



## **MOJAZ Foundation**

# **CONFLICT OF INTEREST POLICY**

### ***Avoiding Conflict of Interest***

1. ***Disclose.*** *It is essential to disclose any possible ethical breach or possible conflict of interest immediately. Disclosure should be as soon as possible to ensure a resolution without negative consequences.*
2. ***Be informed.*** *It is the employees' responsibility to be aware and stay informed of any changes in MOJAZ Foundation's policies.*
3. ***Be a Role Model.*** *We learn from each other. One person working with integrity and ethically will have a profound effect on their colleagues and work environment. Managers in particular set the tone in the environment as to what is acceptable and what is not.*
4. ***When in doubt, ask.*** *Staff can ask their managers or the HR Manager when they are not sure an action they are about to take is permissible or if an activity in their work (project, partnership, trust fund) has a conflict of interest.*
5. ***No Small Ethical Breaches.*** *There is no such thing as a small, insignificant ethical breach. An ethical breach is an ethical breach.*

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MOJAZ Foundation Conflict of Interest (COI) policy requires that each of its employees be free of any personal interest that could influence her or his judgment or action in the conduct of MOJAZ Foundation work or affect his or her responsibility to MOJAZ Foundation. An employee must not only avoid situations that give rise or could give rise to a conflict of interest, but also situations that create the appearance of a conflict of interest.

## **SECTION 1. SCOPE & PURPOSE**

This policy is not intended to detail every situation that could give rise to a conflict of interest. Where there is doubt, the matter should be brought to the competent authority, who will take action as appropriate.

The aim and objective of this policy is to protect both the organization and the individuals involved from any appearance or instance of impropriety. This policy identifies the types of outside professional relationships in which the Members of Board of Directors, Chairperson, Chief Executive Officer (CEO), and other employees of MOJAZ Foundation may have to engage in. It provides disclosure and approval procedures to help avoid situations in which these relationships may cause conflict of interest.

## **SECTION 2. DEFINING CONFLICT OF INTEREST**

A conflict of interest is any situation in which an employee is in a position to exploit a professional or official capacity in some way for their personal benefit. A conflict of interest could impair an individual's ability to perform their duties and responsibilities objectively i.e. a situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional-interest.

Given that it is virtually impossible to avoid having conflicts of interest from time to time, MOJAZ Foundation practices a policy of disclosure and will deal with any such issue on a case to case basis.

Employees in doubt about a potential conflict should speak with the appropriate member of their supervisory chain.

The declaration of interest is directed not only to Members of Board of Directors, CEO and officers, members of the General Body but to any employee who can influence the actions of MOJAZ Foundation. For example, this would in particular include all who make purchasing decisions, all employees who might be described as "management personnel," or any employee who has proprietary information concerning the interests of the organization.

### **SECTION 3. AREAS IN WHICH CONFLICT MAY ARISE**

Conflicts of interest may arise in the relations of Board of Directors, directors, officers, and other employees with any of the following third parties:

- Family members and friends;
- Community groups, members or beneficiaries
- Persons and firms supplying goods and services to MOJAZ Foundation;
- Persons and firms from whom MOJAZ Foundation leases property and equipment;
- Competing organizations;
- Donors and other organizations supporting MOJAZ Foundation;
- Agencies, organizations and associations which affect the operations of MOJAZ Foundation.

### **SECTION 4. POTENTIAL CIRCUMSTANCES OF CONFLICT OF INTEREST**

Potential conflicts of interest may potentially arise in the following types of circumstances:

#### **i) Organizational Conflict of Interest**

No member of Board of Directors, member of General Body or employee of MOJAZ Foundation, may have, directly or indirectly, a significant financial interest in, involvement with or obligation to, any business organization which does or seeks to do business with MOJAZ Foundation, unless the interest or obligation has been fully disclosed in writing to the following;

- To the Chief Executive Officer in the instance of Board of Directors and General Body members.
- To the Chief Executive Officer in the case of all other employees (including temporary employees).

No individual who is or has been a member of any MOJAZ Foundation program committee during the preceding one year whether employee of MOJAZ Foundation or not, may benefit financially from any decisions taken through that program committee.

#### **ii) Employees**

All MOJAZ Foundation employees and Board of Directors members (including temporary employees) are to set an example of the highest ethical conduct, both in appearance and in fact. Officers must avoid situations in which their personal interests conflict or might conflict with the interests of MOJAZ Foundation. Specifically:

- MOJAZ Foundation employee and Board of Directors members may not have any direct or indirect personal or financial interests in MOJAZ Foundation's contracts or sub-grants, projects or in vendors or contractors doing or seeking to do business with MOJAZ Foundation;
- MOJAZ Foundation employee and Board of Directors members are prohibited from having

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personal or financial interests in outside businesses/organizations that are sub-grantees, suppliers, vendors, contractors or sub- contractors to vendors/suppliers doing business with MOJAZ Foundation.

- Family members or friends of MOJAZ Foundation employees and Board of Directors members may have personal interests in outside businesses/organizations, whether or not they do or seek to do business with MOJAZ Foundation. However, instances of such interests are subject to full disclosure.

### **iii) Procurement of Goods & Services**

All procurement and contracting activity is conducted for the benefit of MOJAZ Foundation and not for the benefit of any person, vendor or contractor. MOJAZ Foundation employee and Board of Directors members involved in requesting, procurement or solicitation for goods or services are not permitted to:

- Take any action that will result in personal financial gain to the employee and their family members;
- Exact or receive remuneration from any vendor or contractor for services rendered or consideration given to a vendor or contractor;
- Engage in partnerships with or have direct interests in vendors or contractors with whom MOJAZ Foundation does business;
- Pass on to any vendor or contractor any purchasing information not authorized for release, to include value estimates, pricing and low bidder details;
- Accept or provide gifts other than advertising novelties from business acquaintances. Gifts include such things as travel, lodging, goods, services or entertainment. Gifts offered should be returned with a letter explaining MOJAZ Foundation policy. If a gift is impractical to refuse or return, the gift should be surrendered to the management;
- Accept or solicit loans from any vendor or contractor.

No employee of MOJAZ Foundation will participate in the procurement, selection, award, or administration of a contract if a real or apparent conflict of interest is involved and is disclosed.

### **iv) Implementation of Sub-Grants**

In the review and implementation of sub grants, MOJAZ Foundation reserves the right to investigate an application or a sub grant due to any real or perceived conflict of interest. An employee or other involved party may have a conflict of interest if the party has a direct or indirect personal interest, financial or otherwise, in the outcome of a grant action, such as award, oversight, amendment or termination.

In the event that MOJAZ Foundation determines that conflict of interest exists, MOJAZ Foundation may disqualify an application, terminate a grant, or take disciplinary action against an employee. Any employee who does not reveal a potential conflict of interest when it becomes apparent will be subject to disciplinary action, including but not limited to termination from service.

Any employee who has a “Conflict of Interest” with respect to any application for MOJAZ Foundation’s sub grant from:

- A family member or friends;
- An organization in which the employee or family member has a material financial interest;
- An organization of which any MOJAZ Foundation employee or Board of Directors member or family member is a director, officer, agent, partner trustee, other legal representative, or employee;
- An institution or organization with which any MOJAZ Foundation employee or Board of Directors is affiliated through a consulting relationship, employment as a professor or otherwise (including visiting professor), membership on a visiting committee or similar body at the institution, friends or family member as a student, receipt and retention of an honorarium or other form of compensation from the institution within the last 12 months, or a pending application for employment.

Any employee/Board of Directors member shall be under obligation to:

- Exercise care not to disclose confidential information acquired in connection with his status or information the disclosure of which might be adverse to the interests of MOJAZ Foundation, including without limitation information such as the grant selection guidelines, scoring selection criteria, and other confidential information.
- Endeavor to avoid any actions creating the appearance that she/he is violating the law or other ethical standards.
- Receive no compensation from an MOJAZ Foundation award or grant which has been reviewed or approved by them on behalf of MOJAZ Foundation.

#### **v) Outside Employment**

Employees have a primary business responsibility to MOJAZ Foundation and are expected to avoid any activity that may interfere with or have the appearance of interfering with the performance of assigned responsibility. Each employee will, during the term of their employment, devote all their time and attention and will give their efforts and skill exclusively to the interests of MOJAZ Foundation. If an outside organization is requesting support from an MOJAZ Foundation employee or Board of Directors members, it should be handled as a "fee for service" arrangement. However, MOJAZ Foundation employee and Board of Directors members may provide services to another organization in instances where performance to assigned responsibilities is not affected subject to prior disclosure and approval by the competent authority. Furthermore, competent authority (that is only CEO in case of all employees and chairperson in case of board and general body members) will decide that how much percentage/ amount will be deposited in the MOJAZ Foundation bank account of the fee which is received from the organization to whom service is delivered.

**vi) Misuse of Proprietary Information**

Information (e.g. future plans, donors, sponsors, employee lists, etc.) obtained as a result of employment that is not generally available to the public, may not be communicated to any individual or organizations outside MOJAZ Foundation. Similarly, the books and records of MOJAZ Foundation shall be kept in a complete and accurate manner. Any willful omission or falsification of MOJAZ Foundation records will be regarded as a serious violation of MOJAZ Foundation policy and may result in dismissal.

**vii) Misappropriation of Business**

A conflict of interest may also exist when an employee, without the knowledge and consent of the competent authority, appropriates to themselves or to another person or organization, the benefit of a contractual arrangement of a business venture, opportunity, or potential that the employee learns about or develops in the course of employment and that is related to any current or prospective undertaking of MOJAZ Foundation.

**viii) Hiring of Relatives**

Relatives of employees applying for positions with MOJAZ Foundation must inform HR department of the relationship with the employee on the application form. Employees who know of relatives applying for positions with MOJAZ Foundation must also notify HR. Failure to do so may result in the dismissal of the new employee. Relatives employed by MOJAZ Foundation cannot supervise relatives, participate in their interview panels, or lobby for their employment.

**SECTION 5. WHISTLEBLOWING**

Employees and/or sub-grantees of MOJAZ Foundation may approach the Grievance Redress Committee of MOJAZ Foundation for credible reporting of significant financial impropriety, unethical behavior, harassment, and personnel matters. However, employees approaching the committee must furnish proofs.

MOJAZ Foundation employees and Board of Directors members, including members of the General Body may not whistle blow and/or provide information, which may be deemed damaging to the interests of the MOJAZ Foundation, to any person outside MOJAZ Foundation including but not limited to media. Instances of whistle blowing to media and/or other outside persons may be cause for disciplinary action.

**SECTION 6. DISCLOSURE POLICY & PROCEDURE**

*Policy:*

Disclosure is required of the Members of the Board of Directors, Chairperson, Chief Executive Officer, other Directors, General Body, members of any committee and all employees concerning



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all personal relationships, business affiliations and monitoring & evaluation that could give rise to a conflict of interest involving MOJAZ Foundation. This disclosure shall be annually reported and kept current, as set forth below, if the Chief Executive Officer, Board of Directors, Chairperson, other Directors, General Body members e Council and the staff member or a member of their family or friends is:

- An officer, director, trustee, partner and employee of an organization doing business with MOJAZ Foundation, and/or
- Materially benefited through substantial receipt of cash or other property (exclusive of dividends or interest) from such organization.

### *Procedure:*

- Each member of the Board of Directors, Chairperson, other Directors and all employees shall complete a disclosure letter annually and return it to the Chief Executive Officer.
- If new affiliations occur that may result in a conflict of interest, a disclosure letter should also be forwarded for review.
- All newly hired employees are requested to file the disclosure letter within 30 days of appointment.

## **SECTION 7: WHERE A MEMBER OF Board of Directors HAS INTEREST**

In the event of the Board having to decide upon a question in which a member has an interest, all decisions will be made by vote, with a simple majority. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quo-rate. Interested board members may not vote on matters MOJAZ Foundation affecting their own interests. All decisions under a conflict of interest will be recorded by the Secretary and reported in the minutes of the meeting. The report will record the:

- Nature and extent of the conflict;
- Actions taken to manage the conflict.

Disciplinary Action: Violation of this policy will lead to appropriate disciplinary action as per MOJAZ Foundation Rules and may be cause for termination and legal action.

**ANNEX-1**

**MOJAZ Foundation DECLARATION OF INTEREST**

I, \_\_\_\_\_ Designation \_\_\_\_\_ Station \_\_\_\_\_

Hereby certify that I am not:

- A participant, directly or indirectly, in any arrangement, agreement, investment, or other activity with any vendor, supplier, or other party doing business with MOJAZ Foundation, which could result in personal benefit to me.
- A recipient, directly or indirectly, of any salary payments, grants or loans or gifts of any kind or any free service or discounts or other fees from or on behalf of any person or organization engaged in any transaction with the MOJAZ Foundation.
- Any exception to 1 or 2 above are stated below with full description of the transactions and of the interest, whether direct, or indirect, which I have (or have had during the past year) in the persons or organizations having transactions with MOJAZ Foundation.

I HEREBY CONFIRM that I have read and understood MOJAZ Foundation's conflict of interest policy and that my responses to the above questions are complete and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with this policy, I will notify it to the management immediately.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_