Global Social Observatory

Geneva, Switzerland

Engaging in the SUN Movement:

Preventing and Managing Conflicts of Interest

Reference Note and Toolkit

January 2015

Scaling Up NUTRITION

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Contents of the Reference Note

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Reference Note
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Introduction

The SUN Movement

1. In 2010 a group of leaders from government, civil society, the scientific community, business, development agencies and the United Nations (UN) system decided to join forces to promote better nutrition of the world's women and children. They resolved to end longstanding differences about how to achieve this goal and to work together, to support the efforts of national governments and undertake to be jointly accountable to the people most at risk of malnutrition and its consequences. This new approach built on a Framework for Scaling Up Nutrition developed during 2009[1], drawing on clear evidence about potentially effective nutrition interventions published in 2008 by the international medical journal *the Lancet*[2]. Known as the *Movement for Scaling Up Nutrition*, it is not a new programme or project; rather, it is a collective commitment *"to make the most of diverse experience, expertise and resources and foster coordination in support of country-led efforts to scale up nutrition."*[3] The Movement has evolved since 2010 under the stewardship of a 27-member Lead Group with support from four autonomous networks (business, civil society, donors and UN system), a number of specific task teams and a Secretariat whose role is to facilitate joint action and mutual accountability.

Introducing this Reference Note in the Context of Mutual Accountability

2. When the SUN Movement Lead Group met in September 2012, more than 30 countries and several hundred supporters were engaged in the SUN Movement. The Lead Group was aware and had observed that when different stakeholders commit to working together, they will often differ on their approaches and interests. However, the strength of the Movement relies on different stakeholders working through these differences to achieve results and impact in the countries that have joined the Movement. As an aspect of good governance, partners engaging with the SUN Movement should be aware of and act consistently with the Principles of Engagement, and in particular the commitment to be "willing to negotiate, and when conflicts arise, as can be expected with diverse partners working together, hold the intention to resolve conflicts and reach a way forward." (SUN Roadmap, 2012) In order to do this effectively, conflicts of interest should be identified and prevented, if possible, and for those that cannot be prevented, managed in a transparent way. The Lead Group therefore requested a document that would serve as a point of reference for governments in SUN countries to help them do so.

3. The Global Social Observatory (GSO)- an independent forum for multi-stakeholder dialogue – has received support from the Bill and Melinda Gates Foundation to develop this document and the accompanying toolkit.[4] The GSO's approach recognizes that managing potential conflicts of interest is a key contributor to maintaining trust and sustaining mutual accountability. This Reference Note is the product of an interactive consultation process that has engaged the governments of SUN Movement countries and the support networks within the Movement. It has been revised, along with the accompanying Toolkit, to reflect lessons learned in four Enhanced Learning Exercises that were convened in the course of 2014.[5]

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[1] Scaling Up Nutrition: A Framework for Action (http://scalingupnutrition.org/wp-content/uploads/2013/05/SUN_Framework.pdf)

[2] The Lancet, "Maternal and Child Undernutrition," Special Series, January, 2008.

[3] SUN Movement Strategy, September 2012

[4] The GSO is a neutral forum established in 2004 and operates under a Statement of Principles for GSO Membership, Support and Engagement. See www.gsogeneva.ch.

[5] The Enhanced Learning Exercises were hosted by the Focal Points in Ghana (1-2 April 2014), Kenya (29-30 May 2014,) El Salvador (16-17 July 2014) and Indonesia (3-4 December 2014). The 4 Enhanced Learning Exercises included participants from 15 SUN Member countries.

Purpose of the Reference Note

4. This Reference Note is intended for governments that have joined the SUN Movement in order to accelerate their efforts to ensure that women and children are well nourished at critical periods in their lives; it is designed to support their management of effective multi-stakeholder action toward this end. It sets out key principles of engagement and identifies patterns of behaviour that will contribute to the Movement's objectives while managing conflicts of interest. It will evolve in the light of experience.

5. Within the SUN Movement, national governments have the primary responsibility for setting nutrition policies and encouraging trust and mutual accountability of stakeholders in implementing those policies. Governments will do so in compliance with existing laws and regulations, which should be informed by applicable international regulations and commitments made by that country.

6. Governments of SUN Movement countries are forming- or strengthening existing –multi-stakeholder platforms to achieve national nutrition goals. The platforms may include both relevant line ministries within government and key partners outside government, such as civil society, UN agencies, donors, the technical and research community and businesses. National multi-stakeholder platforms (MSP) for nutrition will vary from country to country. Their composition, mandate and the regularity of meetings will reflect the national context, including national nutrition priorities, administrative frameworks in place and whether it is a national platform or a sub-national (regional or district) platform.

7. While national MSPs will differ from country to country, a number of common functions being performed by MSPs in SUN Movement countries can be identified. These include: identifying national priorities for improved nutrition, the development of strategies, multi-sectoral planning, mapping of different stakeholder resources, aligning the actions of multiple stakeholders, and joint monitoring of progress. Where the MSP has clear objectives and actions are coordinated across stakeholders, joint working contributes to effective action and the achievement of results.

8. Efforts to improve nutrition within SUN countries consistently include processes that encourage stakeholders to align their individual efforts and programmes toward an agreed single set of expected results which leads to more effective implementation of such efforts geared towards sustainable results. Nonetheless, differences of opinion or approach are common in any multi-stakeholder initiatives or platform that is geared towards a collective effort. These differences are not necessarily conflicts of interest, and the Reference Note distinguishes between conflict and conflicts of interest. It is when conflicts of interest interfere with the single set of expected results that policies and procedures are needed.

9. Although the issues around conflicts of interest facing national MSPs will differ to reflect the individual context and arrangements in each country, establishing policies and procedures to address these issues is the responsibility of national governments. Community-based action may also vary from country to country, based on the structure of national and local governance and relationships, but this, too, is an important part of any government's strategy.

10. A key purpose of this Reference Note is to assist governments in preventing or managing conflicts of interest of stakeholders participating in a national multi-stakeholder platform. The Reference Note focuses on inter-organizational conflicts of interest that might arise in SUN countries and cannot easily be resolved through negotiation. It lays out the key elements of an active management process and offers specific techniques for identifying possible conflicts of interest in advance, preventing their emergence and, when they do arise, managing them. The Reference Note should be regarded as a resource for governments and MSPs when seeking to address these issues.

11. It should be noted that it may not be feasible to identify and prevent all possible conflicts of interest before they emerge. Some stakeholders argue that the potential for conflicts of interest among certain groups of stakeholders is so great that those stakeholders should be automatically excluded from engaging in the SUN Movement. This Reference Note, in contrast, assumes that good governance is inclusive. Prohibiting any individual entity – or group of stakeholders – from engaging in the SUN Movement at the country or global level should be a last resort. With this assumption and with an emphasis on building trust to permit such inclusiveness, it describes ways for governments to manage potential and actual conflicts of interest of stakeholders who may be participating in the Movement.

12. The Reference Note itself is organized into four sections. First and foremost, it incorporates the SUN Principles of Engagement as the foundation for a conflict of interest policy framework. These Principles are an essential starting point for building the degree of trust necessary to deliver on national and global objectives within the context of the SUN Movement. Second, it introduces and discusses the operational definition of conflict of interest within the context of the SUN Movement. Third, it places the policy framework in the context of existing legal obligations. And fourth, it describes the four main elements of prevention, identification, management and monitoring for a conflict of interest policy framework and the underlying importance of capacity building.

13. Finally, this Reference Note is accompanied by a Toolkit that presents techniques for management of conflicts of interest in an unbiased, transparent and timely manner when they do arise. Clear, publicly disseminated policies and procedures for the prevention, identification, management and monitoring of conflicts of interest are an integral part of good governance, and the Toolkit provides a variety of tools, templates and approaches to develop and implement these policies and procedures.

The SUN Principles of Engagement

14. The SUN Movement's fundamental tenet is that those who engage in it are committed to ensuring that mothers and children everywhere are empowered to exercise their right to proper nutrition. The SUN Movement Strategy 2012 – 2015 and Revised SUN Roadmap 2012 outline a number of Principles of Engagement through which different stakeholders should engage in the Movement. These principles seek to reflect the common purpose, agreed behaviours and mutual accountability that form the basis of the Movement. They provide the foundation for positive collaboration, and it is expected for all participants to adhere to these Principles. They also underline the requirement that those who engage in the Movement avoid behaving and acting in ways that could disempower- or even harm – those the Movement seeks to serve.

15. This Reference Note lays out suggested steps for addressing conflicts of interest in the context of the Principles of Engagement. The Principles of Engagement serve as the basis for promoting and assessing individual and organizational behaviour and identifying possible conflicts of interest between stakeholders within a national multi-stakeholder platform. The Principles are to be interpreted as appropriate in these different settings, bearing in mind the spirit of cooperation in which they are written as well as the words themselves.

Adapting the SUN Principles to Conflict of Interest Situations

15.1. **Be transparent, especially about intentions and impact:** Stakeholders will engage in transparent behaviour in all interactions with the SUN Movement. They are expected to act in a manner that will bear close public scrutiny and to disclose any private (or primary) or secondary interests that might interfere with their responsibilities in the SUN Movement. Transparency about diverging interests is essential for maintaining an atmosphere of trust within the Movement. It increases the predictability and added value of stakeholders' contributions and may reveal potential conflicts of interest. It will also help prevent conflicts and reduce perceptions of bias. Stakeholders should commit to establishing, and then participating in, rigorous evaluations of the contributions of individual stakeholders and the impact of their collective action. Such evaluations should be transparently made available to all stakeholders.

15.2. **Be inclusive:** The SUN Movement is open to all stakeholders that demonstrate commitment to its goals. Since its inception, the Movement has aimed to be inclusive, as there is more to be gained by engaging all stakeholders that are working to improve nutrition. The inclusive approach encourages multi-stakeholder action, but it can be challenging. If a conflict of interest is identified, sometimes the remedy is to call for exclusion of the stakeholder involved- either from participation in a particular initiative or, if necessary, from all SUN Movement activities. However, exclusion should be avoided if at all possible.

15.3. **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, as well as the economic, social and cultural rights that include the right to adequate food and nutrition. A human rights-based approach, which seeks to empower people to claim and exercise their rights and fulfil their responsibilities, should permeate policies and practices for promoting a multi-stakeholder action plan and for preventing, identifying, resolving and monitoring conflicts of interest.

15.4. **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; such dialogue and negotiation is the first step toward collaboration while also helping to identify and manage possible conflicts of interest. They are expected to be open and transparent during all aspects of negotiation and to strive for collective solutions.

15.5. **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. All stakeholders should act to reduce the risk that they may have conflicts of interest in relation to the joint commitments. They should also respect and support the actions of stakeholders that recuse themselves from initiatives in which they have a potential or real conflict of interest.

15.6. **Be cost-effective:** Stakeholders should be guided by available evidence about policies and actions that have the greatest and most sustainable impact at the least cost. While governments will be responsible for coordinating multi-stakeholder approaches to scaling up nutrition, stakeholders are expected to base their actions on the best available evidence for cost-effectiveness and to demonstrate their reasoning in a transparent way.

15.7. **Be continuously communicative:** All stakeholders are committed to the regular sharing of their intentions, actions, experiences and concerns with government focal points and national multi-stakeholder platforms, across government sectors, civil society, business and all other stakeholders in their own and other SUN Movement countries. Stakeholders within the Movement are expected to maintain open and continuous dialogue within and between the SUN Movement networks. This principle also applies to the identification and management of real or potential conflicts of interest.

Additional Guiding Principles for Avoiding Conflicts of Interest

16. The following additional principles reflect distinct concerns raised by participants during the consultation process that need to be taken into account when dealing with conflicts of interest:

16.1. **Act with integrity and in an ethical manner that enhances the reputation and impact of the SUN Movement:** Stakeholders should act in a way that establishes the highest standards of honesty and incorruptibility. Firm adherence to a code of ethical behaviour, operating in an organizational culture based on upholding the highest principles and ideals, ethical soundness – these are the concepts identified with integrity. Stakeholders should recognize that both individual and organizational conflicts of interest must be managed with the highest degree of integrity so as to safeguard against undue advantage for any stakeholder.

16.2. **Be mutually respectful and seek to earn the trust of those with whom you are working:** All stakeholders make different contributions to the collective effort. Building the trust needed for collaboration requires respect for these differences. This includes listening to what other stakeholders have to offer, searching for common ground for collaboration and working together in ways that are respected and appreciated by others. Respect must be earned; stakeholders should seek to work in a way that encourages others to take them at their word and to trust their intentions. Any approach to preventing, identifying, managing and monitoring conflicts of interest should be based on this principle of mutual respect. Conversely, trust is enhanced by compliance with a policy framework for preventing and managing conflict of interest.

16.3. **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 under nutrition should be the primary consideration. For this reason, the possible negative consequences of all actions should be considered before any action is taken.

17. The seven SUN Principles of Engagement, together with these three additional principles, serve as the ten SUN Principles of Engagement for the SUN Movement's guidance and practice on conflicts of interest. Where national multi-stakeholder platforms are developing supplementary principles of engagement, they should consider whether they are consistent with the above principles.

18. While this Reference Note is directed to governments in their management of national multi-stakeholder platforms, the SUN Principles of Engagement are applicable to all stakeholders operating within their respective networks. Some of these networks are developing additional principles. The SUN Business Network, for example, has developed an **additional set of principles**, designed to ensure the participation of responsible businesses, and responsible business practices within the wider SUN Movement. There should be both coherence and consistency among the different networks regarding any such supplementary principles, and the governments in SUN Movement countries may wish to take them into account.

Defining conflict of interest

19. It is commonplace for individuals participating in any joint endeavour to have private, or secondary, interests that are unrelated to their official activities. Private interests of an individual may include a personal financial or professional interest of an individual or their family member in a specific outcome. "Secondary interests", such as extracurricular activities or professional affiliations, are not necessarily private, but they, too, may differ from the primary goal of the joint endeavour. In the context of the SUN Movement, the private or secondary interests of any participating individual should not supersede the primary purpose of establishing synergy between organizations for the common goal of promoting improved nutrition. If they do, it is possible that this will constitute a conflict of interest. Similarly, if any organization participating in the Movement pursues its organization's interests that may be at variance with the collective goal of promoting improved nutrition, the organization may have a conflict of interest. Thus, conflicts of interest may result from the pursuit of private or secondary interests, or both, and may arise at either the individual or the organizational level.

Divergent and Convergent Interests

20. There are many situations where participants have different interests in a joint endeavour that do not constitute conflicts of interest. A difference of opinion or different positions, on an issue or procedure is not, in itself a conflict of interest. **Divergent interests** become apparent when individuals or organizations participating in the SUN Movement have differences of opinion on an issue, when their values or even their interests extend in different directions, or when their intentions for participating in a multi-stakeholder platform or the Movement as a whole differ. Such divergent interests do not necessarily reflect conflicts of interest as long as the differences do not interfere with the primary purpose of establishing synergy in efforts to improve nutrition. Divergent interests can be incorporated into the multi-stakeholder effort through dialogue and debate to build consensus if possible, with due attention to the scientific evidence in support of divergent positions. When this occurs, they become **convergent Interests**. They might still be distinguishably different interests, but they all converge in support of the Movement's goal of promoting improved nutrition.

Competing Interests

21. Some participants in the SUN Movement have proposed the term "competing interests" as an alternative to the term "divergent interests" to describe situations where different organizations are competing with each other for scarce resources or for influencing the direction that a proposed decision or policy should be taking. The term is useful to capture the meaning of a particular kind of divergent interest. Therefore, both concepts are incorporated into the Reference Note in the following sections.

The Definitions of Individual and Organizational Conflicts of Interest

22. Everyone has a set of interests, as noted in the box. Conflicts may be based on divergent or competing interests, but they become conflicts of interest only if the resulting behaviours are designed to secure advantages for any one individual or organization that have the effect of **undermining the collective efforts** of the other participants. Interests and conflicts arise in both public and private policy settings. For the purpose of national multi-stakeholder platforms that are part of the SUN Movement, the focus is on public policy settings.

Interests:
May be private or secondary; individual or institutional. Examples include a business, a commercial or financial undertaking, a cause, a professional activity, a hobby or even a social activity.
Not all interests lead to a conflict of interests.

Conflict:
Conflict means the kind of active disagreement between persons or between ideas or beliefs that may arise in public policy settings. Not all conflicts lead to a conflict of interests.

23. Definition: An **individual conflict of interest** arises when the pursuit of the private or secondary interests of an individual has the effect of compromising, interfering with, or taking precedence over objectives joint endeavour.

24. Definition: An **organizational or institutional conflict of interest** arises when pursuit of an organization's interests, whether "private" or secondary, has the effect of compromising, interfering with, or taking precedence over the objectives of the joint endeavour.[6]

> Within the SUN Movement, a conflict of interest may arise when a participant of the national multi-stakeholder platform, or supporting network, pursues personal or organizational interests at the expense of supporting the country's nutrition-related goals.

> Institutions or organizations operating at different levels or having several separate entities within a country should ensure coherence across all its operations to ensure the principles of engagement are upheld.

Potential Conflict of Interest

25. Because of variations in the interests of different stakeholders, alignment of interests is a fluid process. There are interests that have the *potential* to create a conflict of interest in the future even though they may not be doing so at a given moment. In other words, a real conflict of interest might not exist for an individual or organization at the beginning of its participation in the Movement but could arise over time as circumstances, situations and the engagement of various actors evolve. The question of whether a conflict of interest exists thus is not always a static issue.

Perceived Conflict of Interest

26. Individuals or organizations participating in a multi-stakeholder initiative may well have differing perceptions about the extent to which another individual or organization's private or secondary interests conflict with the interests of the goals of the SUN Movement and women and children the SUN Movement seeks to serve. Perceived conflict of interest may be based on how a particular individual views a situation, and often depends on the context in which it is observed. The perception may even be based on the appearance of a potential conflict of interest even though the individual or organization with a perceived conflict has not behaved in a way that has caused any damage to the endeavour or particular initiative.

27. The Reference Note's framework and the accompanying Toolkit describe options for managing perceived conflicts of interest as well as for preventing potential or perceived conflicts of interest from interfering with the overall objective. The potential or perceived conflict of interest will sometimes merit an intervention to prevent or manage it from becoming an actual conflict of interest for the SUN Movement.

28. Before introducing the proposed elements of a conflict of interest policy framework, the Reference Note acknowledges the emphasis placed by participants in both the consultation process and the Enhanced Learning Exercises on the importance of a country's existing legal framework. Participants have also reinforced the centrality of adherence by all SUN Member countries and stakeholders to the SUN Principles of Engagement, including three additional principles that emerged from the consultation process.

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[6] These definitions for individual and organizational or institutional conflict of interest were developed through the consultation process convened by the GSO to adapt commonly used definitions of conflict of interest for application to the specific uses of this Reference Note. The same language was adopted for both individual and organizational or institutional conflict of interest, even though institutions do not necessarily have "private" interests but are more appropriately seen to have a combination of "primary" and secondary interests.

Working within the Existing Legal Framework

29. This note suggests that SUN Movement countries adopt and implement a conflict of interest policy framework, including written policies and/or procedures relating to a national multi-stakeholder platform. This needs to take place in the context of the consistent application and enforcement of applicable laws and regulations in the country. All stakeholders must understand their legal obligations, and a reliable set of rules provides the means to bring stakeholders' interests into alignment with the joint endeavour. Many governments have established a code of conduct that contains guidance on conflicts of interest that can be applied, if appropriate, along with other laws and regulations to address malnutrition, to the multi-stakeholder platform supporting the government's efforts to reduce malnutrition.

30. In many instances, existing legal obligations in a country are derived from international treaties, conventions, codes and resolutions. Governments have accepted international obligations under the various UN Conventions that they have ratified, and they are guided by numerous international charters and codes- including those specifically referring to women, children, human rights, and food and nutrition. These documents can be useful in defining and managing conflicts of interest in combating malnutrition. They include the Universal Declaration of Human Rights, the United Nations Convention on the Rights of the Child, the United Nations Covenant on Economic, Social and Cultural Rights (including the right to food security), the United Nations Convention against Corruption, the World Health Assembly resolution adopting the International Code of Marketing of Breast Milk Substitutes, subsequent resolutions and other nutrition-related policies. In some instances, national policies or codes may be more rigorous than existing international legal obligations, although that is not always the case. In all instances the applicable local, national and international laws and policies in the country should be enforced.

31. Issues around the harmonization of formal legal institutions and public policies at national, sub-national and local community levels, as well as between neighbouring countries, especially where there is a mandate for regional collaboration should be considered. In addition, traditional dispute resolution practices, where appropriate, should be built upon or integrated into national approaches. The process of developing conflict of interest policy may include a mapping exercise to identify where there are existing laws and practices that are applicable to building a policy framework on conflict of interest. The accompanying Toolkit to this Reference Note describes some avenues that might be taken to conduct mapping exercises.

32. These introductory sections on the role of the SUN Principles of Engagement, on basic definitions on conflict of interest and emphasis on the importance of existing legal frameworks reflect the contributions of participants in the consultations from different countries and networks of the SUN Movement. As with these introductory sections, the following sections on the four key elements of a conflict of interest policy framework were also developed through consultations among government representatives from SUN Movement countries and the different groups of stakeholders that support them in achieving their goals.

Elements of a Conflict of Interest Policy Framework

33. This Reference Note describes four elements of a conflict of interest policy framework that can serve as guidance to governments participating in the SUN Movement. They were developed through a consultation process involving participants from the SUN Movement in a series of three consultation events in 2013, with further refinements derived from a series of four Enhanced Learning Exercises in 2014. The four elements for a conflict of interest policy framework are (a) preventing (b) identifying (c) managing and (d) monitoring conflicts of interest. The Reference Note concludes with a section on strengthening the capabilities needed to implement these elements. In the national multi-stakeholder platforms, policy development with regard to promoting good nutrition should consider the inclusion of this kind of framework.

34. Before delving into these elements, however, it is important to emphasize that for a conflict of interest policy framework to be effective, governments must take an active management approach and place the framework in the overall context of an inclusive and coordinated programme for collaboration to help empower women and children to exercise their right to proper nutrition. The SUN Principles of Engagement, the definitions of conflict of interest and the integration of existing legal obligations in the preceding sections remain the foundation for governments to develop and implement their policy framework. Governments are encouraged to include a policy framework on conflict of interest as an integral part of the overall legal or technical framework for their MSP. This is important for establishing the trust among diverse stakeholders that is essential for such a joint endeavour as the SUN Movement to work effectively.

35. The following flow chart sets out the major elements of a model for the development of a conflict of interest policy for countries within the SUN Movement:
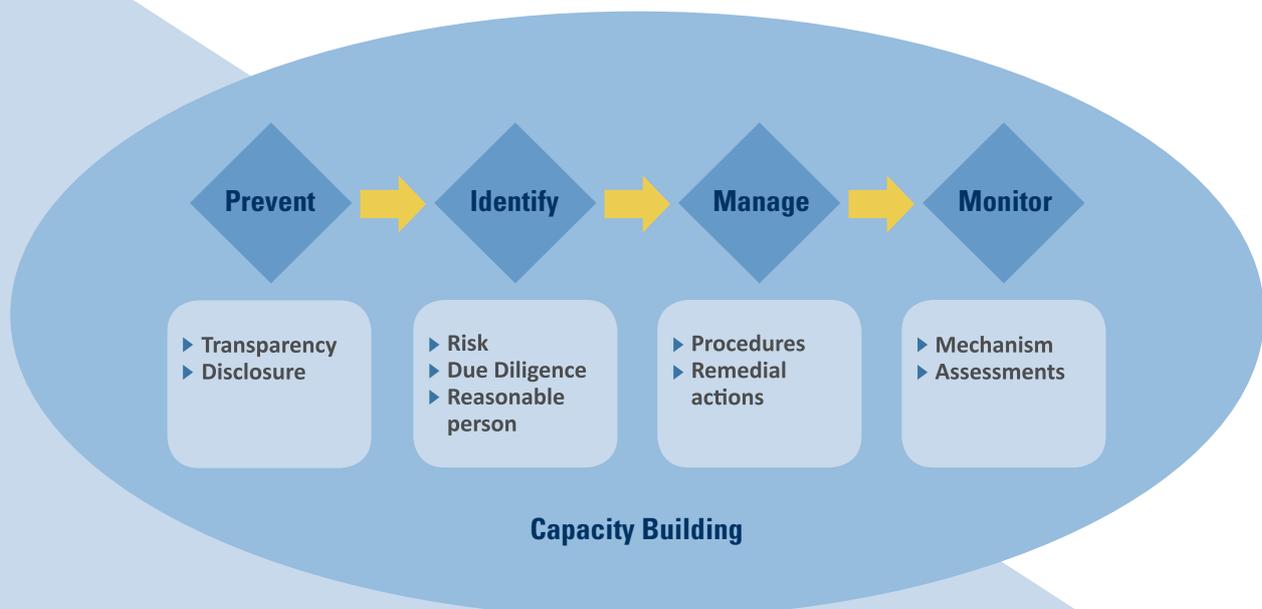
Preventing Conflicts of Interest

36. The first element of the policy framework addresses two basic features for preventing conflicts of interest from arising. Although any multi-stakeholder platform risks the possibility of experiencing operational and reputational damage as a result of a conflict of interest, measures to prevent or mitigate conflict can still be put in place. It is always preferable to prevent damaging behaviour arising from conflicts of interest or, if it does occur, to mitigate its potential damage as quickly as possible. The first element in a comprehensive conflict of interest policy is to establish mechanisms for prevention. These consist primarily of (a) clearly written and transparent policy on conflicts of interest and (b) consistently applied disclosure procedures.

Transparent Policies for Avoiding Conflicts of Interest

37. Stakeholders need to be familiar with the applicable policies to their participation in national multi-stakeholder platforms. As a starting point, governments should communicate and stakeholders should be aware of existing legal obligations relating to conflicts of interest and how they apply to the national platform and the initiatives it undertakes. This may require a mapping of actual and prospective stakeholders and their relationship to the overall purpose of the national multi-stakeholder platform and connecting the stakeholder map to existing legal obligations for each stakeholder. Even where there are no applicable legal obligations, however, governments are encouraged to adopt and widely publicize written policies and procedures for dealing with conflicts of interest. Adopting these policies and procedures through multi-stakeholder participation enhances their legitimacy. As part of the mapping process, the policies should clearly lay out the expectations of the government as well as the responsibilities of the various stakeholders regarding disclosure of interests, in compliance with the SUN principles of transparency and mutual accountability.

38. Community-based engagement is important in the SUN Movement. This reinforces the importance of communicating frequently and consistently about the purpose and content of the written policy to stakeholders at all levels, including the community level. Where governance is highly decentralized, the national policy framework should serve as a template for all sub-national and local governance units to apply, with an emphasis on ensuring policy coherence across different levels and units of governance.

39. Governments are encouraged to be specific about what conflict of interest means. Definitions should be included in the written policies, which should be applicable to all stakeholders and relevant for application at sub-national and local community levels. The definitions provided in the preceding section of this Reference Note may be adopted for this task. The overall policies could be based on an existing code of conduct, linking the code to the ten SUN Principles of Engagement and to these definitions. Alternatively, it could be a separate written policy adapting these same principles and definitions to the specific country, national platform, as well as any sub-national or community-level context as appropriate. A guide for drafting a conflict of interest policy and a sample template for a written policy are included in the Prevention section of the accompanying Toolkit.

40. A preliminary step for all stakeholders participating in a multi-stakeholder platform could then be an affirmation of compliance with the government and or/platform's policy. This can be done either implicitly – that is, through a public announcement by the government that the policy is in effect and all stakeholders are expected to act in compliance with it- or explicitly, by requiring stakeholders to proactively commit (verbally or in writing) to complying with the policy. This may also need to be applied or adapted to the sub-national or other local and community levels.

The Role of Disclosure in Prevention

41. An important element of a conflict of interest policy that helps to prevent or mitigate conflicts of interest is for all stakeholders to disclose any private or secondary interests that might have a bearing on their participation in the multi-stakeholder platform implementing the national action plan for the scaling up nutrition. Disclosure of these interests is one way of implementing the SUN Principle of transparency and ensuring compliance with the SUN Principle of mutual accountability. Disclosure of interests is an important channel for building trust among participants with different backgrounds and especially where there are perceived power imbalances between, for example, large business enterprises and local NGOs. There are a range of options for disclosure statements, from general affirmations to detailed disclosure forms. An illustrative disclosure form template can be found in the accompanying Toolkit, and a list of other samples of disclosure forms can be found in bibliography at the end of the Toolkit. They may be further developed as governments in the SUN Movement accumulate experience in implementing variations of disclosure requirements in their conflict of interest policies.

42. One widely used approach is to start with the assumption that, even if not initially apparent, many stakeholders will have divergent or competing interests in the future, and that these could well become conflicts of interest. The challenge is to anticipate what needs to be disclosed in a reasonable and manageable way. It is recommended that the criteria for identifying the types of interests to disclose should include what is technically feasible and keeping in mind that it should apply to all stakeholders equally. As such, the criteria should be developed by the government in consultation with all stakeholders and

should be made transparently available to all. Government may choose to develop criteria that, for example, emphasize financial interests, where the burden of disclosure may be greater for commercially-oriented participants than for civil society groups. Nonetheless, the principles of inclusivity and mutual accountability should be followed by applying the same criteria to all participants. Again, the Toolkit offers some generic criteria for identifying the types of interests that should be disclosed.

43. Some types of interests may already be publicly known. However, some information may be sensitive, and reasonable requests for privacy or confidentiality should be honoured. The SUN Movement is a loose affiliation of stakeholders, and countries taking part in the Movement have their own different groups of stakeholders to work with, which will change as new stakeholders are brought in. Governments are encouraged to strive to achieve consensus among the stakeholders within their national platforms regarding what information needs to be disclosed and how to handle confidential information. Again, the Toolkit includes an approach for governments to receive and manage requests for privacy or confidentiality. Governments are encouraged to balance this with the importance of building trust through disclosure of all relevant interests.

44. The SUN Movement networks also play an important role in seeking to minimize conflicts of interest of their members. The definitions and the listing of the ten Principles of Engagement for conflicts of interest in the SUN Movement can serve as a useful guide for networks when considering their approach to conflicts of interest. Each SUN network may opt to establish its own procedures for identifying the kinds of private or secondary interests that need to be taken into account as procedures for addressing conflict or interests are established at the multi-stakeholder level.

Identifying a Conflict of Interest

45. The primary objective of a policy framework on conflict of interest should be to prevent conflicts of interest from arising. However, the policy does need to have provisions in place for identifying them when they do arise – or could arise. One can provide for disclosure of potential conflicts of interest by individuals or institutions participating in a national platform, but even when there is full disclosure of relevant potential interests, there may still be disagreement about their relevance or applicability among other stakeholders in the national platform. Alternatively, a perceived conflict of interest could be raised by another stakeholder alleging that the stakeholder at issue has not fully disclosed all of his or her relevant interests.

46. When there is a disclosed potential or perceived conflict of interest of a stakeholder within a national multi-stakeholder platform, the next step is to determine if a conflict of interest really exists. It may be that the interests in question are divergent or competing interests that can be made to converge through dialogue and negotiation. The distinctions are often difficult to make, and yet action needs to be taken without labelling every divergent or competing interest as a conflict of interest. For this to occur, there must be a designated authority (such as a specifically created review committee or other oversight mechanism) and agreed criteria for distinguishing between these types of interests. Prompt action to identify what the different types of interests are and to explore what to do about them is important because it can promote inclusiveness in recruiting and working with stakeholders. It also builds trust among stakeholders, contributes to their mutual accountability, increases mutual respect, and contributes to the effectiveness of the collective effort.

47. Procedures for identifying conflicts of interest should allow for action to be initiated either by SUN Movement stakeholders or even by groups outside the SUN Movement. Anyone who suspects that a stakeholder has a conflict of interest and who seeks to initiate procedures for managing it must have reasonable grounds to believe that it exists and must be acting in good faith. The channels for reporting and investigating conflicts of interest should be transparent, accessible and designed to enable individuals or groups to respond promptly and openly to allegations. The review committee or other oversight mechanism (as further discussed in the next section) may wish to permit some confidentiality in the early stages of the process so that the stakeholder's position is not damaged if an allegation proves to be unfounded. Alternatively, there may also need to be protections granted to the initiator of a challenge who may be reluctant to be exposed as the challenger. Finally, the review committee or other oversight mechanism also needs to establish procedures through which their own decisions or recommendations can be examined and- if necessary- challenged.

48. This Reference Note describes a risk-based approach for identifying significant conflicts of interest within the Movement, as well as a due diligence approach designed to ensure that those conflicts that are the most potentially damaging are recognized and acted upon. The accompanying Toolkit lays out some additional tools and mechanisms for developing criteria to be used in identifying real conflicts of interest.

A risk-based approach

49. The SUN Movement is designed to serve as an open and unstructured space in which a variety of stakeholders can come together through government led multi-stakeholder platforms to support the implementation of national plans for scaling up nutrition. Stakeholder groups should work in a transparent way, and they should recognize the importance of disclosing their relevant interests publicly. This is part of the first element of prevention, but it should not lead to the unmanageable situation of all stakeholders having to disclose all of their interests. Only the most significant interests should be disclosed, so that the kinds of interests that are the most likely to have the effect of compromising, interfering with, or taking precedence over the joint endeavour can then be identified and managed.

50. A risk-based approach can anticipate and analyse the potential risk of conflicts of interest associated with a particular initiative rather than requiring across-the-board disclosures. This approach involves the establishment of procedures for applying risk analysis to specific situations. A useful typology for a risk-based approach includes: (a) marginal risks that are not likely to affect the initiative, (b) risks that might affect the initiative but are manageable, (c) risks that give rise to concern and a need for advice, and (d) risks that are certain to cause damage. The analysis should be done in an equitable manner, taking into account the higher-risk possibilities among all stakeholder groups. Some information that can be used to evaluate the level of risk will already be available in the public domain, but it may be necessary to supplement this with gathering context-sensitive information regarding some stakeholder's interests.

51. One suggestion 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?" This is one way in which the "do no harm" principle can be applied in practice. Best practice would suggest to work with a balanced multi-stakeholder advisory group to apply this "reasonable person" standard to ensure that all viewpoints are incorporated. The approach should encompass a recognition of the evidence-based knowledge of proper nutrition and the human rights-based expectations for empowering women and children to be able to exercise their right to proper nutrition. The accompanying Toolkit provides some further guidance on the typology of this approach and on the reasonable person standard.

52. Even with a risk-based approach, however, there are certain types of behaviours of stakeholders that would unquestionably cause reputational and other damage to the SUN Movement's ability to deliver on its goals. For example, compliance with the International Code on the Marketing of Breast Milk Substitutes, which is a recommendation from the World Health Assembly, and which urges Member States to incorporate its provisions into national legislation. All stakeholders are expected to refrain from behaviour that can be perceived as encouraging the pursuit of private or secondary interests rather than the collective goals of the SUN Movement at the country level. The risk-based approach is well suited for governments to conclude that some stakeholders should be excluded outright by identifying them in the fourth category because they are deemed to entail risks that are certain to cause damage to the national effort.

A Due Diligence Approach

53. The Reference Note reinforces the importance of combining the risk-based approach with "a due diligence approach" [7]. This is because the process by which a government identifies actual, perceived or potential conflicts of interest and their degree of risk to the national effort is an important threshold issue for a country's policy framework on conflict of interest. The due diligence approach applies both to the individual stakeholder and to the oversight body that is responsible for implementing the policy framework on conflict of interest. It means that the determination of whether or not a stakeholder has a conflict of interest should be handled in a sensitive manner. The obligation to determine what is in fact a conflict of interest must be taken seriously, with all possible angles considered before drawing any conclusions.

54. The individual stakeholder is expected to take the initiative to openly identify their interests. given the principles set out above. Following the individual's disclosure of any relevant divergent or competing interests, the stakeholder is expected to take proactive steps to either remove the conflicting interest or act in such a way as to avoid the interest taking precedence over the joint endeavour. This expectation is referred to as due diligence on the part of the individual.

55. By participating in multi-stakeholder platforms or in a SUN network, the stakeholder who is conducting his or her responsibilities with due diligence to the possibilities of a conflict of interest should be able to collaborate effectively with others, by managing any divergent or competing interests that may exist in a transparent way and supporting the goals of the national government and the SUN Movement as a whole. In practice, however, perceptions of a conflict of interest may interfere with the building of trust, and lack of trust can undermine the collective efforts of stakeholders within the national platform. Therefore, self-disclosure is not enough, even when the stakeholder applies this approach.

56. Therefore, a due diligence approach is also needed for the oversight body from the government. It is possible that the stakeholder's interpretation of his or her disclosure obligation will not be widely shared across the national multi-stakeholder platform because of different interpretations of the facts or because the stakeholder's disclosure is judged not to have been fully transparent or compliant with a due diligence obligation. As a part of the policy framework, procedures should be included to provide stakeholders the opportunity to raise the possibility that another stakeholder has failed to disclose his or her relevant conflict of interest. In such cases, a due diligence process of scrutiny and deliberation should be undertaken by the person(s)/entity responsible for enforcing the conflict of interest policy.

57. The Toolkit includes a list of possible circumstances meriting scrutiny, but the assessment of these circumstances should be carried out with due diligence on the part of both governments and stakeholders. Due diligence by the oversight body may result in the conclusion that the circumstances do suggest a perceived or potential conflict of interest but that the conflict is not yet actually present. It is not always easy to distinguish a situation where there is a conflict between stakeholders over diverging or competing interests, from a situation where there may be a potential or perceived conflict of interest or a situation where there is

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7   The term "due diligence" has acquired special meaning in English but does not translate well into French ("la diligence raisonnable")or Spanish ("la debida diligencia") to capture the idea of a comprehensive review of all possible interpretations of a particular set of facts.

an actual conflict of interest. National multi-stakeholder platforms and participating stakeholder groups may need tools that will help them gather more evidence-based information to distinguish between the diverging or competing interests in a typical conflict situation, and a situation where there is a conflict of interest with the objectives of the multi-stakeholder platform. Illustrative tools can be found in the Toolkit.

58. Although the mechanisms for identifying the presence of potential, perceived or real conflicts of interest may differ from one country to another, the definitions and criteria for identifying what constitutes a conflict of interest should be applied, if possible consistently across all SUN member countries. To encompass a due diligence approach, the criteria may encompass science-based evidence on proper nutrition, complemented by local knowledge and cultural practices, as well as sensitivity to a human rights-based commitment to exercising the right to proper nutrition. There should be a consistent standard across the Movement; inconsistency could well undermine the coherence of the Movement as a whole. To enable consistency, countries are encouraged to share and learn from each other's policies and practices.

Managing Conflicts of Interest

59. Building on the SUN Principles of Engagement, prevention of conflicts of interest should be given the highest priority. Once a conflict has been determined to exist, the next step is to reach agreement on how to manage it and to proceed with a reasonable balance of urgency and diligence. Procedures for managing conflicts of interest should be in place before any conflict arises, and there should also be consensus on the appropriate application of various options for managing a conflict.

Procedures

60. Procedures for managing conflicts of interest require active management by governments. As part of its conflict of interest policy framework, the government might establish a review committee or adapt an existing review mechanism to oversee the task of managing conflicts among stakeholders engaged in multi-stakeholder platforms and their endeavours. The Toolkit accompanying this Reference Note presents a number of options to fulfill this role.*

61. Mechanisms for managing conflicts of interest should include all stakeholders – including those with a perceived or potential conflict of interest. The focus should be on continuous learning about approaches that work (and do not work) through regular sharing of relevant lessons, communication among stakeholders, and transparent reporting and record-keeping. Governments should encourage stakeholders to treat one another with respect and exchange their views and intentions in a constructive manner, consistent with the principles on mutual respect and communications; this will contribute to the trust needed if stakeholders are to be mutually accountable for helping the governments of SUN countries achieve their goals.

62. The task of a review committee or other oversight body is both to identify conflicts of interest, i.e. determine whether or not they exist when they are disclosed or allegations are made, and to recommend ways to manage them. If a conflict is identified, there should be a procedure in place for determining the remedial action. It may be necessary to seek consensus within the review committee or among all the stakeholders before taking action.

Remedial Actions

63. There are many possible ways of managing a conflict of interest. The flow chart illustrates a sliding scale of remedial actions, and more information is provided for each of these options in the accompanying Toolkit.

Remedies	
Voluntary	**Exclusions**
Public Knowledge	Decision making on specific initiatives
Behaviour Modifications	Participation on specific initiatives
Mutual Accountability	Temporary exclusion from platforms
Mutual Respect and Dialogue	Permanent exclusions

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*See also section on Identifying conflict of interests on the role of a review committee

64. One way of managing a conflict of interest is to rely solely on the stakeholder's transparent disclosure of the interests at issue. The mere "public knowledge" of a potential conflict of interest may be sufficient to allow the stakeholder to be included in the joint endeavour, especially where the stakeholder's level of participation makes it unlikely that the conflict of interest will arise.

65. Another set of options involves inviting the stakeholder with the conflicting interest to take voluntary action to eliminate the conflict, shown as "behaviour modifications" on the chart. This might include disposing of a financial interest or a professional affiliation, refraining from participating in decision-making regarding the initiative in question, or not taking part in activities that would be affected by the conflict of interest.

66. Reliance on transparent disclosure of a potential conflict of interest can be strengthened if stakeholders are willing to discuss these publicly acknowledged interests and reach consensus on the action needed to ensure the potential conflict of interest is neutralised. This starts with a commitment to "mutual accountability", as envisioned in the SUN Principles of Engagement and applicable to accountability for complying with a conflict of interest policy. This is further reinforced when stakeholders learn to have "mutual respect and dialogue" with each other. Participants in the consultation process concluded that this should be one of the three additional principles that should apply to stakeholders in the implementation of a policy framework on conflict of interest.

67. Without voluntary action by the stakeholder, however, disciplinary measures may be necessary. The chart on remedies describes four such options. The options and the circumstances in which they would be applied should be clearly stated and known to all in advance. As the chart shows, the main disciplinary options to address conflicts of interest are to exclude the conflicted individual or organization in some way or fashion. It is preferable to limit the scope and duration of any exclusionary decision, and the chart moves from less drastic to more drastic exclusionary actions. Criteria for deciding to exclude a stakeholder should be known in advance (as part of the conflict of interest policy) and review procedures should be in place to permit reinstatement if compliance with the principles is later shown to exist. In extreme situations, it may be necessary for the stakeholder to withdraw completely – or even be invited to withdraw- from the national multi-stakeholder platform. This is not a preferred option, given the principles under which the Movement, governments and other stakeholders should be participating in the common effort.

68. Other exclusionary options are less drastic. These include barring the stakeholder from decision-making on specific initiatives or activities – or from participating in specific initiatives or activities. There should be established procedures for recusing a stakeholder from decision-making on a specific initiative or even requiring the stakeholder to withdraw from participating in that initiative. These options are more fully developed in the accompanying Toolkit. Above all, they should be consistently applied to all stakeholders.

69. When consensus on an appropriate disciplinary action is lacking, it may be necessary to employ an external mediating service. Preferably such mediation will be carried out at the national or community level, relying on available services in-country, and depending on where the issue has arisen, but there may be regional options or even a globally developed list of credible mediation services. This should not be viewed as an additional layer of bureaucracy; governments should identify in advance the circumstances in which external mediation may be sought, with due attention to ensuring that the process is applied in a consistent and equitable manner. The terms of reference for the mediation process should establish steps to be taken when deciding what a stakeholder with a conflict of interest should be asked to do.

70. In summary, conflicts of interest should be assessed and managed in a transparent and timely manner without unduly inhibiting the effectiveness and efficiency of the stakeholders' support to SUN Movement initiatives. An overly wide definition of what kinds of private or secondary interests constitute a conflict of interest may have the effect of deterring other stakeholders from participating in the Movement. There will also be situations in which confidentiality is required. The central question is to assess whether the stakeholder's behaviour has any effect on compromising, interfering with or taking precedence over the joint endeavour or initiative of the multi-stakeholder platform or the SUN Movement as a whole. If there is an effect but there is a subsequent correction in the stakeholder's behaviour, then the stakeholder should be included. And all actions should be consistently applied to all stakeholders, which brings in the fourth element of the policy framework on "Monitoring".

Monitoring of Conflicts of Interest

71. A government's stewardship of its national multi-stakeholder platform should include a monitoring mechanism to ensure that procedures for preventing, identifying, and managing conflicts of interest are applied consistently and effectively. The SUN networks may need a similar mechanism. Monitoring is something that should be integrated into all aspects of prevention, identification and resolution of conflicts of interest.

72. A country's monitoring mechanism should permit regular assessment of the extent to which the overall conflict of interest policy is being followed, and should also assess its impact on stakeholders. These are two different monitoring objectives. Governments have a role in monitoring the process as well as the progress in ensuring compliance and impact of their policies. Arrangements for monitoring should be part of the conflict of interest policy framework, with a checklist of agreed-upon standards for measuring effectiveness and impact. The Toolkit offers checklists for both of these functions – one on monitoring the implementation and relevance of a conflict of interest policy and one on monitoring the management of the policy.

73. The personnel who take on this monitoring role should be well-versed in the policy and skilled at undertaking periodic assessments and evaluations. The mechanism should yield information about the frequency with which the policy is invoked, the reactions of stakeholders, the speed with which investigations are conducted, and the extent to which the decisions made have remedied the situation. An exchange of information among SUN countries about their experiences in managing conflict of interest policies can also contribute to a resource base.

74. SUN countries will need to maintain their own monitoring mechanisms and control systems, modifying their procedures as necessary. Such modification could involve creating a new monitoring mechanism, adapting an existing monitoring mechanism for a country's national action plan, or even employing an external review process. Any external review process would have to be independently audited.

75. Clearly, the governments themselves have an interest in tracking and monitoring their policies, but outside groups may also be interested in holding governments and other stakeholders accountable to a conflict of interest policy. There are many such external monitoring groups in other settings – Transparency International, for one example, or Human Rights Watch, for another.

76. Mutual accountability among all participating stakeholders is part of the SUN Movement's Principles of Engagement and should be taken into account in any monitoring system. Transparency of interests and transparency of procedures make it possible for all stakeholders to monitor themselves and each other through general public observation. The media can play a significant role in this, and countries can make meeting agendas, minutes, procurement plans and other initiatives publically available and accessible.

77. Monitoring should have a supportive focus, making it possible for participating groups to learn from each other. To that end, the Toolkit contains useful guidance and options for monitoring but it is also intended to be a vehicle for gathering information on experiences with different monitoring systems, tools and indicators.

Building Capacity

78. Governments participating in the SUN Movement may wish to build capacity for handling conflict of interest. These strategies should have a long-term focus based on a continuous learning loop and the exchange of information about lessons learned. Capacity building needs to occur at several levels, from the national level to the sectoral level to the community level. Many groups and individuals do not understand the meaning of a conflict of interest, and how it relates to divergent or competing interests, and this Reference Note seeks to clarify the differences in meaning, as well as the procedures for participants to identify these differences.

79. Educational tools to explain the meaning of conflict of interest and the contributing factors to it need to be part of a capacity-building programme. Training the trainers should also be encouraged in order to build local capacity. The Reference Note and Toolkit are available for all SUN Member countries to adopt and implement a policy framework on conflict of interest. User handbooks can be developed nationally from the materials, and national case studies can provide useful guidance on implementation. In addition, the SUN Movement Secretariat can serve as the repository of a growing inventory of case studies, practical examples and successful outcomes.

80. SUN countries and networks are the central stakeholders in the SUN Movement. This Reference Note serves as a compilation of the elements of a conflict of interest policy framework and offers guidance to governments on its effective implementation. There are synergies between the global-level engagement of stakeholders through the networks and the support these stakeholders offer for the implementation of policies within SUN countries. One of the Lead Group's stewardship functions is to promote trust and collaboration among stakeholders.

81. The check lists, templates and choices presented in the Toolkit accompanying this Reference Note indicate steps that can be taken to prevent, identify, resolve and monitor conflicts of interest in different settings. All SUN country focal points, network facilitators and members of the Movement's Secretariat are encouraged to demonstrate their capacity to encourage stakeholders with divergent or competing interests to bring those interests into better alignment. They are all encouraged to assist governments to prevent, identify, manage and monitor potential, perceived and real conflicts of interest in their respective countries' efforts to improve nutrition.

Engaging in the SUN Movement:

Preventing and Managing Conflicts of Interest

Toolkit

January 2015

Introduction to the Toolkit

To be read in conjunction with paragraphs 1 – 35 of the Reference Note

This *SUN Movement Toolkit for Preventing and Managing Conflicts of Interest* has been prepared by the Global Social Observatory (GSO), in consultation with the SUN Movement Secretariat and SUN Movement stakeholders. The Toolkit aims to supplement the *Reference Note on Engaging in the Sun Movement: Preventing and Managing Conflicts of Interest* by providing practical examples of tools and templates in support of the four basic elements of a conflict of interest policy framework presented in the Reference Note. The Toolkit should be read in conjunction with the Reference Note. The Toolkit is intended to support and assist SUN Government Focal Points (and other SUN stakeholders) who are seeking to pro-actively address issues around conflict of interest and strengthening trust and mutual accountability. Identifying and managing conflict of interest is essential to good governance and maintaining trust in public organizations (OECD, 2003) and will contribute to the strengthening of both the SUN Movement and the national multi-stakeholder platforms within SUN Movement countries. It is also envisaged that the Toolkit will contribute to the capacity building of countries looking to strengthen management of their multi-stakeholder platforms.

Conflicts of interest can, in general, be managed in favor of the public good if governments have policies and procedures to do so in place and these policies and procedures are consistently applied. Establishing such policies and procedures is the responsibility of governments. Neither the Reference Note nor the Toolkit are prescriptive documents but serve as an explanation and guidance for countries that hold the responsibility for putting them in place. They are provided as a point of reference for decision-makers dealing with these issues, and who are seeking to put in place national or local policy frameworks to better address them. They are well placed to serve as a potential model for governments, and may also be useful for those seeking to harmonize their policies and practices on conflict of interest, regionally, sub-regionally and across the SUN Movement generally. Local, national and applicable international legal frameworks and structures remain the primary mechanisms for dealing with these issues at the national or local levels. The overarching SUN Principles of Engagement are applicable to all SUN Movement governments and stakeholders.

Structure of the Toolkit

The Reference Note on Engaging in the Sun Movement: Preventing and Managing Conflicts of Interest was developed on the basis of discussions and recommendations from an interactive consultation process that has engaged governments and support networks in the SUN Movement. The Toolkit tracks and elaborates on the proposed policy framework for the prevention and management of conflicts of interest.[1] It provides guidance materials for the four elements of a policy framework that serve as the central features of the Reference Note as reflected in the following flow chart:
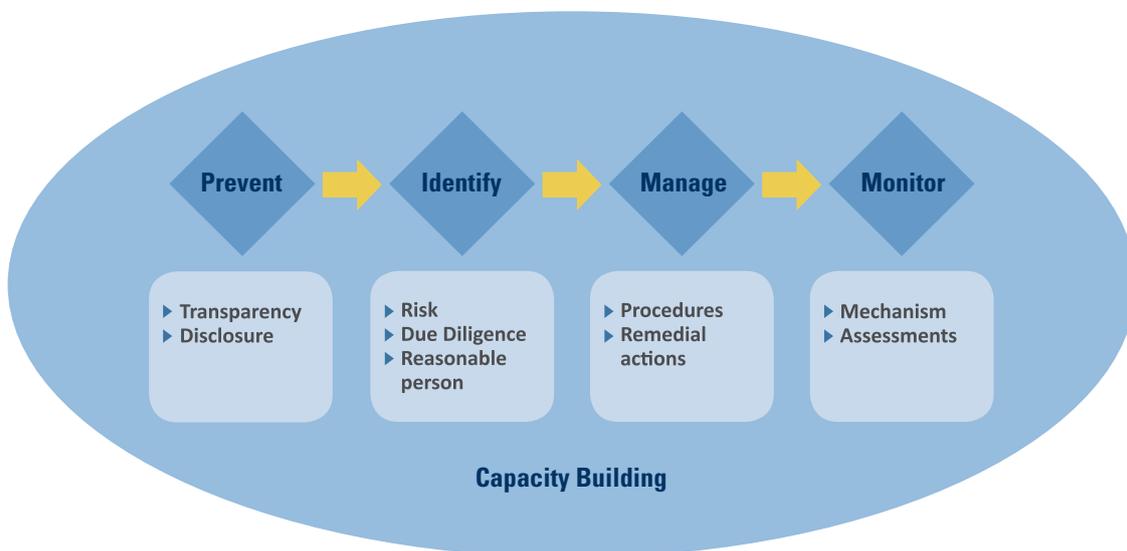

Figure i – Elements of a policy framework

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[1]   Detailed guidance and information on Principles and definitions can be found in the Reference Note itself.

The Toolkit provides practical information for the implementation of these four elements. Before delving into these elements, however, it should be stressed that the Reference Note emphasizes that governments must take an active management approach and place the framework in the overall context of an inclusive and coordinated programme for collaboration to help women and children to exercise their right to proper nutrition. Each section of the Toolkit contains a summary of key points from the Reference Note and builds on each element with accompanying tools, such as checklists, a sample template for a policy, disclosure and monitoring forms and other relevant practical suggestions and guidance for an active management approach to implementing a policy framework on conflict of interest. For these tools to work, governments must assume leadership of their multi-stakeholder platforms to inspire and build consensus for an inclusive and coordinated programme of collaboration among all of the key stakeholders. This involves active management, regular consultation and frequent communication by governments in their leadership capacity.

The Principles of Engagement

The SUN Movement **Principles of Engagement** provide the foundation for positive collaboration among stakeholders and for the SUN Movement's guidance on managing conflicts of interest. They are intended to serve as the basis for promoting and assessing individual and organizational behaviour and identifying possible conflicts of interests within country multi-stakeholder platforms. The Toolkit is intended to provide countries with means to interpret and apply the SUN Principles of Engagement to their particular settings.

The SUN Movement Principles of Engagement	Additional guiding principles for avoiding conflicts of interest
• Be transparent, especially about intentions and impact • Be inclusive • Be rights-based • Be willing to negotiate • Be predictable and mutually accountable • Be cost-effective • Be continuously communicative	• Act with integrity and in an ethical manner that enhances the reputation and the impact of the SUN Movement • Be mutually respectful and seel to earn the trust of those with whom you are working • Do no harm

Figure ii – The SUN Movement Principles of Engagement

Application beyond the SUN Movement

As mentioned above, the SUN Movement Reference Note and Toolkit were developed by GSO in response to an identified need within the SUN Movement's stakeholders for an internal discussion on mutual trust and accountability within the Movement. In particular that discussion needs to focus on how to address real, potential or perceived conflicts of interest.

The Movement is aware that many of the issues explored are not confined to the field of nutrition, but are also of interest to those working in other multi-stakeholder initiatives in particular in the area of health, and non-communicable diseases. The tools and guidance in this document were developed specifically in response to the issues raised during the consultation process on conflict of interest within the SUN Movement; however, it is hoped that they may be of interest and help to others who are currently exploring these issues in other settings.

Preventing conflict of interest

To be read in conjunction with paragraphs 36 to 44 of the Reference Note

The first stage in the development of a comprehensive conflict of interest policy framework is to establish mechanisms for prevention. These mechanisms consist primarily of (a) having in place clearly written, transparent policy on conflicts of interest and (b) having consistently applied disclosure procedures.

Having a conflict of interest policy in place

The Reference Note encourages governments to adopt and publicize written policies and procedures for dealing with conflicts of interest. As a starting point, it is important that all actual or potential stakeholders are aware of existing legal obligations relating to conflicts of interest and their applicability to the country's SUN Movement initiatives that operate through its multi-stakeholder platforms. This is best done by having written policies in place that define conflict of interest and making these policies and procedures available and applicable to all existing and potential stakeholders. This should also be done as early as possible in the process of establishing a national multi-stakeholder platform.

Where the platform is still being developed, it will be important to do a careful mapping of which stakeholders are likely to be involved. Where it has already been established, it is still useful to review the typology of participating stakeholders. Whether there is an existing code of conduct that is applied to all stakeholders in the multi-stakeholder platform, or alternatively, a separate policy is developed for this purpose, a review should be undertaken with regard to consistency with the SUN Principles of Engagement. The review should also address matters of compliance with relevant international covenants, including the International Code of Marketing of Breast Milk Substitutes.

Developing a conflict of interest policy – a suggested process

In developing a policy on conflict of interest, certain steps may be taken, even before the actual drafting or adoption of a policy. A checklist might be followed to determine the need for a written policy:

1. Mapping existing stakeholders by type, size and function at national, sub-national and community levels as appropriate.

2. Survey of existing codes of conduct or other legal obligations applicable to each stakeholder.

3. History of collaboration or non-collaboration among participating stakeholders.

4. The presence or absence of trust among the participating stakeholders

Once a decisions is made to proceed, the Reference Note recommends inclusive multi-stakeholder participation in developing any policy or procedures to enhance their legitimacy. Here are some suggested steps to follow.[2]

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[2]   These steps are adapted from ICAC, Managing Conflicts of Interest in the Public Sector (2004).

STEP 1	Create a Policy Development Team
STEP 2	Gather necessary information
STEP 3	Define policy aims and audience
STEP 4	Develop consensus on general principles
STEP 5	Draft the policy
STEP 6	Solicit feedback
STEP 7	Make revisions as needed
STEP 8	Solicit sdditional feedback
STEP 9	Adopt the policy

Figure iii – Steps for developing a conflict of interest policy

Step One: Create a policy development team

The first step is to decide who needs to participate in developing the policy and inviting them to join a policy development team. Representatives from all stakeholder groups that may be affected by the policy should be either invited to participate or at least consulted by the policy development team.

Step Two: Gather necessary information

It would be useful to gather information on any existing laws or regulations that may apply to participating stakeholder groups, including the government itself. These may be internal to the participating government units, but they may also be located in an external source, such as another governmental agency. Some of these policies may not specifically contain a conflict of interest policy but they may be related policies that can be reviewed for any overlap, such as codes of conduct, ethics policies or other policies on confidential information, intellectual property, procurement, sponsorship, secondary employment, or management of regulatory responsibilities or business relationships. A survey of the functions and activities of the national multi-stakeholder platform may also be helpful for identifying areas of activity where conflicts of interest are likely to arise.

Step Three: Define policy aims and audience

The participants in the policy development team may wish to build on the information base by addressing the specific risks to be covered by a conflict of interest policy.[3] Clearly defined aims of the policy can be articulated to respond to these specified risks. The written policy should define who is covered by the policy (which should generally include all individuals and organizations participating in the multi-stakeholder platform). The scope and coverage of the policy may be developed by the policy development team for an understanding of who and which stakeholder groups will be affected by the policy and how it will impact on the groups and individuals representing each group.

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3   (See further discussion of a risk-based typology on p. 16)

Step Four: Develop consensus on general principles

This step involves reaching agreement among participants in the policy development team on the general underlying principles that form the basis of the specific aims of the policy. Articulating the principles may be useful to confirm that they are consistent with existing applicable laws and regulations, as well as with the SUN Principles of Engagement and relevant international codes and obligations. One may seek to answer the following questions: Are the principles of the proposed policy reasonable? Practical/feasible? Adequate? Do they have the potential to contribute to building trust and encouraging collaboration among the participating groups?

Step Five: Draft the policy

Building on the consensus on aims and underlying principles, the policy team can begin writing the policy. This may be delegated to a designated sub-group. Drafting may also benefit from including persons with prior experience in managing conflicts of interest or with legal expertise. There is a checklist provided below for possible content of the policy (Figure iv). Drafting the policy ought to be carried out with attention to broadly covering all identified conflicts of interest risks, while also providing scope for adjusting to specific circumstances.

Step Six: Solicit feedback

The policy development team should share the first draft of the policy with all relevant stakeholder groups for feedback. A legal review may also be appropriate if the drafting process itself has not included legal counsel. Each group may need a reasonable amount of time to raise questions and share comments and suggestions.

Step Seven: Make revisions as needed

Based on feedback from all participating groups, the policy development team can revise it where there is agreement for any changes.

Step Eight: Solicit additional feedback

The revised draft policy can then be made available for public review by all stakeholder groups.

Step Nine: Adopt the policy

The policy development team can make further changes as needed before submitting the policy to the appropriate authorities for formal approval. The identification of the appropriate authorities will depend on the legal regime in the specific country.

Drafting a conflict of interest policy – suggested content

A sample written policy on conflict of interest is included as Appendix 1 to this Toolkit.

The box below figure iv) contains an illustrative checklist on the Sections that might be included in a conflict of interest policy.

Sections that might be included in a conflict of interest policy	
Section 1	Preface / Introduction / Statement of Purpose/Aims of the Policy
Section 2	Definitions of covered individuals/stakeholders
Section 3	Definitions of conflict of interest • Basic definitions- individual or organizational
Section 4	Categories of conflict of interest • Actual, perceived or real • Primary or secondary • Direct or indirect • Include examples of situations in which conflicts are likely to occur or • identify a typology of risks for evaluating conflicts of interest
Section 5	Guiding SUN Movement Principles and relevant legislation • SUN Principles of Engagement and Code • Review of existing legal obligations • Acceptance of divergent interests and mechanisms in place to resolve • Shared decision-making and agreement among participants as equals • Applying the reasonable person test

Section 6	Procedures to manage conflicts of interest
	• Disclosure
	  • Public listing of applicable disclosures under the policy and periodic reviews
	  • Transparency and general duty to disclose (frequency, scope, by whom and to whom)
	• Specific procedures for identifying when conflicts of interest might arise
	  • Multi-stakeholder platform meetings (advance notice, options for recusal where appropriate, who decides)
	• Remedial actions
	  • Failure to disclose (penalties for both general and specific settings)
	  • Reviewing challenges based on perceived conflicts of interest
	  • Grievance and appellate review mechanisms
	• Monitoring and evaluation

Section 7	Additional considerations • Gifts • Data protection / privacy
Section 8	Dissemination and review of policy
Addendum	Disclosure forms

Figure iv – Sections of a conflict of interest policy

In most countries, there is a wide array of codes of conduct applicable to conflict of interest. Most of these address individual conflicts of interest and not organizational conflicts of interest, while others have taken both of these into account. Legally binding codes of conduct often define public service responsibilities in various sectors, while professional associations often have their own codes of conduct. Other multi-stakeholder initiatives at the global level have adopted policies that may also serve as useful references, especially in the health professions A list of globally gathered sources is included in the **bibliography** at the end of this Toolkit, but one should start with a domestic search first.

Transparent disclosure policies and procedures

A second part of the element on prevention in the policy framework is to ensure and enable advance disclosure of any interests that may be deemed a conflict of interest for stakeholders participating in the national multi-stakeholder platform. This section describes a set of possible Disclosure Steps that governments may wish to follow and an illustrative list of categories of interests that may constitute a potential or actual conflict of interest.

The Disclosure Steps describe levels of disclosure for different kinds of stakeholder group interests (figure v, vi and vii). Note: Different rules may apply when the disclosure is for an individual representing a stakeholder group versus the disclosure of the interests held by the stakeholder group. The policy should clarify the nature of disclosure requirements for each.

This is followed by an illustrative list of disclosure categories (table I) of interests that may be considered interests with the potential to be deemed conflicts of interest in relation to the multi-stakeholder platform.

Preliminary Steps

Requiring an affirmation of compliance upon joining the country's multi-stakeholder platform:
• Implicitly achieved through a public announcement by the government that such a policy is in effect and all participating groups have committed to be in compliance
• Explicitly achieved by requiring all participating groups to issue a proactive statement of compliance, whether orally or in writing
• Providing for periodic affirmation of compliance with the policy

Figure v – Preliminary steps

Event-specific Steps

Requiring affirmative disclosure of interests that may constitute a conflict of interest with a specific meeting agenda item, initiative or event
• Routine part of all decision-making meetings to require disclosure of relevant interests
• Publicize the subject areas and content of initiatives under consideration
• Disseminate meeting agendas with adequate notice in order for relevant stakeholders to take appropriate action
• Publicly report decisions taken and activities initiated
• Maintain transparent records of any decision-making that has included conflict of interest as well as measures taken to resolve them

Figure vi – Event-specific steps

Further Steps

Requiring some form of affirmative disclosures of interests that may constitute conflicts of interest with the multi-stakeholder initiative on nutrition as a whole
• Providing a check list of the categories of interests that are covered by the conflict of interest policy
• Requiring participants to sign a disclosure form based on a checklist of categories and itemizing all present interests in each category
• Periodic updates of submitting signed disclosure forms

Figure vii – Further steps

Confidentiality provisions

• Dealing with proprietary or other sensitive information can be addressed by instituting non-disclosure agreements in specific situations
• Other situations may require review by an oversight body to determine the merits of excluding the interests from public disclosure but still receiving the information in a confidential filing.

Confidentiality should also be available within reason for complainants who may have observed an apparent conflict of interest but fear repercussions (also known as "whistleblower protection").

Illustrative Disclosure Categories

Below is a list of possible categories of interests or behaviours for which disclosure may be required. It is recommended that the actual list be agreed in advance and applicable to all individuals and organizations that are stakeholders. Each stakeholder organization may be requested to disclose if any of these interests has a direct or indirect relationship to the platform's joint endeavour or its specific initiatives. It should be made clear that individuals and organizations have many interests in these categories that have no relevance to the platform's joint endeavour or its specific initiatives. They should be invited to affirm only those interests that may impact on or that do have a direct or indirect relationship to the multi-stakeholder platform or its specific initiatives. It should also be made clear that the mere disclosure of these interests is not intended to suggest the presence of a conflict of interest. The purpose here is to facilitate the identification of potential conflicts of interest and the prevention of such interests becoming actual or perceived conflicts of interest through public disclosure in advance.

Governments may opt to have different disclosure policies for individuals as distinct from the organizations that they may be representing in the multi-stakeholder platform. Furthermore, the Illustrative Disclosure Categories should not be seen as a complete or all-inclusive list but rather as a guide to the possible categories that governments may opt to consider. Governments may also want to address issues of undue size or influence or unjust enrichment, but these are not listed as disclosure categories. A sample declaration of interests template relating to the interests of a stakeholder organization is included in Appendix 2. Sources for other examples are listed under a separate heading in the bibliography.

Illustrative Disclosure Categories	
Financial interests of a stakeholder organization that may have an impact on its participation in or have a direct or indirect relationship to the multi-stakeholder platform or its initiatives	Real estate interests Products or services of the organization Shareholdings or investments Procurement contracts Intellectual property rights Sponsorships or gifts extended to others
Financial interests of an individual that may have an impact on its participation in or have a direct or indirect relationship to the multi-stakeholder platform or its initiatives	Employment/consultancies/sources of income Real estate Shareholdings, trusts, partnerships, or other investments Directorships, appointments and ancillary employment in other enterprises Receipt of gifts, sponsored travel or hospitality
Non-financial interests that may have an impact on a stakeholder's participation in or have a direct or indirect relationship to the multi-stakeholder platform or its initiatives	Membership in an organization with an interest in multi-stakeholder nutrition initiatives Publications relevant to multi-stakeholder nutrition initiatives
Personal or family affiliations	Individual or close family member in a decision-making position of the multi-stakeholder platform or its initiatives Close family member with financial or non-financial interests (as described above for organizations or individuals) with a direct or indirect relationship to the multi-stakeholder platform or its initiatives
Organizational behaviours that may have an impact on the reputation of the multi-stakeholder platform and/or the SUN Movement as a whole	Producer of, or association with, producers of unhealthy and/or restricted products (based on local and applicable international laws) Marketing or other promotion of inappropriate products (based on local and applicable international laws) Presently engaged, or in the past, engaged in behaviour that has negative impact on human rights or on international human rights conventions Presently engaged, or in the past, engaged in child labour, forced labour, discrimination, violation of bargaining or association rights

Table I – Disclosure categories

Identifying a Conflict of Interest

To be read in conjunction with paragraphs 45 to 58 of the Reference Note

The second element in the policy framework proposed in the Reference Note is to have in place procedures for identifying a real conflict of interest following disclosure of a potential conflict of interest by a stakeholder, or allegations of a stakeholder's perceived conflict of interest or failure to disclose. These procedures are needed for determining if a conflict of interest really exists, or if the interests in question are divergent or competing but can be made to converge through dialogue and negotiation.

The Reference Note recommends that the determination take the form of a risk-based approach to evaluating interests and identifying those that are more likely to have the effect of compromising, interfering with or taking precedence over the interests of the joint endeavour. See paras 49 to 52 of the Reference Note.

The Reference Note also describes a due diligence approach designed to ensure that those conflicts of interest that are the most potentially damaging are recognized and acted upon. See paras 53 to 58 of the Reference Note. In this section, the Toolkit lays out tools and mechanisms for implementing each of these approaches.

Both the risk-based approach and the due-diligence approach are dependent on having in place a procedure for keeping track of both: (i) the disclosures of participating stakeholder groups and individuals; and (ii) the allegations made against a particular stakeholder for failing to disclose. Below are some suggestions on putting in place such a procedure, based on the elements for a written policy as described in figure iv in the previous section.

Suggestions for Establishing and Operating a Procedure for Identifying Conflicts of Interest

Have written policies developed and accepted by a representative body of all stakeholders and a framework to include:

• Agreed definitions of conflict of interest

• Disclosure forms and a registry for those forms. (See Appendix 2 for template)

• Regular and consistent reporting by stakeholders on their real or potential conflicts of interest. (See forms in Appendix 3)

• Provision for a transparent mechanism for stakeholders to raise actual or potential conflicts of interest of other stakeholders with timely action to determine whether an actual or potential conflict of interest exists. (See forms in Appendix 3)

• Rules to handle specific cases

• Role of an oversight body clearly defined (potentially using existing national mechanisms, such as an ombudsperson or ethics officer or by creating a new oversight mechanism)

• Mechanism for challenges to any remedial action

• Internal complaints procedure in place

• Providing for periodic affirmation of compliance with the policy

Figure viii – Suggestions for Establishing and Operating a Procedure for Identifying Conflicts of Interest

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The risk-based approach to identifying conflicts of interest

The risk-based approach to identifying conflicts of interest, that is, determining if one exists, is based on the recognition that a multi-stakeholder platform will involve individual, but especially organizational interests that may be divergent or competing interests in relation to the objectives and interests of the joint endeavour or its specific initiatives. A risk-based approach can be used to anticipate and analyse the potential risk of conflicts of interest associated with particular initiatives of the joint endeavour. The proposed typology of risks contained in the Reference Note is as follows:

Category A: Marginal risks that are not likely to affect the initiative
Category B: Risks that might affect the initiative, but are manageable
Category C: Risks that give rise to concern and a need for advice
Category D: Risks that are certain to cause damage

Figure ix – Typology for risk-based approach categories

Typology for a Risk-based Analysis of Conflict of Interest

Category A: Marginal risks that are not likely to affect the initiative. If the interest is revealed but is not relevant to the issue at hand, thelikelihood of its becoming a conflict of interest is very low.

Category B: Risks that might affect the initiative, but are manageable. If the interest is relevant to the subject at hand, it should be determined whether or not the interest is significant.
• A declared interest is insignificant or minimal when it is unlikely to affect or be reasonably perceived to affect, the objectivity of the judgment of the individual representing the organization or the integrity of his or her advice or decision.
• Insignificant or minimal interests may be defined as those that are unrelated or are only tangentially related to the subject at hand; are nominal in amount, or are inconsequential in importance.

Category C: Risks that give rise to concern and a need for advice. If the relevant interest is significant or potentially significant, an assessment of the potential conflict may be appropriate.
• Are the risks that the conflict of interest might affect the initiative manageable?
• Is the individual taking steps to eliminate or mitigate the conflict's effect on the project?
• Is there, alternatively, a need for advice and consultation among the representatives of other participating stakeholders? For consultation with the Platform's oversight body?
• A balancing test can be implemented to weigh the degree of potential conflict to determine whether it can be suitably managed or neutralized.

Category D: Risks that are certain to cause damage. Are the risks certain to cause damage by compromising, interfering with or taking precedence over the interests of the joint endeavour if not removed from influencing the subject at hand?
• This category may include perceived conflicts of interest where the risks are certain to cause damage, but the emphasis is best directed to real or potential conflicts of interest that are not conducive to being suitably managed or neutralized.
• This fourth category, however, may encompass the practice of "inducements" – gifts, donations, subsidized competitions and sponsored training courses – that can be perceived as encouraging the pursuit of private/primary or secondary interests whether by the donor or by the recipient.
• Certain types of behaviours are recognized as inherently constituting conflicts of interest for the SUN Movement. These are risks that are certain to compromise, interfere with or take precedence over the interests of the joint endeavour and may by definition be classified under the fourth category in this typology.
• Stakeholders may be expected to comply with the SUN Principles of Engagement and relevant international covenants, including the International Code of Marketing of Breast Milk Substitutes.

Figure x – Typology for risk-based analysis of conflict of interest

The typology is described further below.

Applying the reasonable person approach

The Reference Note suggests using a "reasonable person" test, characterized as follows: "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?" This is commonly used as a means to assess levels of risk or importance when there are no clear statistical measurements of likely risk. It is a form of pragmatic judgment to classify degrees of risk. For example, if an appropriately well informed person might reasonably conclude that the decision-making on the subject at hand would be biased or that the discussion would be constrained or otherwise compromised because of the presence of a representative of the conflicted interest, then it may well be appropriate to exclude or limit the participation of that individual/representative. The reasonable person test can be supplemented with an accumulation of case studies and precedents, once the tools have been in practice for a period of time.

The due diligence approach to identifying conflict of interest

The duty of due diligence applies to both individuals or groups who have a responsibility to identify and disclose when their interests may constitute a conflict, as well as to those in official positions of authority with responsibility for identifying conflict of interest situations that may be raised by others. The Reference Note describes this approach in paras 53 to 58 and explains the value of reinforcing the application of the risk-based approach with an emphasis on due diligence. Of course, one must continue to emphasize that divergent or competing interests do not necessarily constitute conflicts of interest, and there is a need to avoid an overly prescriptive framework about disclosing and identifying relevant interests that might be divergent or competing but are not undercutting the objectives of the MSP. That is where the responsibility for due diligence contributes to a pragmatic management of expectations.

Due diligence on the part of the individual or group

Voluntary disclosure of interests that may be in conflict with the goals of the national multi-stakeholder platforms are integral to prevention of conflict of interest by individuals or groups with the SUN Principles of Engagement. By participating in national multi-stakeholder platforms, each stakeholder is affirming his or her ability to collaborate effectively with others. Each stakeholder is responsible to disclose any divergent or competing interests with due diligence to their potential effect on the goals of the joint initiative, and in compliance with the disclosure categories that were previously agreed. Below are a few suggestions on how individuals representing an organization in a multi-stakeholder platform may apply a due diligence approach to its interests.

Individuals representing an organization in a multi-stakeholder platform may ask:

- Does the organization have financial or economic interests in the field of nutrition?
- Can these interests be beneficial to the joint endeavour? If so, how?
- Can these interests detract from the joint endeavour or undermine its effectiveness? If so, how can they be managed to avoid damage?
- Does the organization recognize the precedence of the collective goals in the joint endeavour?
- Are the behaviours of the organization aligned with SUN Principles of Engagement?

Figure xi – Individual interests

Due diligence on the part of officials in position of authority

Even where the individual or group is aware of a divergent or competing interest that may be perceived by others as a conflict of interest and is taking steps to manage these interests, the perceptions of a conflict of interest may interfere with the building of trust. Because a lack of trust can undermine the collective efforts of stakeholders within the multi-stakeholder platform, there should be a procedure in place for those in positions of authority to undertake a due diligence process of scrutiny and deliberation, especially if a complaint by another stakeholder has been made. In some situations, there may be different interpretations of the facts, while in others the disclosure by the stakeholder may be judged inadequate. The stakeholder might not be fully transparent about his interests or might not be revealing all relevant interests. In approaching these situations with due diligence, the official in a position to identify the presence of a conflict of interest thoroughly gathers all of the evidence-based information to guide him or her to address the perceptions of potential or real conflicts of interest. This procedure should be followed regardless of whether the oversight body has initiated the review or whether the complaint has come from another stakeholder. It should also be applicable to identifying the presence or absence of conflicts of interest at the sub-national or community levels as well as all of the evidence-based information to guide him or her in ways to address the perceptions of potential or real conflicts of interest.

A Due Diligence Screening Process can be implemented to:

• Confirm that SUN Movement goals take precedence over other interests
• Confirm alignment and compliance with SUN Movement Principles of Engagement
• Compare the interests of any individual, organization or group to SUN Movement goals and to verify active/affirmative presence of common objectives
• Focus scrutiny on situations revealing:
    - Potential for interference with standards or norms
    - Expectations from commercial or other sector for any public recognition
    - Threat to neutrality or scientific credibility/evidence base
    - Unfair advantage
    - Financial risk

• Set policy on areas where affirmations may be needed to include:
    - Non-exclusivity with no preferential treatment, unfair advantage or endorsement for any product or entity
    - No limitation for negotiating similar arrangements with other partners
    - No special consideration in recruitment, procurement or contracting procedure or giving the appearance of any such favorable treatment

Figure xii – Due diligence screening process

Managing Conflict of Interest

To be read in conjunction with paragraphs 59 to 70 of the Reference Note

Building on the SUN Principles of Engagement, prevention of conflicts of interest should be exercised where possible. But once a conflict has been determined to exist, the next step is to reach agreement on how to manage, and possibly eliminate it and to proceed with a reasonable balance of urgency and diligence. In the preceding sections, the Toolkit offers suggestions on how to implement policies to ensure disclosure of interests as a key preventive measure and to clarify what types of conflicts of interest are important through a risk-based approach and the kinds of procedures to follow to identify them with due diligence. In this section, the focus is on managing conflicts of interest when they do arise.

National laws and codes can provide the principal reference for required definitions, guidelines and prerequisites of the conflict of interest policy. Building on these, governments can develop materials, including guidelines on how to resolve conflict of interest situations in connection with multi-stakeholder platforms. The Reference Note describes the merits of two distinct approaches to managing conflict of interest: (1) having procedures in place in advance, , to handle any case that might arise and (2) having a consensus among the stakeholders on the remedial actions and their appropriate application for resolving different types of conflicts of interest. Governments are encouraged to develop these procedures and remedial actions in an environment that fosters mutual respect and learning and that is inclusive of all stakeholders. They can also be applied at sub-national and community levels, with procedures and consensus building in place to accommodate local circumstances.

Establishing a Framework for Managing Conflict of Interest

The institutional framework for managing conflicts of interest and procedural rules for identifying and managing conflicts of interest are an integral aspect of any proposed written policy for the prevention and management of conflicts of interest and should be considered as part of the broader framework establishing the MSP. They require active management by governments. The institutional framework can take many forms and may benefit from linkages to existing oversight bodies that the government may choose to adapt to the needs of the multi-stakeholder platform. The box below lists some options for an institutional framework.

Options for an institutional framework:

1. An executive committee or advisory body of the national multi-stakeholder platform includes rules on how to manage conflict of interest in their statutes, where such statutes exist.
2. A separate advisory committee of the national multi-stakeholder platform is specifically tasked to address conflicts of interest (or could be a designated individual) as they arise.
3. The multi-stakeholder platform agrees to refer conflict of interest issues to an existing body overseeing the government's code of ethics or similar body.
4. Permit the steering committees for specific initiatives to apply an existing code or written policy on conflict of interest.
5. Permit the steering committees for specific initiatives to adopt rules on conflict of interest applicable to the specific initiative.

Variations of these options or other options may be appropriate to a given country's circumstances. Similarly, there are options for establishing a review procedure, and the chart lists the kinds of rules of procedure or terms of reference that should be incorporated into any written conflict of interest policy.

Considerations for Establishing a Review Procedure for Managing Conflicts of Interest

• Stakeholder involvement in the review process
• Rules for how conflicts of interest are to be identified
  (in compliance with SUN Principles of Engagement)
• Rules for how to resolve different types of conflicts of interest
• Rules on consensus or endorsement of remedial actions taken
• Transparent, accessible and responsive channels for reporting and investigating conflicts of interest
  (See Form 3.4: Monitoring the Review and Analysis of the Conflict of Interest)
• Provisions and mechanisms for challenges/appeals from SUN Movement stakeholders
• Provisions and mechanisms for challenges from groups outside the SUN Movement
• Confidentiality concerns
• Transparent reporting and record-keeping of decisions taken on conflicts of interest
  (See Form 3.1: Conflict of Interest Register)
• Procedures for sharing of relevant lessons on what works and does not work

Figure xiii – Considerations for establishing a review procedure

Having a body in place with clear terms of reference will help ensure that conflicts of interest can be managed in a clearly defined manner acceptable to all parties.

Remedial Actions

There are many possible ways of managing, and possibly eliminating a conflict of interest. A table, displayed in the Reference Note and shown again here (figure xiv), displays a variety of options for remedial actions that may be taken to manage a conflict of interest. They start with the premise that the appropriateness of any remedial action should have the least restrictive effect on the affected stakeholder to continue its participation in the national multi-stakeholder platform or at the sub-national or community levels. The voluntary remedies to the left cover interventions that depend on the cooperation of the challenged stakeholder to work out an accommodation that allows the stakeholder's continued participation. The exclusionary remedies to the right describe an increasing scope of exclusion. These are all explained in more detail below.

Remedies	
Voluntary	**Exclusions**
Public Knowledge	Decision making on specific initiatives
Behaviour Modifications	Participation on specific initiatives
Mutual Accountability	Temporary exclusion from platforms
Mutual Respect and Dialogue	Permanent exclusions

Figure xiv – Remedial Actions

Voluntary Actions

Public knowledge

Public affirmation of the actual or potential conflict of interest may suffice without any further action. This is achieved through public disclosure of interests that may constitute a conflict of interest.

Behaviour modification

The stakeholder with the conflict of interest (e.g. a financial interest or a professional association) opts to remove the conflicting interest. Possible options include:

• Dispose of a financial conflicting interest

• Suspend a professional association

• Refrain from participating in a decision about the initiative for which a conflict of interest exists

• Refrain from participating in any policy debate about the initiative for which a conflict of interest exists

Mutual accountability

At this stage in the scale of options, disclosure rules have been followed and interests are publicly recorded for all stakeholders. Mutual accountability is upheld as an ethical principle for all stakeholders to support the objectives of the national platform, to hold each other accountable, and to refrain from compromising these objectives.

Mutual Respect and Dialogue

The stakeholder with the alleged conflict of interest engages in dialogue about his or her actual or potentially conflicting interest with the other stakeholders. The dialogue is based on mutual respect for listening to all perspectives. Consensus is reached among the stakeholders on how to manage the participation of the stakeholder.

Exclusionary Actions

A more severe set of remedial actions to those listed above is exclusionary and there are several degrees of exclusion that may be considered. Before addressing them individually, it may be useful to reaffirm the SUN Principles of Engagement in the conflict of interest policy, and adherence to them by participants However, it may be prudent to consider limiting the scope and duration of exclusion to the extent possible. It is also important to apply transparent rules in all situations. Degrees of exclusion may be characterized as set out below:

Restricting decision-making on a specific initiative

The activities of a multi-stakeholder platform in a given country may include several initiatives, each with a different mix of participants. The identification of conflict of interest by one or more participants in a specific initiative may be remedied by excluding those participants from the planning process for that specific initiative without excluding them from the actual implementation of the initiative.

Excluding participation on specific initiatives

A stricter reaction to an identified conflict of interest may be the exclusion of a participant from both the planning and implementation of the specific initiative, but not necessarily other initiatives undertaken by the multi-stakeholder platform under the national plan.

Temporary exclusion from platforms

An identified violation of SUN Movement Engagement Principles or egregious behaviour constituting a serious conflict of interest may compel the conflict of interest policy oversight body to temporarily exclude a participant from the multi-stakeholder platform. The policy should include provisions for re-instatement under particular conditions

Permanent exclusion from platforms

Finally, totally unacceptable behaviour or actions constituting a violation of the SUN Principles of Engagement and demonstrating a clear conflict of interest or that undermine the achievement of the nationally agreed goals may result in permanent exclusion from the multi-stakeholder platform

Implementing a decision tree

The practical application of this guidance at a country level would benefit from agreeing in advance the key steps to take when determining whether certain remedial actions may or may not be appropriate. The adapted decision tree (Figure xv) and explanation (Table II) is one approach that may be useful to consider and can be adapted to suit a country's needs and requirements. The approach clusters the above listed options for voluntary actions somewhat differently (as noted) and also introduces the option for mediation prior to taking any of the exclusionary options.

Is there a conflict of
interest? If so,
what type?

| Record | ▶ ▶ | No further action required |

Further Action required

| Restrict | ▶ ▶ | No further action required |

| Correction | ▶ ▶ | No further action required |

Further Action required

| Mediate | ▶ ▶ | No further action required |

Further Action required

| Exlude | ▶ ▶ | No further action required |

Further Action required

| Exlude |

Monitoring Mechanisms
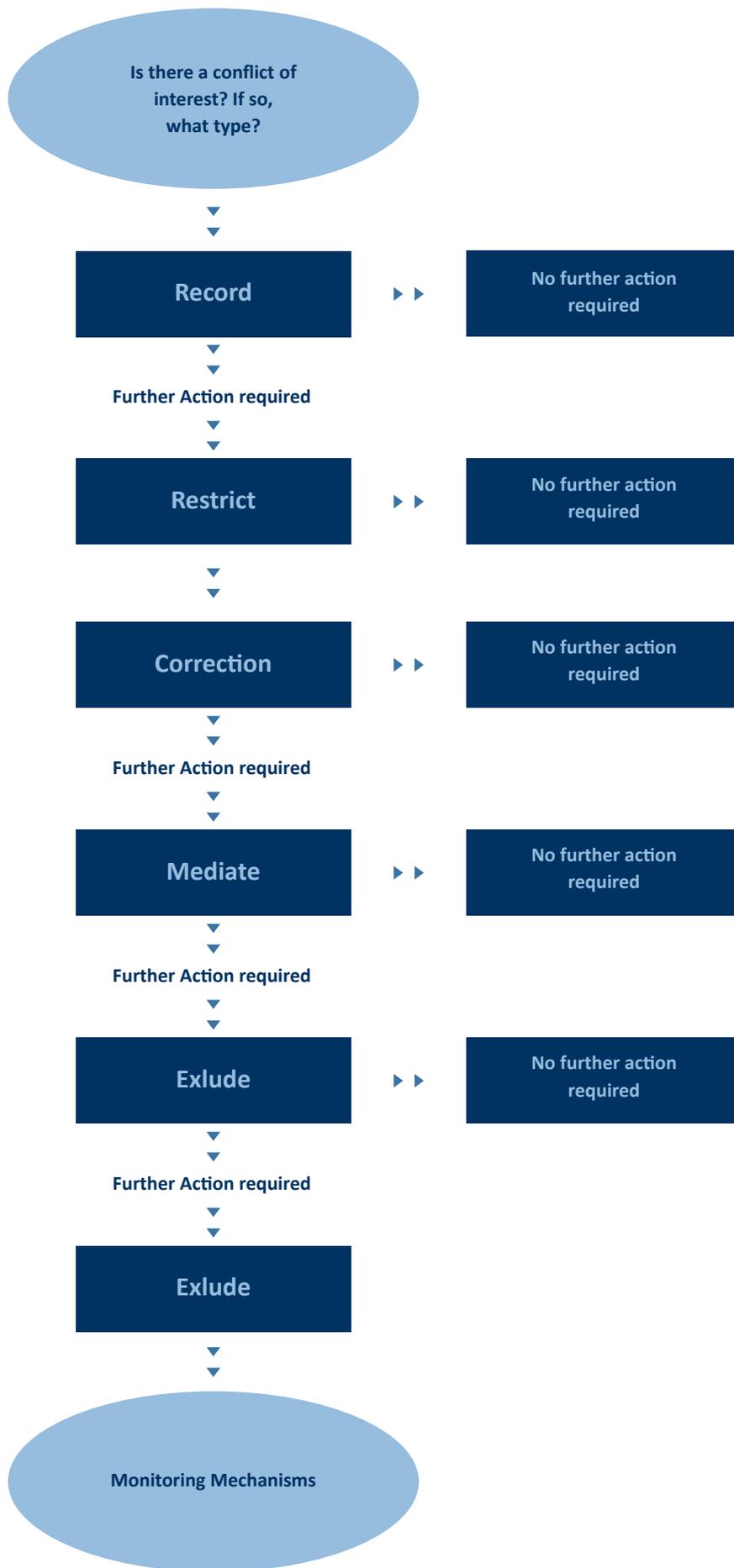
Figure xv – Decision Tree
Adapted from the Crime and Misconduct Commission and The ICAC (2004)

Remedial Actions	When Appropriate	When not appropriate
Record (Public Disclosure or Mutual Accountability) Information on a possible or potential conflict of interest is identified and recorded. (See Form 3.1)	• Where the conflicts of interest or potential conflicts of interest are deemed low risk or • Where the transparent recording of a conflict of interest is adequate.	• The conflict of interest is considered a greater risk • The potential or perceived effect of the conflict of interest on the joint endeavour or initiative necessitates more active management
Restrict Limits are placed on the participation by the individual or organization	• The organization or individual can be detached from parts of the joint initiative, either through exclusion from decision making or from the initiative itself • The conflict of interest is unlikely to arise continually	• The conflict is anticipated to occur regularly •The organization or individual are continually impacted in their ability to contribute effectively to the joint endeavour because of conflict of interest issues
Correct (Behaviour Modification or Mutual Respect and Dialogue) The organization or individual relinquishes or makes adjustments through dialogue to the issue/interest that is causing the conflict.	• The organization or individual obligation to the joint endeavour supersedes their attachment to the issue/interest causing the conflict of interest, either by relinquishing or adjusting the interest at issue.	• The organization or individual, for a variety of reasons, is reluctant to relinquish or adjust the interest resulting in the conflict of Interest
*Mediate A mediation service is used to manage part or all of the process dealing with the issue.	• It is not possible or desirable for decision-makers in the joint endeavour to resolve the presence of a conflict of interest through voluntary measures but is not prepared to adopt any exclusionary measures without further guidance.	• The stakeholders associated with the conflict do not support mediation •Assigning mediation is not deemed an effective mechanism to resolve the matter • A suitable mediation service is unable to be sourced
Exclude (temporary) An organization or individual is excluded from a specific initiative or temporarily from the multi-stakeholder platform (See Form 3.2)	• Continuing conflicts of interest concerns where informal restriction is not suitable Options are available for the stakeholder to take corrective action in the future.	• The impact of the conflict of interest is considered to be of low risk and importance (introduce lesser corrective or voluntary actions) • The organization or individual are prepared to relinquish the relevant interest rather than remove themselves from the process/project Exclusions should be temporary to the extent possible, with provisions for reinstatement. A temporary exclusion may not be possible when the stakeholder is locked into the conflict of interest situation indefinitely.
Exclude (permanent) The organization or individual resigns from the multi-stakeholder platform or is requested to resign (See Form 3.3)	• No other alternatives are feasible • The organization or individual is unable or unwilling to relinquish their conflicting interest	• The conflict of interest and its potential or perceived impacts are of low risk or importance and should be resolved with lesser corrective or voluntary actions • Other options are available for the organization or individual

Table II

* In the interest of fairness and due process, it may be appropriate to include a mechanism for appeal, and the possibility of reinstatement of a participant that has been excluded or restricted to any of the degrees listed above. Such a mechanism may employ **an external mediation service** for those instances where there is no consensus as to what action should be taken. A national appeal board may be ideal, but absent that, a regional or global mechanism may serve.

Monitoring

To be read in conjunction with paragraphs 71 to 81 of the Reference Note

The development of the conflict of interest policy and its implementation is an essential process in ensuring that conflicts of interest are identified and managed in a transparent and accountable manner within multi-stakeholder engagement. An important element of this process is the need to review and monitor both the policy and its implementation in SUN countries to ensure continued relevance. The Reference Note stresses that "monitoring is something that is appropriately integrated into all aspects of prevention, identification and resolution of conflicts of interest". Users of the Toolkit are encouraged to refer back to paras 71 to 81 of the Reference Note for further insights.

Monitoring is an activity that is frequently identified with the functions of an external entity. The merits of external monitoring are that it serves as an independent source for ensuring accountability and for assessing effectiveness. The Toolkit concentrates on the role of monitoring within the government's leadership of its national multi-stakeholder platform, but the tools, forms and checklists may be adapted to monitoring by an external group. In any case, monitoring may be approached from two perspectives: Monitoring the application or implementation and relevance of the policy and secondly monitoring the management of a particular conflict of interest. This section of the Toolkit provides some suggestions as to the kinds of procedures that might be put in place to achieve these objectives.

Monitoring the Application and Relevance of a Conflict of Interest Policy

A country's monitoring mechanism may include a regular assessment of the extent to which the overall conflict of interest policy is being followed. To that end, the monitoring mechanism may include procedures, such as the use of a checklist, to perform the assessment. The checklist below (Table III) is an example of what might be adopted and adapted, in part or in whole, to monitor the implementation and relevance of the conflict of interest policy.

Checklist for Monitoring the Implementation and Relevance of the Conflict of Interest Policy*		
Suggested Monitoring criteria	Yes	No
Have stakeholders at all levels expressed their commitment to the policy?		
Has the policy been made available to all relevant stakeholders within the multi-stakeholder platform?		
Is the policy easily accessible to all relevant stakeholders engaged in the multi-stakeholder platforms?		
Is the policy available both on the internet and hard copy?		
Have all individuals participating in or supporting the multi-stakeholder platform undertaken training in managing conflicts of interest?		
Do all stakeholders know where to seek advice about the policy?		
Has a particular individual or committee been assigned to maintain the policy and manage its implementation?		
Is there a regular review of the policy?		
Is continual monitoring of new legislation that may impact the policy undertaken?		
Are changes and updates to the policy and monitoring process appropriately documented?		
Are policy and monitoring changes communicated to all stakeholders in the multi-stakeholder platform?		
Is consideration of conflicts of interest issues an ongoing agenda item in multi-stakeholder platform meetings?		
Are examples of effectively managed conflicts of interest among other multi-stakeholder platforms made available?		
Are there mechanisms to ensure broader awareness of the policy on conflicts of interest outside the multi-stakeholder platform?		
Is there a process to record multi-stakeholder comments on the usefulness of the policy and its supporting mechanisms?		
Is there a process to record complaints of mismanaged or ineffectively managed conflicts of interest that may be damaging to multi-stakeholder working and/or national governments?		
Are there external bodies monitoring the effectiveness with which conflict of interest within country multi-stakeholder platforms are managed?		

Table III – Checklist for monitoring implementation of a conflict of interest policy

*Adapted from Crime and Misconduct Commission and The ICAC (2004)

Note that the responses to the questions are expected to be binary in this example-- each question gets a simple "Yes" or "No". A "No" response may signal a need to address the availability, appropriateness and effectiveness of current procedures and practices, and the availability and appropriateness of, and unfettered access to information resources. This process could be supplemented to include a means for assessing the impact of the conflict of interest policies on individual stakeholders.

Monitoring the Management of the Conflict of Interest Policy

The second perspective to the monitoring process is the management of a particular conflict of interest. With a comprehensive policy on conflict of interest in place, the persons responsible for monitoring it can adopt tools and procedures to review the range of circumstances that may be part of multi-stakeholder platform initiatives, on a frequency deemed appropriate for the circumstances. This may involve the review and analysis of circumstances that led to an actual or potential conflict of interest, together with the method used to manage the conflict of interest. The checklist below (Table IV) is an example of what might be adopted and adapted, in part or in whole to both review and analyze circumstances involved in the possible occurrence of a conflict of interest as well as strategies for resolution. The checklist provides recommendations on potential tools such as the relevant forms, attached in the appendix (Appendix 3), which may provide useful practical mechanisms to support the various elements of a monitoring process.

Checklist for Monitoring the Management of the Conflict of Interest Policy		
Ability to Review and Analyze	Yes	No
• Has the organization or individual been able to effectively identify their conflict of interest, and the actions they should take to implement the appropriate required actions? (See forms in Appendix 3)		
• Has the person responsible for monitoring conflict of interest been able to adequately monitor the multi-stakeholder member's involvement in the issue in which they have disclosed a conflict of interest?		
• Has this monitoring included a review of their actions and decisions on the issue and outcomes of such actions and decisions? (See forms in Appendix 3)		
• Has the assistance of an objective third party been employed to monitor and/or reassess the situation? (See forms in Appendix 3)		
Choosing Strategy to Resolve/Manage the Conflict of Interest		
• Have decisions made to manage the conflict of interest enabled the multi-stakeholder member to undertake a remedial action in a fair, impartial and objective manner?		
• Are there any continuing issues between the multi-stakeholder member and decisions taken by the person responsible for managing conflict of interest?		
• If issues remain have steps been taken to resolve these with the multi-stakeholder member?		
Implementing Strategy to Manage Conflict of Interest		
• Has the multi-stakeholder member undertaken the steps to manage the conflict of interest?		
• Have actions taken to manage the conflict of interest been undertaken by the multi-stakeholder member in an open and transparent manner?		
• Has the person responsible for managing conflicts of interest ensured any steps taken to resolve the conflict of interest have not undermined the strategy agreed?		
• Has the conflicted stakeholder encountered any problems in implementing the agreed steps identified in managing the conflict of interest?		

Table IV– Review and analysis

*Adapted from Crime and Misconduct Commission and the ICAC (2004)

Monitoring – Looking to the Future

Finally, there are some aspects of monitoring that may mean adapting to changes, recognizing that much of the preceding discussion includes suggestions for the implementation of frameworks, policies, procedures and tools that may be new to a SUN Movement country. This section has addressed more specifically the ongoing aspects of monitoring. With an appropriate framework, procedures and tools in place, the monitoring process can react to changes in SUN Movement initiatives and activities that can affect policy, and affect the means by which conflicts of interest are identified and addressed.

The individual or team with responsibility for monitoring compliance with the conflict of interest policy may wish to facilitate such a process with the use of a form such as the one in the Appendix 3 (Form 3.5), entitled "Monitoring adaptations to the management of a conflict of interest". On this form, the person/people responsible are asked to provide details on changes that have occurred since a decision on how to manage a particular conflict of interest was agreed and the actions, if any, undertaken to appropriately manage these changing circumstances. They address changing circumstances, making changes, and maintaining transparency.

Checklist for Monitoring – Looking to the Future		
Changing Circumstances	Yes	No
• Are there any circumstances that have changed within the situation, since steps were agreed in resolving the conflict of interest? (See Form 3.5)		
• Have you been informed of these changes by the multi-stakeholder member?		
• Are the steps agreed to manage the conflict of interest still adequate? (See Form 3.5)		
• Have you received any information referring to any influence the conflict of interest may be having on the actions of the multi-stakeholder member?		
• Are steps agreed to manage the conflict of interest still applicable for the altered situation?		
Making Changes		
• Does the multi-stakeholder member need to make changes to the conflicts of interest disclosure that has already been recorded with regards to this issue? (See forms in Appendix 3)		
• Does the multi-stakeholder member need to disclose and record further conflicts of interest that have changed this situation? (See forms in Appendix 3)		
• Should the steps agreed to manage the conflict of interest be altered to adapt to the changed situation? (See forms in Appendix 3)		
• Can you engage with the multi-stakeholder member to agree changes required to manage the conflict of interest while ensuring openness and protection of the overall goal of ensuring women and children are well nourished at critical periods in their lives?		
• Is further advice from an external support required to agree changes to the appropriate management of the conflict of interest?		
• Do changes to the management of the conflict of interest still ensure openness and transparency?		
Maintaining transparency		
• Have details and particulars that supported the review process and that have resulted in changes to the management of the conflict of interest been adequately recorded?		
• Have individuals and other stakeholders impacted by the changes to the management of the conflict of interest been informed?		
• Do changes made to the management of the conflict of interest enable the government and its work with multi-stakeholder platforms to continue to be viewed in a positive, fair and objective manner?		

Table V – Checklist for monitoring

*Adapted from Crime and Misconduct Commission and The ICAC (2004)

Monitoring – Additional Considerations

The suggestions contained in the Reference Note and this Toolkit for developing, implementing and managing a policy framework, procedures and tools for monitoring conflict of interest in the SUN Movement, are just that: suggestions. It is well recognized that every country is different, that every SUN Movement multi-stakeholder platform is unique, and that there is great variety in the composition of such platforms. Hence the actual configuration of conflict of interest monitoring activities may be quite different from one country to the next. The SUN Movement Secretariat can be considered a resource for the development of capacity for monitoring conflict of interest, by providing a review role, suggestions for establishment and implementation of policy, and leads for third party advice and arbitration.

The monitoring of conflict of interest through prevention, identification and management is best served by an ongoing process whereby governments are encouraged to consider the process as part of a country's overall conflict of interest policy.

Appendix 1:
Conflict of Interest Policy Template

This is a sample written policy on conflict of interest. It has been adapted from ICAC (2004).

Section One: Purpose

The Country X SUN Movement multi-stakeholder platform (the "Platform") is an open, collaborative group brought together to ensure the meaningful involvement and participation of relevant stakeholders for scaling up nutrition in [Country X]. It includes relevant government agencies, donor agencies, international organizations, civil society organizations and the private sector.

Given the collaborative structure of the Platform, conflicts of interest of varying degrees of significance or nature are an unavoidable reality in the conduct of the Platform's operations. A conflict of interest in and of itself is not wrong and may not be unethical, but those involved in the decision-making process on behalf of the Platform must take appropriate action to ensure the disclosure and proper management of any actual, perceived or potential conflict of interest.

Section Two: Coverage

(a) "Covered Individual" means an individual, who participates in any discussions or initiatives of the Platform.

(b) "Covered Organization" means any organization, corporation or government that is represented by an officer, director, trustee, partner or employee of such organization, corporation or government and participates in any discussion or initiatives of the Platform.

Section Three: Definitions

(c) An individual conflict of interest arises when the pursuit of the private or secondary interest of a Covered Individual has the effect of compromising, interfering with, or taking precedence over the interest of the Platform's joint endeavour.

(d) An organizational or institutional conflict of interest arises when the pursuit of a Covered Organization's primary or secondary interests has the effect of compromising, interfering with or taking precedence over the interests of the Platform's joint endeavour.

Section Four: Categories of Interests

(a) Primary and Secondary Interests:

Primary interests are direct or indirect private or institutional interests of the Covered Individual or Covered Organization, whereas secondary interests are ancillary to these primary interests.

(b) Real, Potential and Perceived Interests:

Real conflicts of interest arise when the conflict of interest undermines the collective efforts of the Platform and its other participants.

Potential conflicts of interest arise when there is a risk that the interest or interests have not impacted the collective efforts of the Platform but might undermine the collective effort at some point in the future.

Perceived conflicts of interest may be based on the appearance of a real or potential conflict of interest even though no damage has been or is likely to be done to the collective efforts of the Platform.

(c) Direct and Indirect Interests:

A direct interest may be established when a Covered Individual or a Covered Organization directly benefits from a decision (including, in particular a decision to issue a contract) or policy made by the Platform.

An indirect interest may be established when the Covered Individual or Covered Organization indirectly benefits from such decision or policy through personal family connections or professional associations.

Section Five: Principles

All members of the Platform recognize that the potential for individual and institutional conflicts of interest must be managed with the highest degree of integrity to safeguard against any perception that participation by an individual, government, corporation or organization in any position at this Platform confers an undue advantage for such entities in the Platform's decisions or policies.

The Platform aims to achieve its objectives through the collaborative efforts of its members and partners. All Platform members and partners have adopted the following principles:

• Share and adopt the common vision and strategy (e.g. outlined in the SUN Movement Action Plan and SUN Principles of Engagement);

• Acknowledge the requirement to adhere to existing legal obligations and regulations, and applicable international codes and obligations;

• Consider the comparative advantage of each partner and identify their own area of expertise or comparative advantage when engaging in the Platform in its support to the national nutrition plan;

• Promote a coordinated approach and support and employ the operating mechanisms of the Platform.

Section Six: Procedures for Identifying and Managing Conflicts of Interest

a. The government shall designate a Review Committee or other appropriate oversight body to establish and implement the procedures for identifying and managing conflicts of interest.

b. The government shall prepare a public listing of applicable disclosure categories and shall periodically review the list.

c. All Covered Individuals and individuals representing Covered Organizations have a duty to disclose the existence of any actual or potential conflict of interest and the nature of such conflict, whenever he or she becomes aware that a conflict exists or that a conflict is reasonably likely to occur.

d. Transparency and general duty to disclose: All Covered Individuals and representatives of Covered Organizations must complete and submit a "Declaration of Interest", in the appropriate form, to a designated representative of the Review Committee or other designated oversight body, updated annually or whenever there is a material change in the information.

e. The Review Committee or other designated oversight body shall develop and apply a range of remedial actions from non-participation in specific initiatives to exclusion from the Platform, based on the assessment of the severity of any conflict of interest that has the effect of compromising, interfering with or taking precedence over the interests of the Platform's joint endeavour. The Review Committee may refer unresolved cases to an external mediation service, if appropriate.

f. All Platform meetings shall operate with advance notice of all agenda items, and an opportunity for Covered Individuals and Covered Organizations to disclose actual or potential conflicts of interest prior to each meeting. When it is determined that an actual or potential conflict of interest exists, the Covered Individual and/or person representing the Covered Organization shall not vote or speak on the matter and shall absent himself/herself without comment before any discussion or voting on the matter, unless a waiver has been granted by the Review Committee. The Review Committee will develop rules for recusal where appropriate and who should decide.

g. Procurement and contracting: Existing national laws and regulations shall be applicable to any procurement or contracting by Covered Individuals or Covered Organization.

h. Failure to disclose. Should any Covered Individual or other individual have a reasonable cause to believe that another Covered Individual or Covered Organization has failed to disclose an actual, perceived or potential conflict of interest, he or she may bring this to the attention of the Review Committee? The Committee will afford the individual or institution an opportunity to explain the alleged failure to disclose. Failures to disclose or unresolved cases may be referred to the appropriate decision-making body for the Platform.

i. The decision-making body of the Platform may wish to introduce a grievance mechanism for appeals and/or external mediation of unresolved complaints.

j. Monitoring and evaluation: The Review Committee will monitor compliance and impact of this conflict of interest policy on an annual basis and submit an evaluation to all Platform participants.

Section Seven: Additional Considerations

a. Gifts: All Covered Individuals and Covered Organizations Institutions are prohibited from accepting or giving gifts under circumstances where it could reasonably be construed that the gift is motivated by the position and interests that could substantially affect the policies or practices of the Platform.

b. Data protection and privacy: Where participation by a Covered Individual or Covered Organization accords him or her access to proprietary or other potentially sensitive information, participants may be requested to sign a confidentiality agreement with regard to the subject matter. In addition, a Covered Individual or Covered Organization may request review of partial or full exclusion of public disclosure of interests otherwise required to be disclosed by this policy on the basis of the need to protect proprietary or other potentially sensitive information.

Section Eight: Dissemination and Review

A copy of this policy will be distributed to all Covered Individuals and Covered Organizations annually, along with a copy of the Declaration of Interest form. Copies of this policy and the Declaration of Interest form shall be posted on the Platform's website.

Appendix 2:
Sample Declaration Form
for Disclosure of Conflict of Interest

Sample Declaration of Interest Form

Note: This Declaration of Interest Form is part of, and should be read in conjunction with a country Conflict of Interest Policy applicable to the multi-stakeholder platform.

To be effective and successful in its mission, the work of a country's multi-stakeholder platform in connection with the Scaling Up Nutrition (SUN) Movement, its members and partners, must be and must be perceived to be, in accordance with the highest standards and integrity.

All multi-stakeholder platform members are therefore encouraged to disclose any circumstances that could give rise to a conflict of interest related to the subject of activity or initiative they will be involved in. [Note: a list of disclosure categories needs to be provided to give guidance to the person completing the form, and the table below should be made consistent with the list.]

Please disclose and provide details on any actual or potential conflict of interest as identified in the list of interests as prepared for this purpose.

Person or organization	Nature of the interest	Nature of relationship and or nature of actual or potential conflict of interest
e.g. ABC Company e.g. Association KYM	e.g. Financial e.g. Non-financial	Committee member Current provider

Signed _____

Title / designation/Company: _____

Full names: _____

Signature: _____   Date: _____

Appendix 3:
Forms for Resolving
and Monitoring Conflict of Interest

Form 3.1: Conflict of Interest Register

Date of last update:

Please list the conflict (s) that have been identified with regards the member of the multi-stakeholder platform. Please also include brief details of the conflict (whether actual or perceived) and the steps taken to manage and/or mitigate it:

Multi-Stakeholder Platform Member	Identified Conflict of Interest	Actual Conflict	Perceived Conflict	Remedial Action	Duration

Form 3.2: Exclusion from Multi-Stakeholder Platform Initiative

A decision to exclude will result in exclusion from any review, evaluation and decision-making processes with respect to the initiative in question. During meetings, the multi-stakeholder member may be asked to leave the discussions related to that initiative.

Position of monitor within the Project:

Multi-Stakeholder Platform Member:

Date:

Please list the rationale for exclusion and the steps followed to reach this.

Rationale for Exclusion:

_____

_____

_____

_____

Steps taken in reaching decision to exclude
1.
2.
3.
4.

Form 3.3: Resignation from Multi-Stakeholder Platform Initiative

Position of monitor within the Project:

Multi-Stakeholder Platform Member:

Date:

Please list the rationale for determining resignation from the initiative and steps taken to reach this decision.

Rationale for Resignation

_____

_____

_____

_____

Steps taken in reaching resignation decision
1.
2.
3.
4.

Form 3.4: Monitoring the Review and Analysis of the Conflict of Interest

Position of monitor within the Project:

Report on Multi-Stakeholder Platform Member associated with the conflict of interest:

Date:

Please provide details on the conflict of interest identified and the actions undertaken to appropriately manage the issue and the resulting outcomes.

Conflict of Interest

_____

_____

_____

_____

Actions taken to manage the conflict of interest	Outcomes of actions taken
1.	
2.	
3.	
4.	

Form 3.5: Monitoring adaptations to the management of a conflict of interest

Position of monitor within the Project:

Multi-Stakeholder Platform Member:

Date of last update:

Please provide details on changes that have occurred since a decision on how to manage the conflict of interest was agreed and the actions, if any, undertaken to appropriately manage these changing circumstances.

Changes to Conflict of Interest circumstances/ issues	Actions taken to manage changes
1.	
2.	
3.	
4.	

Any other details

_____

_____

_____

_____

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