



Global Social Observatory
Geneva, Switzerland

Reference Note

Engaging in the SUN Movement:

Preventing and Managing Conflicts of Interest

Executive Summary

March 2014



www.gsogeneva.ch

Supporting the Scaling Up Nutrition Movement



Reference Note

Engaging in the SUN Movement:

Preventing and Managing Conflicts of Interest
Executive Summary



Global Social Observatory
Geneva, Switzerland

March 2014

Niamsmima Vereria (27) and Yandelaya Serephina (25) carry a sack of maize ready for collection outside COACMU (Cooperative des Agriculteurs des Cereales de Musaza), a Purchase for Progress farmers' cooperative in Musaza village, Kirehe District, Rwanda. P4P, a Gates Foundation initiative, works through the World Food Program to buy food aid for refugees in Rwanda from small farmers' cooperatives in Kirehe and other parts of the county.



The SUN Movement



ENGAGE • INSPIRE • INVEST

WE ARE SCALING UP NUTRITION

With proper nourishment, children can grow up to be healthy and productive so their families, communities and countries prosper.

By working together as a movement, we can achieve much more than on our own.



ENGAGE • INSPIRE • INVEST



© G.M.B. Akash

ENGAGE

governments, civil society, the UN system, donors, business and scientists

INSPIRE

each other to discover new ways of working collectively

INVEST

in priority actions for everyone's right to good nutrition

SUN poster

The SUN Movement is a collective commitment “to make the most of diverse experience and resources and foster coordination in support of country-led efforts to scale up nutrition.”¹ It has evolved since 2010 under the stewardship of a 27-member Lead Group with support from four autonomous networks, a number of specific task teams, and a Secretariat to facilitate joint action and mutual accountability.

When the Lead Group met in September 2012, they requested a document that would serve as a point of reference for governments and supporters in SUN countries seeking to prevent conflicts of interest and take prompt action to manage any conflicts that might arise.

The Global Social Observatory (GSO)- an independent forum for multi-stakeholder dialogue – has received support from the Bill and Melinda Gates Foundation to develop such a document. The resulting Reference Note is the product of interactive consultation among the governments of SUN Movement countries and the support networks in the Movement.

¹ SUN Movement Strategy, September 2012.



Saleha Khatun (26 years old) holds a bunch of fresh vegetable she grew in her own vegetable garden in Subgari village in Natore District in Bangladesh.



Children carry water in the Chongwe district, Zambia

Purpose of the Reference Note

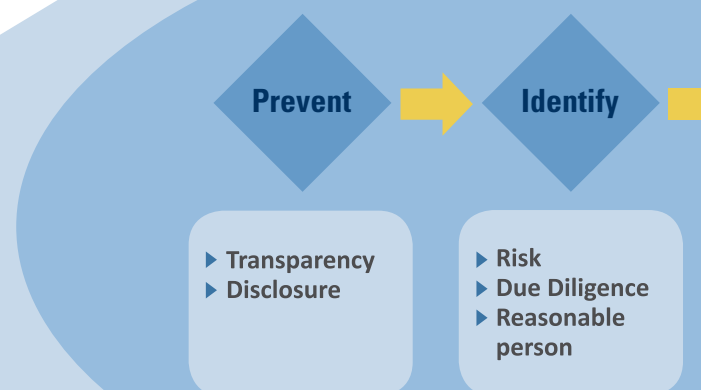
The Reference Note is designed to support the management of effective multi-stakeholder action by governments of SUN Movement countries seeking to ensure that women and children are well nourished at critical periods in their lives. It lays out the key elements of an active management process, assuming that clear and publicly disseminated procedures for the prevention, identification, management and monitoring of conflicts of interest are integral to good governance. It is expected to evolve in the light of experience, and the Lead Group is invited to oversee its evolution through a regular review process.

Defining conflict of interest

It is commonplace for individuals or organizations participating in any joint endeavour to have private or secondary interests that are unrelated to their activities in the joint endeavour. **Divergent or Competing Interests** exist when individuals or organizations have differences of opinion on an issue, when their values or even their interests extend in different directions, or when their intentions differ. Divergent or competing interests can be brought into synergy through dialogue, debate and negotiation. In the context of SUN Movement national multi-stakeholder platform, an **individual conflict of interest** arises when a particular individual's pursuit of private or secondary interests has the effect of compromising, interfering with, or taking precedence over the joint endeavour. An **organizational or institutional conflict of interest** arises when the pursuit of the private or secondary interests of the organization has the effect of compromising, interfering with, or taking precedence over the joint endeavour.

Applying the SUN Principles of Engagement

A fundamental tenet of the SUN Movement is that those who engage in it are committed to ensuring that all mothers and children everywhere are empowered to exercise their right to good nutrition. Working within the existing legal and policy framework is a prerequisite, including the World Health Assembly resolutions prescribing the International Code on Marketing of Breast Milk Substitutes and other nutrition-related policies. The SUN Movement Strategy 2012 – 2015 and the Revised SUN Roadmap 2012 outline a set of Principles of Engagement through which different stakeholders are engaged in the Movement. These principles serve as the basis for assessing individual and organizational behaviour and identifying possible conflicts between stakeholders. Three additional principles reflect distinct concerns raised in the consultations when dealing with conflicts of interest (see box on Principles of Engagement on page 8).



Capacity



© Bill & Melinda Gates Foundation / Akinunde Akinleye

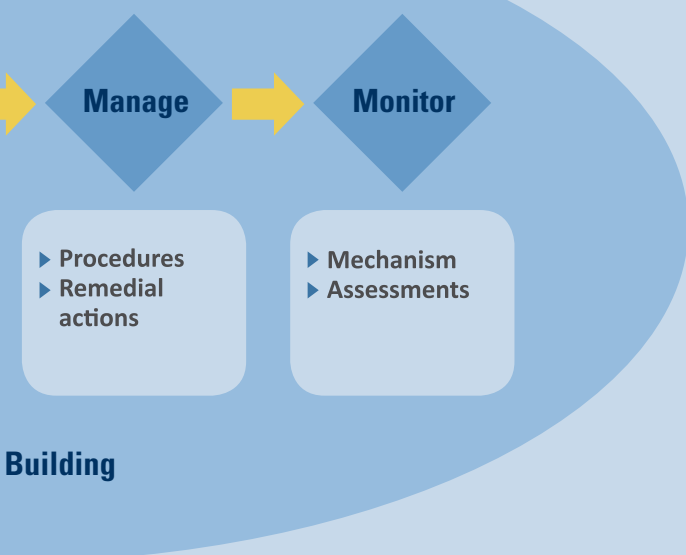
Students eat lunch at the Iyiola Matanmi primary school, Osogbo, Osun state, Nigeria. The primary school participates in the Osun State Home-Grown School Feeding Program, which was established to improve the nutritional status of school children, as well as increase their enrollment, retention and completion rate in primary schools.

Elements of the Reference Note

The Reference Note covers the main elements of a conflicts of interest policy framework that can be used by governments participating in the SUN Movement:

- (a) preventing,
- (b) identifying,
- (c) managing and
- (d) monitoring conflict of interest situations.

It concludes with a section on strengthening the capabilities needed to manage these elements.



Building

Preventing Conflicts of Interest

The first element in a comprehensive conflict of interest policy is to set up mechanisms for prevention, with an emphasis on encouraging inclusiveness. These consist of

(a) clearly written, open and transparent policies on conflict of interest and

(b) consistently applied disclosure procedures.

Open and Transparent Policies for Avoiding Conflicts of Interest

Governments are encouraged to ensure transparency and predictability in their policies by being specific about what conflict of interest means. This is best done by having written statements in which conflict of interest is defined, and making these definitions applicable to all stakeholders. Adopting these policies through multi-stakeholder collaboration enhances their legitimacy.

Adapting the SUN Principles of Engagement to Conflict of Interest Situations

- 1. BE TRANSPARENT ESPECIALLY ABOUT INTENTIONS AND IMPACT:** Stakeholders will engage in transparent behaviour in all interactions within the context of the SUN Movement. Stakeholders also commit to establishing rigorous evaluations of the impacts of collective action and the contributions of individual stakeholders.
- 2. BE INCLUSIVE:** The SUN Movement is open to all stakeholders that demonstrate their commitment to its goals. Exclusion should be avoided if at all possible.
- 3. BE RIGHTS-BASED:** All stakeholders are expected to act in accordance with a commitment to uphold the equity and rights of all women, men and children.
- 4. BE WILLING TO NEGOTIATE:** All SUN Movement stakeholders are responsible for offering coherent and responsive support to national governments as they implement their nutrition policies and plans. Stakeholders will seek to resolve divergences in approach or divergent or competing interests whenever they arise.
- 5. BE PREDICTABLE AND MUTUALLY ACCOUNTABLE:** All stakeholders are collectively accountable for their joint commitments; they should follow up on these commitments in a predictable way and be mutually accountable for the commitments being delivered as intended.
- 6. BE COST-EFFECTIVE:** Stakeholders should be guided by available evidence about policies and actions that have the greatest and most sustainable impact for the least cost.
- 7. BE CONTINUOUSLY COMMUNICATIVE:** All stakeholders are committed to the regular sharing of their intentions, actions, experiences and concerns.
- 8. ACT WITH INTEGRITY AND IN AN ETHICAL MANNER THAT ENHANCES THE REPUTATION AND IMPACT OF THE SUN MOVEMENT:** Stakeholders should recognize that both personal and institutional conflicts of interest must be managed with the highest degree of integrity.
- 9. BE MUTUALLY RESPECTFUL AND SEEK TO EARN THE TRUST OF THOSE WITH WHOM YOU ARE WORKING:** Stakeholders make different contributions to the collective effort. Building the trust needed for collaboration requires respect for these differences.
- 10. DO NO HARM:** All stakeholders are committed to ensuring that all mothers and children everywhere are empowered to realise their right to proper nutrition. Whatever action is being undertaken, the wellbeing of mothers and children at risk of undernutrition should be the primary consideration. For this reason, the possible negative consequences of all actions should be considered before any action is taken.

The Role of Disclosure in Prevention

Stakeholders need to disclose any private/primary or secondary interests that might have a bearing on their participation in national multi-stakeholder platforms for scaling up nutrition. Governments are encouraged to strive to achieve consensus among the stakeholders within their multi-stakeholder platforms regarding what information needs to be disclosed and how to handle confidential information. The policy on disclosures should include a publicly available list of the types of interests to disclose developed by the appropriate body responsible for oversight of conflicts of interest.



Children collect water from a pump. Ethiopia.

Identifying a Conflict of Interest

When there is a perceived conflict of interest in a SUN country the next step is to determine if a conflict really exists or if the interests in question are divergent (or competitive) but can be made to converge through dialogue and negotiation. The Reference Note describes a risk-based approach for identifying conflicts of interest, as well as a due diligence approach designed to ensure to ensure that potentially damaging conflicts are identified and acted upon.



Pauline Ochola's daughters Levine, 5, and Lesley, 7, and husband John Ochieng enjoy their breakfast at home in Nairobi, Kenya.

A risk-based approach

A risk-based approach can anticipate and analyse the potential risk of conflicts of interest associated with particular situations, rather than requiring across-the-board disclosures. A useful method is to consider what a “reasonable person” would think about a situation: “Would a reasonable person in possession of the relevant facts be likely to conclude that the collective goal of the SUN Movement was at risk from the actions of any particular stakeholder?”

A due diligence approach

Due diligence refers to a transparent and equitable process of scrutiny. It may include procedures for distinguishing between a divergence of interests and a real conflict of interest, as well as procedures for evaluating whether any harm could occur because of a potential conflict. The mechanisms and procedures for identifying the presence of potential, perceived or real conflicts of interest may differ from one country to another; however, the establishment of a consistent standard, based on the SUN Principles of Engagement would strengthen the coherence of the Movement as a whole.



© Bill & Melinda Gates Foundation / Jake Lyell

Odetta Mukanyiko (38) harvests corn in her field in Musaza village, Kirehe District, Rwanda. Purchase for Progress, a Gates Foundation initiative, works through the World Food Program to connect small farmers from Musaza and other areas around Rwanda with a market for their beans and maize.

Managing Conflicts of Interest

Building on the SUN Principles of Engagement, the handling of conflicts of interest should give highest priority to prevention. Once a conflict has been determined to exist, the next step is to reach agreement on how to manage it. Governments are encouraged to have procedures for managing conflicts of interest in place before any conflict of interest arises, and to establish agreement on the appropriate application of various options for managing a conflict.

Procedures

Procedures for managing conflicts of interest require active management by national governments. A government might establish a review committee or adapt an existing review mechanism to oversee the task of resolving conflicts of interest among members of multi-stakeholder platforms. The focus should be on continuous learning about approaches that work (and do not work) through regular sharing of relevant lessons.

Remedial Actions

One option involves inviting the stakeholder with the conflicting interest to take voluntary action to remove the cause of the conflict. Another option is to rely on public disclosure of the interests at issue. If a potential conflict of interest is identified, but not deemed to exist, it may still be possible for the stakeholder concerned to be included in the joint effort, especially where the stakeholder's level of participation makes it unlikely that a conflict will arise.

The main disciplinary options for addressing conflicts of interest are exclusionary. The stakeholder may be barred from specific initiatives or activities or excused from decision-making on a specific initiative. The most extreme option is to exclude the stakeholder from the national multi-stakeholder platform, whether temporarily or more permanently. Governments are encouraged to manage conflicts of interest in a transparent and timely manner.

Monitoring

A country's stewardship of its multi-stakeholder platform benefits from having a monitoring mechanism to ensure that procedures for preventing, identifying, and managing conflicts of interest are applied consistently and effectively. This mechanism may include measurements for effectiveness based on agreed-upon standards for what conflict of interest means. At times, it may be deemed necessary to modify monitoring procedures. This could involve creating a completely new monitoring mechanism, adapting of an existing monitoring mechanism so that it can be applied to all aspects of a country's national action plan, or establishing an external review process.

Building Capacity

Governments participating in the SUN Movement may wish to build capacity for handling conflicts of interest. Capacity building can occur at several levels, from the national level to the sectoral level to the community level. In the longer term, the SUN Movement Secretariat can serve as the repository of an inventory of case studies, practical examples and successful outcomes.



www.gsogeneva.ch

Supporting the Scaling Up Nutrition Movement



ENGAGE • INSPIRE • INVEST