
Institutional

Policy

Conflict of Interest

Revision history

Version	Date	Name	Description
1	January 2021	CSO	Redeveloped policy
2	October 2022	AB	Updated
3	December 2022	KJU	Redeveloped policy

Owner: KJU

Approved/revised date: December 2022

Category: Institutional Policy

1. Introduction

IMS' decisions are made exclusively in the best interest of the organisation. Any conflicts of interest arising from personal matters or other business or non-business activities, including those of relatives or other related parties, should be avoided.

2. What is the purpose and scope of this policy?

This Conflict of Interest Policy covers all activities of IMS. The purpose of this Policy is to timely and adequately identify, manage, and mitigate actual and potential conflicts of interests and their (potential) consequences.

This Conflict of Interest Policy is principle-based and does not describe all possible situations in detail. Each person acting on behalf of or involved with IMS is expected to avoid conflicts of interests where possible and, if they do exist, act in accordance with the spirit of this Policy, and at all times with IMS' best interests in mind.

IMS staff members are made aware of this policy and their duties arising from this policy via IMS' communication channels, its availability on IMS' internal webpage, and specific training.

IMS staff members, IMS Executive Management, and members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, must declare their adherence to this Conflict of Interest Policy by filling out, signing, and returning the enclosed statement (Appendix A).

3. What is a conflict of interest?

A conflict of interest may exist in case a person involved with IMS or acting on behalf of IMS has a direct or indirect personal, financial, or business interest in a decision or action by IMS.

Conflicts of interest must be avoided.

- IMS employees' conduct may not foster any suspicion of conflict between professional duty and personal interest.
- Bids may not be solicited from, and contracts may not be awarded to, any company that is owned, controlled, or actively influenced by an IMS employee or by a relative of an IMS employee.
- IMS employees shall not have any economic interests in the companies of the suppliers in question.

Some examples include:

Situation	Conflict example
A request for a grant	A staff member deciding on a grant request is also a board member of the applicant. Therefore, the staff member has a financial interest in the grant being awarded to a particular applicant.
Procurement of services	IMS wants to engage a third party to provide services. An IMS board member offers her services. The board member has a financial interest in securing the contract.
Procurement of services	IMS wants to engage a third party to provide services. A company owned by the Board member's spouse offers its services. The Board member has an indirect financial interest in securing the contract.

Recruitment	A staff member participates in a hiring committee and discovers that a close friend (or relative) has applied for the position. The staff member has a personal interest in the job being awarded to a particular applicant.
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The members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, and their spouses/partners and relatives shall be prohibited from receiving contracts and/or assignments from IMS.

IMS Executive Management's spouses/partners and relatives shall be prohibited from receiving contracts and/or assignments from IMS.

4. Exceptions related to the structure of the IMS Board

- a. The IMS Board enjoys the representation of multiple civil society organizations, who share IMS' general objectives. The shared objectives are the very foundation of the structure of the IMS Board. Therefore, situations are likely to occur, where *Organization A*, represented on the IMS Board, stands to benefit indirectly from a decision by the IMS Board, because that decision may further both the objectives of IMS and the objectives of *Organization A*. While this policy acknowledges that potential conflicts of interest should be evaluated on a case by case basis, the situation involving Organization A generally does not constitute a conflict of interest, because the IMS board member representing Organization A only stand to benefit indirectly, he/she does not stand to gain direct material benefits.

5. Corporate offices/mandates to be declared

IMS Executive Management, members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, must declare:

- any active voluntary or paid positions in commercial companies, legal entities in an NGO, a public or private sector in Denmark and/or abroad;
- other mandates or external activities if this mandate or this activity is likely to create a conflict of interest to IMS.

Declarations must be made using the form in Appendix C.

The Additional Disclosure Form (Appendix C) is mandatory for IMS Executive Management and all members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, to fill out every calendar year.

6. What should you do if a (potential) conflict of interest arises?

If you become aware of a potential or actual conflict of interest, you should take the following actions. Any and all appearance of a conflict of interest, even if there is no actual conflict of interest, should also be reported.

Report the conflict to the appropriate person within IMS in accordance with the chart below:

Person reporting	Reporting to
IMS staff member	IMS member of Executive Management
IMS member of Executive Management	IMS Board
IMS Board Member	IMS Board Chair
IMS Chair	IMS member of Executive Management

Reporting of conflict of interest must be made using the form in Appendix B.

Do not proceed with the decision or action unless and until you have received confirmation from the person to whom you made the report that you are allowed to do so.

The conflict of interest disclosure form (Appendix B) is mandatory for IMS Executive Management and all members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, to fill out every calendar year.

7. What should the person receiving the report do?

The person receiving the report will consider all circumstances of the case, including the position of the person who is subject of the report within IMS and the potential adverse effects for IMS. The person receiving the report shall appropriately manage conflicts of interest and their (potential) consequences, to ensure decisions are made and actions are taken in the best interest of IMS.

If it is concluded that a conflict of interest exists, the person reporting will no longer be involved in the decision-making process in question. The person who received and evaluated the report will then either take the decision or delegate to a person who does not have a conflict of interest. In case the decision-making process has been completed before a report has been received, the final decision will be thoroughly reviewed upon the receipt of a report and the decision will be altered insofar as possible and necessary.

If it is concluded that there is no way to mitigate the conflict or the appearance of a conflict of interest and the potential adverse effects for IMS are significant, the person receiving the report should not proceed with the relevant decision or action (e.g., they should deny the request or not engage the third party in relation to which the conflict of interests exists).

8. Register

All reported conflicts of interest, the report, and the decision made (including reasoning, supporting documents, and evidence) will be documented and retained for ten years. Legal is responsible for the maintenance of this register.

APPENDIX A: IMS Board Member Declaration/Declaration

I promise that, within the limits of the position I hold or role I fulfil at any time in relation to IMS, I will:

- Execute my function ethically and with care;
- Comply with the laws, regulations and codes of conduct that apply to me, including the Conflict of Interest Policy;
- Keep confidential that which has been entrusted to me;
- Not abuse my knowledge;
- Act openly and accountably.

Signature:

By: [print name]

Job title:

Date:

APPENDIX B: Conflict of Interest Disclosure Form

The conflict of interest form is used for clarification and reporting on any conflict of interest between persons who are IMS staff members, IMS Executive Management, members of the IMS Board, the IMS Finance, Audit and Risk Committee, the IMS Advisory Committee, if applicable, and IMS. The conflict of interest form is mandatory for IMS Executive Management, and all members of the IMS Board, the IMS Finance, Audit and Risk Committee, and the IMS Advisory Committee, if applicable, to fill out.

Where there are conflicts of interest, IMS Executive Management/the Board Chair/the Board will appropriately manage conflicts of interest and their consequences, to ensure decisions are made and actions are taken in the best interest of IMS.

Please fill out the form below.

☐ to the best of my knowledge, there is no conflict of interest to report.

☐ I have the following potential areas of conflict specified below.

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest with IMS.

Signature:

By:

Job title:

Date:

APPENDIX C: Additional Disclosure Form

Please describe below any active voluntary or paid positions in commercial companies, legal entities in an NGO, a public or private sector in Denmark and/or abroad.

Signature:

By:

Job title:

Date: