

Conflict of Interest Policy
Water and Livelihoods Foundation

Water and Livelihoods Foundation is a Public Trust, established with a vision to realize a water-secure society. It envisages achieving this through implementing various developmental activities in water conservation, management and livelihoods enhancement; by engaging with Governments, research agencies, academic institutions, international development agencies, communities and their networks and all other stakeholders in the civil society; and by making constructive contribution to policy improvement in India. Water and Livelihoods Foundation, henceforth called “the Trust”, would like to articulate a written conflict of interest policy to ensure that any conflicts of interest or the appearance thereof are avoided or appropriately managed through disclosure, recuse or other means.

1. Scope and Coverage of the Policy

This conflict of interest policy covers all the persons who have a duty of loyalty to the Trust including members of the Board of Trustees, committees set up by the Board and all the staff. This policy is a guiding document for the Board of Trustees and the Staff of the Trust to foresee and avoid potential situations of conflict of interest; to examine situations of actual conflict of interest; and to take appropriate actions in the interest of the Trust. Advisors, Consultants or part-time staffs are also covered by this policy. Other organizations in partnership with the Trust are governed by specific clauses included in the bilateral MoUs and agreements made with them.

2. Definition of Conflict of Interest

Covered persons may have a conflict of interest when they have a private interest, financial or otherwise, in a transaction or project under consideration by the Trust or when they propose to act on any issue, matter, or transaction in which the Trust has an interest, and in which they may have an interest separate from that of the Trust. The private interest may be a direct benefit to the covered person, or an indirect benefit through another party to whom the covered person has a family, business or other affiliation.

Family affiliations include spouse or domestic partner, parents and grandparents and their spouses, children and grandchildren and their spouses, and siblings and their spouses. Business affiliations include any person, corporation, or organization controlling, controlled by or under common control with the covered person. Other affiliations include entities in which the covered person serves on the Board or has a decision-making position, such as other non-profit Societies, Cooperatives, Trusts, funding agencies, Institutions, Universities, or state or central governments.

3. Purpose of the Policy

As a public charitable Trust, Water and Livelihoods Foundation, is required to ensure that its actions are directed towards the stated vision and mission of the organization and ultimately benefit the target communities. It is the duty of the Board of Trustees

to ensure that all activities of the organization meet the public benefit test and advance the mission of the Trust. The Executive Director, as the Chief Functionary of the Trust, is responsible for implementation of this policy including the decisions of the Board of Trustees from time to time.

The purpose of this policy is to protect the integrity of the decision making process of the Trust, when persons in a position to influence a decision have a private interest in the outcome of the decision. It is essential for the ethical operation of the Trust and the protection of public confidence that the Trust does not offer special treatment to any person because of that person's relationship with the Trust. The policy guidelines have the following two broad areas:

- Obligations of covered persons when they have a potential conflict of interest in regard to a decision they are responsible for; and
- Obligations of the Trust when a proposed action has the potential to benefit a person whose relationship with the Trust creates the possibility, whether real or perceived, of undue influence over the decision.

3.1. Obligations of covered persons

Each covered person is obliged:

- To conduct themselves under strict rules of honesty and fair dealing between themselves and the Trust. Such persons shall not use their position gained during their association with the Trust for their private benefit nor to obtain an unfair advantage over any aspect of their dealings with the Trust
- To be impartial and objective in exercising their duties and functions without compromising for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with another person
- To abstain from accepting personal gifts, gratitudes, favors in cash or other forms from potential or current service providers, partners, community members etc., except the case of accepting donations in cash or kind to the Trust for the purpose of advancing the objectives of the Trust
- To disclose to the Board in case of Trustees and to the Executive Director in case of staff, the existence of any potential conflict of interest; in all the decision contexts of the Trust, particularly in approving partnerships, approval of grants, selection of service providers, contractors, suppliers etc.
- To abstain from discussing with Board members, employees, or committee members any issue, matter, or transaction in which the Board or committee has determined he/she has a conflict of interest unless specifically asked by the Board or a Board committee to give information on the issue, matter, or transaction;
- To absent himself or herself from Board and committee discussions on any issue, matter or transaction involving a conflict of interest, unless requested by the Board or committee to give information on the issue, matter or transaction

- To abstain from voting on any such issue, matter or transaction; and when requested by the Board, to abstain from the meetings of Board of Trustees or committees or those specified tasks, until such time as the matter giving rise to the conflict of interest has been resolved
- Any failure to disclose a potential conflict of interest known to the covered person may result in removal from the Board of Trustees or committees set up by the Board if the Board decides it is warranted. Any such removal needs to be substantiated with evidences and requires two-thirds of majority in the Board. In the case of a staff member, any such decision is subject to a thorough inquiry by the Executive Director and recommendation to the Board of Trustees. The Board has a final say in the staff matter and requires two-thirds of majority.

3.2. Obligations of the Board

- The Board of Trustees will undertake all necessary precautions to avoid conflicts of interests by being vigilant in its actions and attentive to the situations that may likely to lead to any such conflict
- Whenever an action taken by the Trust benefits an individual, the Board must be certain that the private benefit is incidental and that the primary purpose of the action is to advance the mission of the Trust
- Actions involving certain persons whose relationship with the Trust suggests an ability to influence its decisions are subject to a higher level of scrutiny to guard against undue influence
- Such actions include conflict of interest situations as described above, and also situations where the person receiving the benefit has no duty of loyalty to the Trust but has a close relationship with the Trust or access to confidential information
- The Board or the committees set up by the Board will approve the action only after making specific findings that, the action is fair and benefits the Trust and its objectives. The action is approved with the Board's full knowledge of its financial or other benefit to the influential person involved. The influential person involved did not receive special treatment because of his/her relationship with the Trust

When the influential person is a Board, staff or committee member, that person did not participate in the vote approving the action and was absent both during the discussion of the action and when the Board or committee voted on it; and a more advantageous arrangement could not have been obtained with reasonable effort.

4. Improvements to the policy

WLF management reserve the right, as its sole discretion, to change, modify, amend, apply, add or remove extracts, portions or the whole policy at any time with out prior information.