

NIA CONFLICT OF INTEREST POLICY

1. APPLICABILITY OF THIS POLICY

This policy applies, except as otherwise stated, to every person associated with National Integrity Action, particularly, but not limited to, board directors and staff persons. The “interests of any person associated with NIA” include the interests of any “connected persons” as defined in Jamaica’s Banking Act or any person with whom they have a “close personal relationship” including their spouse, life partner, children, parents or siblings.

2. GENERAL POLICY

- a. Every person associated with NIA (according to paragraph 1) must avoid or carefully manage any potential, real or perceived conflict of interest (inter alia by refraining from any decision making, voting or otherwise acting in their capacity as a NIA associate on matters subject to a potential conflict of interest), and openly acknowledge any potential or actual conflict of interest which arises through his/her association with NIA.
- b. Conflicts of interest may arise from time to time in the course of such persons’ activities and decisions. They may arise in their work for NIA with regard to pecuniary or financial interests, professional and political allegiances, social and civic affiliations or other interests that impede them in their duty to act in the best interests of NIA.
- c. Members of the NIA board of directors and senior staff shall declare their financial and non-financial interests which could potentially lead to or could conceivably be perceived as a conflict of interest. Such declaration shall be made by way of a register, which shall be available to the public. Where there are personal safety or similar serious concerns about full publicity, parts or even the whole of the declaration should be submitted to the Chairperson of NIA and the NIA Ethics Committee who shall hold it, and act upon it as appropriate, in confidence.
- d. NIA’s efforts to raise the ethical standards of government officials, institutions and citizens could be compromised by any ethical lapses on the part of individuals representing NIA. It is essential that everyone associated with NIA be highly sensitive to potential conflicts of interest.

3. REMUNERATED WORK CONTRACTS AND CONSULTANCIES

- a. Staff members (including management) of NIA sometimes are employed by, or undertake paid work for, other organisations. Such work may be undertaken:
 - (i) where the work is related to corruption, only with the express permission of their superior;
 - (ii) in all other cases, only if the work is declared as early as practicable.

- b. Some of NIA's work may be done by individuals who are not employees of NIA but who act for or on behalf of NIA on a voluntary basis. This includes, among others, the members of the board and other resource persons. Many of such individuals will have business, professional, political and other interests; which are subject to this policy.
- c. Members of the NIA board of directors may serve concurrently as a paid officer or staff member of NIA, under a contract approved by the board for a set duration. Members of the board, or companies or other organisations with which such individuals are currently affiliated, may apply and compete for remunerated work contracts with NIA; provided however that they are not offered any advantages over any competitors with respect to being awarded or carrying out such work. They must not utilize privileged information and do everything to contradict the perception of having utilized privileged information. In addition, they will not exercise their board function to the extent it relates to the conditions of the contract or the selection or supervision of such contract. In other words, they are not disqualified in such cases because of their affiliation with NIA, but neither may they be given the "inside track".
- d. When doing non-NIA related work, board members and other resource persons, their companies or organisations, shall not utilize privileged NIA information, unless previously disclosed to and approved by NIA at the level of the board. They shall also be sensitive to the perception that they might be utilizing such privileged information.
- e. NIA will be transparent in its decision-making processes when commissioning paid work and when entering into paid sponsorships or partnerships, and will follow transparent tender and contracting procedures.

4. GIFTS AND ENTERTAINMENT OF VALUE

No person associated with NIA shall accept any gift, entertainment, loan or anything else of value from any organisation or individual if it could be reasonably construed or perceived that the gift is motivated by a wish to influence NIA.

5. HOW TO DEAL WITH A POSSIBLE CONFLICT OF INTEREST

- a. Potential conflicts of interest should be identified and declared by the person in potential conflict, or reported by other members of the board or staff, as soon as they become aware of such potential conflict of interest. If problems are identified before commitments are made or questionable actions have occurred, embarrassment can be avoided and alternatives can be explored.
- b. Such disclosure or report should be made to the Chair of NIA or to another suitable senior officer or director.
- c. The evaluation of a potential conflict of interest must be made by the NIA board of directors, where necessary with the support of the Ethics Committee, or by un-involved individuals. The evaluation may determine the absence of a conflict of interest, or it may lead to the conclusion that: (i) the respective person should not go ahead with the evaluated activity or that (ii) he/she should recuse him/herself from participating in decision making or representation of NIA with reference to the matter in conflict or, in rare instances, that (iii) he/she should recuse him/herself from the NIA board or resign from NIA staff given irreconcilability between his/her other interest and the best interest of NIA.

6. ROLES IN DEALING WITH A POSSIBLE CONFLICT OF INTEREST

- a. The Chairperson of NIA is responsible for ensuring that all persons associated with NIA is made aware of the policy and procedures regarding conflict of interest. In addition, these policy and procedures will be made available to NIA's general associates through publication on the NIA website and otherwise.
- b. The NIA board shall have established an Ethics Committee, comprised of, the Chairperson of NIA and at least one other board director and at least one staff person. The Ethics Committee will be convened on an ad-hoc basis and as necessary for the purpose of providing advice on ethical questions to anybody associated with NIA. The Committee will periodically review this Conflict of Interest Policy and interpret the Policy in handling conflicts as they arise. The Committee will conduct any preparatory work as required for the evaluation of a conflict by the board of directors. The Committee may also review the Register of Interests forms on an annual basis. The Terms of Reference and contact details of the Ethics Committee shall be available via the NIA website.

7. DISCLOSURE OF PAYMENTS TO BOARD MEMBERS

When NIA makes payments – excluding approved expenses and per diems – to a member of the board of directors, this should be declared in full in the annual Financial Statement and Annual Report. Such reporting should also outline the procurement/tender procedures conducted that led to such payment and be in accordance with the NIA Procedures Manual.

8. SCOPE OF THIS POLICY

This policy sets minimum standards and is subject to amendments, as approved by a majority of the board.