

CGIAR System Management Board Framework for Declarations of Interest

Purpose

This document sets out the CGIAR Framework for Declarations of Interest, structured as follows:

Part A - Introductory Note

This section provides context and background including examples of conflicts of interest and the process for management of these in CGIAR.

Part B – Disclosure of Interests Statement

Applicants for membership of the System Management Board, a Standing Committee or an adhoc working group (including “Center affiliated members”) are required to fill in the declaration of interests’ disclosure statement shown in this section. Existing members of any of these bodies are required to complete this form on an annual basis.

Part C – Conflict of Interest Declaration and agreed conflict management action plan

The template shown in this section is for use when a declaration of interest is made, in order to document and provide traceability on declarations made and the agreed action plan to manage a conflict once declared.

Approved by the System Management Board by electronic decision with effect from 9 March 2017 (SMB-M4-EDP3).

Part A – Introductory Note

Introduction

CGIAR is a global partnership that unites organizations engaged in research for a food secure future.

CGIAR research is dedicated to reducing rural poverty, increasing food security, improving human health and nutrition, and ensuring sustainable management of natural resources. Research is carried out by the 15 Centers, who are members of the CGIAR System Organization, in close collaboration with multiple partner organizations, including national and regional research institutes, civil society organizations, academia, and the private sector. www.cgiar.org

The CGIAR System Organization’s 15 member Centers have close to 10,000 staff based in over 50 countries.

What is a conflict of interest?

A general legal definition of a conflict of interest is: a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be or could be unduly influenced by a secondary interest.¹ A conflict of interest is a situation that has the potential to undermine the impartiality of a person because of a clash between personal interest and professional or public interest.² At its most basic, this could be expressed as a situation in which an individual has competing interests or loyalties.³

A conflict of interest may be actual (it exists), potential (it might develop into one) or perceived (it may be considered to exist by others).

It is well recognized that with respect to a system having the size and complexity of CGIAR, it would be very difficult to completely avoid conflicts of interest if the key stakeholders are to have sufficient awareness of how CGIAR operates to provide relevant advice. The aim of this policy is therefore to ensure that relevant interests, and any potential conflicts of interest are made open and transparent, and that processes are managed to take declared interests into account. No policy can account for every eventuality; it is the responsibility of all potential and serving System Management Board (‘Board’) members, Standing Committee members and/or adhoc working group members to declare any unforeseen associations which could be perceived as a conflict.

¹ Lo & Field (2009), Conflict of interest in medical research, education and practice, National Academies Press (US); originally from Thompson (1993), Anti-discriminatory Practice, Macmillan 179 pp.

² BusinessDictionary.com (2015)

³ About.com (2015)

Examples of conflict of interest

There are many types of conflicts of interest, including personal, institutional, scientific, political or ethical. In these, an individual is compromised by their loyalty to individuals, institutions, scientific interests or political allegiance.

The potential benefit or gain accrued may be obvious, such as financial reward or employment, or subtler, such as reputational gain or access to privileged knowledge. The 'benefit' might also be negative, in the sense that a grievance or dislike is reflected by a negative opinion.

For members of the Board, its Standing Committees, and adhoc working groups, it is important to consider when conflicts of interest may exist or be perceived to exist when deliberating on questions such as the following, and ensure that the appropriate declarations are made to ensure transparency about any possible interests:

Resource Allocation

The role of the Board is to be part of the resource allocation process. Hence, the Board determines the priorities for funding in the budget process around the CGIAR Portfolio (comprising CRPs and Platforms). In particular, the distribution of the more flexible funds under windows 1 and 2 as the ultimate allocation of these funds rests with the entity that receives them as 'Lead Center'.⁴

For Center-affiliated Board members (whether Center Board of Trustee member or a Director General) who are involved in these decisions, it is paramount that they understand and take into account the consequences of their decisions on the System at large and make their decisions open and transparent.

It should be recognized that since Window 1 and Window 2 funds are considered the most flexible form of financing once received at a Center, by the very fact of receipt of such funding, Center-affiliated Board members who are also Center Board of Trustee members or, even more so, Center Directors General, have a certain inviolable conflict of interest in discussions and decisions regarding such funding sources and allocations.

Questions to be addressed, but not necessarily limited to, include:

- a. How do these resource decisions affect the System at large; who benefits, who does not?
- b. Do we put one or more Center at financial risk by excluding it from access to these resources even though the Center has much to offer to deliver on CGIAR's Strategy and Results Framework even if not under a targeted CRP or Platform?

⁴ Since 1 July 2016, CGIAR's governance arrangements permit non-Center entities to serve as Lead Center of a CRP or Platform if recommended by the System Management Board.

- c. How do we ensure equal opportunity for access to funding for all Lead Centers and how do we make them accountable for ensuring that the allocations received from the Funders are distributed equitably and according to need across all participating centers?
- d. Is CGIAR larger than the sum of its CRPs and Platforms, and is this desirable?
- e. If so, what can the Board, acting on behalf of the System at large and not only the CRPs and Platforms, do to ensure coherence across all Centers as they contribute to deliver on the SRF?

Center Matters

It should be recognized and considered that the differences between Centers (e.g. in types of science and degrees of dependence on W1 and 2) will result in differential impacts on them from the implementation of any system-wide policies or actions. This could be perceived as a conflict of interest when Center-affiliated Board members are involved in Board discussions and decisions that should be primarily for the benefit of the System as a whole.

An example of a system wide policy with conflict potential is performance management and actions resulting from Center performance. The diversity of goals and research activities across CGIAR exposes each Center to the risk that favoring one type of approach will come at the expense of others. There are significant trade-offs between short and long term research goals and programs, between incremental research and research for transformative change. These must be recognized and managed.

