



P 3.8 Conflicts of Interest Policy

Conflicts of Interest Policy—P 3.8

In upholding its reputation for integrity in programming, it is the policy of Creative to ensure that an employee's authority and influence solely benefits the project and the operations of the project. Accordingly, staff will exercise the powers and responsibilities of their positions solely for the benefit of the field office/project, the client, and the host country government and not for personal gain. This responsibility also extends to HCN personnel who must not unduly influence, undermine or be involved in any activity that would compromise the organization's or project's reputation. On a regular basis each staff member must evaluate his/her activities to ensure that they will not lead to a conflict of interest, intentionally or otherwise. If an employee is unsure whether their activities constitute a conflict of interest, they should immediately discuss this with the COP. Any existing or potential conflicts must be disclosed in writing to the COP for consideration. For more information regarding reporting of potential conflicts of interest must follow the [P 9.12 Reporting Fraud, Allegations of Fraud and Misconduct Policy](#) and procedures. Disciplinary action may be taken against any employee who does not disclose potential or real conflicts and is found to be in a conflict of interest situation.

Examples of conflicts of interests include but are not limited to:

- Employee uses his/her position with a Creative field office / project to negotiate terms for personal financial or material gain;
- Employee's performance and decisions are materially influenced or conflicted by competing institutional loyalties;
- Employees make decisions to benefit friends or family either directly or indirectly;
- Employee accepts money, gifts, or other benefits in exchange for influence or services;
- Employee does not disclose gifts received from a vendor. Gifts from vendors become property of the project and will be surrendered to the COP who will make a decision about their disposition.

The procedures for implementing Creative's Conflicts of Interest Policy (P 3.8) are set forth herein.

PR 3.8.1 Violations

Employees implicated in violating the following will be disciplined by the COP and record of the discipline will be kept in the employee's personnel file.

- An undisclosed conflict of interest situation;
- The falsification or alteration of official field office/project documents;
- Project decision with the aim to obtain direct or indirect personal benefit;
- Any violation of confidentiality of field office/project information; or
- The acceptance of an offer, gift, or remuneration from beneficiaries or from interested parties in exchange for services or influence over project activities.

PR 3.8.2 Foreign Corrupt Practices Act

Creative is committed to complying with the U.S. Foreign Corrupt Practices Act of 1977 (FCPA) as well as the anti-corruption laws of the countries in which Creative works. The FCPA prohibits U.S. companies and representatives from bribing "foreign officials" to obtain or retain business. The FCPA applies equally to a U.S. company's employees and agents who are not citizens of the U.S. but whose acts may subject Creative to liability even if they take place outside of the U.S. Therefore, all employees acting on behalf of Creative must comply with the FCPA.
