, filed, updated, approved and protected against unauthorized access.

## **7.3. AMAF-BENIN members occupying governance positions**

Members of AMAF-BENIN occupying governance positions, for example within the Board of Directors or the Executive Management (management team) and members of the Control Committee, maintain a central register administered by the secretary general of the Board of Directors, accessible to the public.

## **8. RELATED POLICIES AND PROCEDURES**

1. Code of conduct for AMAF-BENIN members ;
2. AMAF-BENIN policy and strategy on the fight against fraud and corruption.

## **ANNEX 1**

### **What types of associations can give rise to a conflict of interest?**

- Collaboration with structures or people having a commercial relationship with AMAF-BENIN as suppliers.
- Collaboration with structures responding to calls for tenders from AMAF-BENIN. You must avoid finding yourself in a situation where your knowledge of the call for tender process, or your participation in it, may be perceived as being able to influence a commercial decision favoring a structure with which you have a link. This includes partner organizations.

- Collaboration with organizations providing goods and services to AMAF-BENIN. Such association is problematic if you participate in decisions that could affect the choice of supplier, the price paid for goods or services, or the arrangements governing the provision of goods and services.
- Active political involvement in a political party or organization (see below).
- Employing family members or people with whom you have a close relationship may also give rise to a conflict of interest (see below).
- Participation in, supervision of or influence on the selection, management or monitoring of AMAF-BENIN partner organizations with which you have a commercial, personal or private relationship or interest. This includes collaborations with individual staff members of partner organizations.
- Commercial or personal collaboration with (people considered to be) beneficiaries, program participants, or other recipients of funding or program support granted by AMAF-BENIN.

#### Personal and family relationships likely to give rise to a conflict of interest

- The employment of relatives in a direct hierarchical relationship may be a source of conflict of interest. Consequently, spouses, relatives or people who have a personal relationship with a member of AMAF-BENIN staff cannot be recruited to a position subject to a direct hierarchical link with this person. The same principle applies to the use of consultants and the recruitment of volunteers, interns and students. It is appropriate to consult the Human Resources department and provide another hierarchical management structure.
- If a personal or family relationship arises between staff members after they have joined AMAF-BENIN, the persons concerned must raise the question of their position with the Human Resources department. These discussions will aim to ensure that issues of management, supervision, audit and possible conflict between roles, including the avoidance of any risk of nepotism and favoritism (real or perceived), can be analyzed, as well as the possible benefits for AMAF-BENIN. The objective is to be reasonable, to protect AMAF-BENIN and to maintain good relations between staff members.
- In certain circumstances, if a member of your family or a close person works for an organization or partner that has a commercial relationship with AMAF-BENIN, it is important that these relationships are known in advance so that you do not find yourself in a delicate situation. Maintaining a commercial relationship on behalf of AMAF-BENIN with a person from another organization whom you know well on a personal or family level may harm the reputation and integrity of AMAF-BENIN. In such circumstances, the staff member should address or discuss this relationship with their line manager.
- If, while employed by AMAF-BENIN, a staff member considers recommending a relative or friend for employment, a volunteer position or a consulting contract, the relationship between these two people must be declared in writing, and any associated decision must be taken by the line manager of AMAF-BENIN. If the staff member has doubts regarding a relationship and wonders whether it is covered by this policy, that person is encouraged to raise the matter in confidence with the Human Resources department.

#### Websites

- If you create a website for yourself or for an outside organization, you must not use content or information (confidential or not) whose copyright belongs to AMAF-BENIN, and you must not insert a link to a site or online documents of AMAF-BENIN, whatever they may be, without the prior written authorization of AMAF-BENIN.

- **Purchases**

Persons involved in purchasing, bidding or placing orders must not have any undeclared association with any outside organization participating in the process. Where such an association exists, the persons in question are not authorized to participate in business processes. Unless their line manager has expressly authorized them to do so, they must not provide any information or provide any assistance to any organization or person, whatever it may be, responding to a call for tenders from AMAF-BENIN. Everyone responding to a call for tenders must feel that they have been treated fairly and equitably.

#### Private and present purchases

- You and your immediate family should not accept gifts (gifts) from organizations or people with whom you have been or may be in contact on behalf of AMAF-BENIN. This includes in particular goods and services in kind or at preferential prices, cash and entertainment beyond the normal scope of normal commercial hospitality.
- As a general rule, it is always best to refuse gifts. However, it is possible to accept normal commercial hospitality within reason when representing AMAF-BENIN and its interests. These marks of hospitality must be declared in the corresponding register. Under no circumstances should you put yourself in a situation where hospitality could be considered a form of inducement. If you have any questions or concerns, please contact your line manager.
- Staff members and volunteers working in the stores are not authorized to resell products purchased in AMAF-BENIN stores. If a staff member or volunteer sells second-hand goods outside of their role within AMAF-BENIN, this person must declare it to their line manager.

#### Political activities

- AMAF-BENIN respects the right of staff members to be engaged and active politically. However, active involvement in a political party or organization can raise questions of impartiality. What is acceptable depends on the person's position, their level of responsibility in the organization and the extent of their political commitment.
- Any presentation in elections requires the agreement of AMAF-BENIN, which cannot be refused without valid reason. However, AMAF-BENIN reserves the right to discuss with the person concerned how they are required to conduct themselves so as not to bring discredit to the reputation of AMAF-BENIN.
- Regarding local elections, the person concerned must campaign in their free time and ensure that no conflict arises with their work for AMAF-BENIN. Election day must be taken as a day off or leave without pay. The person concerned may be elected to a position within local authorities and maintain their employment with AMAF-BENIN if this does not pose a problem of impartiality and does not give rise to a conflict of interest. As far as possible, staff members must endeavor to plan their commitments to local authorities outside of working hours and must agree with their line manager on a reasonable working schedule to make up for hours not worked. Active campaign work during work hours is not permitted.
- If a family member or close friend of yours is running for office, you can express your personal support for them. However, you must not use the name AMAF-BENIN under any circumstances and, if your support is political, it is subject to the principles detailed above.

### Union activities or activities linked to associations of staff members

- Staff members are free to participate in activities organized by staff unions/associations recognized by AMAF-BENIN.
- Staff members elected as approved union representatives may, on occasion, comment on political matters in the course of representing the interests of union members.
- If they express such opinions, staff members must clarify that they are speaking as union representatives and that their point of view does not necessarily reflect that of AMAF-BENIN.

### Use of information and resources

- No person working for AMAF-BENIN must use the organization's resources for their own benefit or to carry out work on behalf of an external company. You must seek authorization from a manager before using AMAF-BENIN information or referring to AMAF-BENIN in any book, article, and conference or press statement.
- Staff members must not disclose confidential information received in the course of their duties, including personal data, to any supporter, supplier or other organization. This obligation of confidentiality is imposed when you are in office and remains in force when you leave AMAF-BENIN.
- Staff members are not authorized to take their spouse or any other personal relation on a business trip at the expense of AMAF-BENIN, unless the protocol requires it and only after obtaining the prior (written) agreement of the/ of the director concerned. In all other cases, if you want someone to accompany you, you must obtain authorization from a line manager and cover all expenses for this person, including travel and accommodation costs.

### If you are in one of the following situations, please inform your manager

- You hold an elected position, at whatever level, within a local community.
- You plan to run again for a position you already hold.
- You wish to be nominated as a candidate, or you have been selected (the immediate concern being to protect AMAF-BENIN's reputation for impartiality).
- You are a voluntary advisor to an elected political figure.
- You hold an elected position in a political party.
- You wish to stand for elections at local, parliamentary, etc. level within a political party.