

Conflict of interest prevention policy at Riga Technical University

*approved under
14.2 of the first part, point 7 of the University Law ;*

1. **The objectives of the policy** are:
 - 1.1. to define the inadmissibility of conflicts of interest as an essential element of the operation of Riga Technical University (RTU);
 - 1.2. promote understanding among employees about the nature of conflicts of interest, situations and actions in cases of conflicts of interest;
 - 1.3. to determine the basic settings related to the prevention of conflicts of interest.

2. **Used in politics explanation of terms** :
 - 2.1. **Employee** - a natural person with whom RTU has established employment legal relations for the performance of certain duties.
 - 2.2. **Job duties** may include:
 - a) basic responsibilities (basic position) and additional responsibilities (for example, replacing another employee or working in some commissions),
 - b) responsibilities of teaching staff (e.g. student performance evaluation) and general staff responsibilities (e.g. employee performance evaluation),
 - c) individual work (for example, a teacher's evaluation of a student's work or a structural unit manager's evaluation of an employee's task performance) and work in collegial institutions (for example, the Senate, working groups, commissions, etc.).
 - 2.3. **Conflict of interest** – a situation in which an employee is unable or will not be able to act or make a decision objectively, independently and primarily in the interests of RTU, and not in his own, relatives' or other persons' interests due to any kind of personal interest within the scope of his duties. Personal interest and its predominance over the objective interests of RTU may have various reasons related to the employee's family, emotional ties (including likes or dislikes), political or national affiliation, religious beliefs, sexual orientation, financial interests or any other direct or indirect personal interests. A conflict of interest may also arise if the employee does not actually benefit from the situation, but it is enough that the circumstances threaten (hinder) the performance of functions in an objective and independent manner. However, such circumstances must have a specific identifiable and individual connection to (or impact on) specific aspects of the person's conduct, behavior or relationships.

The scope of conflict of interest within the framework of this policy also includes conflicts of interest specifically defined in relation to public officials in accordance with the law " *On prevention of conflict of interest in the activities of public officials* " ;

- 2.4. **State official** – an employee whose job duties at RTU include a position qualified as a state official's position in accordance with the Law "*On Prevention of Conflict of Interest in the Activities of State Officials*" ;
- 2.5. **Responsible structural unit** – structural unit or employee appointed by the rector of RTU, which generally organizes and is responsible for the management and prevention of conflict of interest risks in RTU;
- 2.6. **Risk of conflict of interest** – the probability that the employee will act intentionally or unintentionally within the scope of his duties in a situation of conflict of interest;
- 2.7. **Prevention of conflict of interest** – measures aimed at eliminating and mitigating the occurrence of conflict of interest situations. They can be different, including:
- a) both *ad hoc* solutions in specific situations of conflicts of interest (matched and implemented for a specific, specific situation), for example, the resignation or removal of an employee from the performance of the duty of a specific position, without requiring another employee to perform the duty of the position, if possible, the appointment of another employee to perform a specific function or the creation of a special commission (by order of the rector) for offering a solution to a specific conflict of interest or conflict of interest risk situation;
 - b) a set of complex, systemic activities (for example, additional regulation related to the prevention of conflicts of interest in certain areas of RTU activity);
- 2.8. **Relative** - employee's father, mother, grandmother, grandfather, child, grandchild, adoptee, adopter, brother, sister, half-sister, half-brother, spouse;
- 2.9. **Other person** – any person with whom the employee has any connection, due to which the employee has or may have a conflict of interest situation.
- 3. RTU's principles of preventing conflicts of interest, which are binding on every employee :**
- 3.1. Predominance of RTU's interests** - every employee observes that in every situation, when RTU's interests come into conflict or come into contact with the employee's personal interests, RTU's interests are paramount in the performance of the employee's duties;
 - 3.2. openness** - when an employee finds himself in a conflict of interest situation, he does not hide it and allow such a situation, but takes measures in accordance with this policy and other RTU internal regulatory enactments in order to prevent such a situation and so that decisions are not made and actions are not implemented in a conflict of interest situation;
 - 3.3. responsibility :**
 - a) the employee is responsible for not avoiding conflict of interest situations, acting in conflict of interest situations and for causing damage to RTU;
 - b) the head of the structural unit is responsible for the fact that, if a specific conflict of interest or the risk of it is detected in the structural units under his/her subordinate, it would be prevented, as well as for the preventive evaluation and prevention of conflicts of interest and their risks;

3.4. rule of law :

- a) the employee has the obligation not to get involved in conflicts of interest, to prevent their risks, to inform the superior manager and/or the responsible structural unit about the conflict of interest or its risk both in relation to himself and other RTU employees;
- b) the measures taken, including the implemented *ad ad hoc* solutions in specific situations aimed at avoiding a conflict of interest are legitimate and justifiable, for example, failure to fulfill an employee's duty, if the employee has justified the failure to fulfill a duty in writing by avoiding a specific conflict of interest;

3.5 . prevention – the superior manager and/or the responsible structural unit initiates or takes measures, including *ad ad hoc* solutions in a specific situation of conflict of interest or risk of conflict of interest, if an employee is found to be in a conflict of interest or information is received about being in a situation of conflict of interest or risk of a conflict of interest.

4. Responsible structural unit:

- 4.1. plans, initiates, organizes, coordinates and monitors measures aimed at managing and preventing risks of conflicts of interest;
- 4.2. periodically evaluates and formulates proposals on the aspects of prevention of RTU's conflicts of interest in RTU's internal regulatory acts and decisions of administrative bodies;
- 4.3. advises employees on conflict of interest issues;
- 4.4. informs the rector or the higher-ranking manager of the employee if he finds that the employee is in a conflict of interest or receives information about being in a conflict of interest or the risk of a conflict of interest;
- 4.5. in specific situations, if necessary, provides proposals *ad ad hoc* solutions aimed at avoiding conflict of interest;
- 4.6. coordinates and participates in the work of conflict of interest prevention commissions (2.7.a.pts.);

5. Duties of employees:

- 5.1. comply with the requirements of external and internal regulatory acts in the field of conflict of interest prevention and consult the responsible structural unit in case of ambiguity or doubt;
- 5.2. everyone should rationally evaluate potential conflict of interest situations in the performance of their (senior managers and subordinates) duties;
- 5.3. depending on the specific situation, to inform in writing either the higher-ranking manager or the members of the collegial institution (if the conflict of interest arises due to duties in the RTU collegial institution), or the responsible structural unit about the identified conflict of interest situation or the risk of a conflict of interest both in relation to themselves and other employees, and for removing oneself from the performance of the duty in a specific situation;

- 5.4. to refrain from taking action or making a decision that creates a conflict of interest or the risk of it;
- 5.5. RTU employees elected and employed in academic positions, heads of structural units and employees elected (appointed) in leading positions shall not participate in the performance of their duties, if there is a possible conflict of interest, including in the evaluation of candidates and employees, decision-making, appointment or performance evaluation;
- 5.6. Heads of RTU structural units are prohibited from employing under direct authority or making a decision regarding their relative, as well as another person, including preparing, coordinating or signing employment-related documents, if there is a possible conflict of interest or risk of a conflict of interest.
- 5.7. make decisions and act primarily in the interests of RTU;
- 5.8. not to use RTU's resources for their own private interests, including for their own benefit or that of others, unrelated to their duties at RTU;
6. RTU employees with the status of **public officials** are obliged to:
 - 6.1. to periodically review the legal and factual circumstances of combining one's position, including in cases where the permission to combine a position has already been received;
 - 6.2. immediately inform the employer if the legal and actual circumstances of joining the position have changed;
 - 6.3. to independently and constantly follow the legal regulations in force regarding public officials and to fulfill them correctly.
7. The personnel whose competence includes the development of RTU's internal regulatory acts, including the development of various processes and procedures, reasonably take into account the aspects of preventing and preventing conflicts of interest in their development.

8. Employees are prohibited from:

- 8.1. make decisions or take other actions in relation to oneself, relatives or other persons that create a conflict of interest or the risk of it. This also applies to situations where the employee formally confirms with his signature a decision made by another person(s) or a collegial body, which, if the specific decision was taken by the employee himself, would create a conflict of interest for him, or if such other person(s) or on the basis of a decision taken by a collegial body, issues an order or other normative regulation that ensures the execution of the decision made by the specific other person(s) or a collegial body (for example, an order on the implementation of the decision of the wage commission);
- 8.2. to make decisions or implement other actions in relation to other persons, if, after evaluating a specific situation, the employee sees a conflict of interest or the risk thereof;
- 8.3. request or accept donations and/or gifts, promises or other inducements or remuneration from a natural or legal person, if it is related to the performance of work duties and may influence the decision-making regarding this person, or cast doubt on the objectivity of the performance of any work duty or the operation of the company ;

- 8.4. hold a position, coincidentally, the direct supervisor or performance evaluator of this position is the same employee or his relative. An exception is allowed if another employee is appointed to perform the functions of direct supervisor or performance evaluator.

9. Employee rights:

- 9.1. in case of a conflict of interest or a risk of a conflict of interest of one's own or another employee, to inform in writing the superior manager or the members of a collegial institution (if the conflict of interest arises due to the duties of the position in the collegial institution of RTU) or the responsible structural unit;
- 9.2. refrain from making decisions or acting in a conflict of interest;
- 9.3. receive consultations in the responsible structural unit in connection with conflict of interest situations;
- 9.4. not to suffer negative consequences in labor legal relations due to refraining from making a decision or from acting in the event of a conflict of interest, which is recorded in writing in the prescribed manner.

10. Final provisions

- 10.1. Legal employment relationships established before the entry into force of this policy and within the framework of which non-compliance with this policy (for example, clause 5.6) is formed may remain in force, but the policy is binding in their execution, as well as decisions about the employee himself, his relative or another person, with which a conflict of interest arises, evaluation of work or study performance, as well as remuneration components and other aspects of the duties of the position performed by the employee, which may create a conflict of interest or the risk thereof, are accepted by the employee's superior manager or another employee appointed by him, but in matters related to studies – the dean or an employee designated by the dean.