Some important questions to assess potential conflict of interest situations in the context of performance management would include:

- a. What is the measure to use to know that a unified performance management system is strategic and future oriented?
- b. How do we implement such a system and who provides oversight to ensure that the performance management system is used fairly, openly and respects the individual characteristics and mandates across the Centers?
- c. How do we measure “value for money” in a unified way across 15 Centers with very different mandates, expertise, scope of work and who should be responsible for this assessment?
- d. At what level of the System should any debate on the number of CGIAR Centers take place and who is authorized to make any final decision? What if Centers were to take own action – such as voluntary mergers initiated by two or more Centers? Would this be the type of matter that the Board should have a say on, and if so, what criteria should there be to arrive at any decision?
- e. How does one come to agreement on a policy of the future to assist any Center(s) in financial difficulty? Allowing for differentiation in collective action between internal management causes versus force majeure? And if so, how could this be implemented and ensure that CGIAR overall prevails?

Managing conflicts of interest

Conflicts of interest must be identified, declared, recorded and managed.

Identification of conflicts of interest: declaration and documentation

The onus is on individual Board Members to identify actual, potential or perceived conflicts of interest, since only they have the detailed knowledge to do so. Each individual should always be on the alert for any possibility of conflict of interest, particularly potential or perceived conflicts, which may not always be immediately obvious.

There will be three opportunities for conflicts of interest to be identified:

- i. Through **annual declaration** using a pro forma (see below)
- ii. On receipt of the agenda for individual meetings, members are asked to declare any **known or potential conflicts of interest against particular agenda items in advance** so that these can be presented to the Chair for awareness and any necessary actions. At the start of meetings, the Chair should again check for any conflicts of interest. An Annex of declared conflicts should then also be attached to the minutes of each meeting.
- iii. Declaration of conflict of interest **at any time when it presents itself**

All conflicts of interest identified or declared must be documented and brought to the attention of the Board Chair and/or the System Management Office at smb-secretariat@cgiar.org.

Conflicts of interest should be recorded on the appropriate declarations of interest forms and filed by the System Management Office. This will provide a permanent record should any questions or complaints arise in the future. The opportunity to update these should always be provided by the System Management Office immediately prior to each Board meeting after receipt of the relevant meeting agenda.

Responsibility under item iii above rests with each Board member to also disclose potential conflicts in respect of a decision that is requested electronically.

Managing conflicts of interest

Having identified a conflict of interest, it must be managed appropriately. Several management options exist, including:

- If the risk is considered to be low, and the input of the relevant Board member is required for other reasons (perhaps for their particular expertise or experience), then the Board member could proceed as usual, the Chair having noted the possible (low risk) conflict of interest.

- In some situations, it may be deemed appropriate for the Board member to be recused from discussion (and voting if appropriate) on the matter relevant to the interest declared.

Where some adjudication is required, there is a hierarchy of preferred adjudication methods:

- If the Board is chaired by an Independent Member, that person, after conferring with the Chair of the Audit and Risk Committee (if an independent member) and/or the System Organization's Legal Counsel.
- In the absence of an independent Chair, the board Chair and the Executive Director (non-voting ex-officio member).

Part B – Disclosure of Interests Statement

Applicants for membership of the System Management Board, a Standing Committee or an adhoc working group (including “Center affiliated members”) are required to fill in the following declaration of interests’ disclosure statement. Existing members of any of these bodies are required to complete this form on an annual basis.

- 1. Are you now employed by a CGIAR Center or during the last two years, have you personally been employed as the DG or Head of Research of a CGIAR Center, the Director of a CRP and/or Platform or the CEO/DG of a significant public research institute which is a collaborator/competitor of a CGIAR Center or served as a Board Chair or Chair of a Board Science Committee of a CGIAR Center?**
 - i. Yes/No
 - ii. If Yes, please provide brief details (including listing the CRPs and/or Platforms which that/those Centers are involved in):

- 2. During the last two years, have you personally been involved in the activities of a CGIAR Center or a CRP and/or Platform, as an employee, consultant, adviser, Board or Advisory Committee member? (i.e. in receipt of financial remuneration beyond expenses)**
 - i. Yes/No
 - ii. If Yes, please provide brief details:

- 3. Are you now, or during the last two years have you personally been employed by a partner organization that is either a significant collaborator with a CGIAR Center or CRP and/or Platform, a significant competitor for donor funding, or in receipt of significant funding from a financial contributor to the CGIAR?**
 - i. Yes/No
 - ii. If Yes, please provide brief details:

- 4. During the last five years, has a family member or someone with whom you have financial ties been involved in the activities of a CGIAR Center or CRP and/or Platform, as an employee, consultant, adviser, Board or Advisory Committee member (i.e. in receipt of financial remuneration beyond expenses) or as a financial contributor to the CGIAR?**

- i. Yes/No
 - ii. If Yes, please provide brief details:
5. **Please give details of any other activity, engagement or relationship with the CGIAR during the last ten years:**
6. **Is there anything else that could affect your objectivity in the performance of your role on the Board/Committee/Working Group (as relevant), or in your opinion, the perception by others of your objectivity?** (If yes, please provide sufficient details for evaluation of the situation).

Declaration: I declare that the information provided on this statement is true and complete.

Name:

Signed:

Date:

Part C –Conflict of Interest Declaration and
agreed conflict management action plan

Name:

Date:

Summary/title of conflict of interest declared:

Description of conflict of interest declared:

Agreed action to manage conflict of interest:

Signed by Board member:

Signed by Board Chair: