
STANDARD

ON EXCLUSION OF CONFLICT OF INTERESTS

Karaganda

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1 Scope

1.1 This Standard on exclusion of conflict of interests (hereinafter referred to as the Standard) of the Non-profit Limited Company "Karaganda Technical University" (hereinafter referred to as the University) defines the requirements for a set of measures that each employee of the University must apply to prevent/minimize conflicts of interest in the course of their professional activities.

1.2 Compliance with the provisions and requirements of the Standard is mandatory for structural units, officials and all employees of the University.

1.3 Measures and methods for preventing, detecting and resolving conflicts of interest, provided for in the Standard are not exhaustive. In each specific case, other forms of conflict settlement can be used, depending on the specifics of the existing conflict of interests, the degree of adequacy of the measures taken to resolve the conflict of interests.

1.4 Failure to comply with the requirements of the Standard may serve as a basis for bringing an employee to disciplinary liability, within the limits established by the legislation of the Republic of Kazakhstan, and in some cases may entail measures of civil and criminal prosecution.

1.5 Control over the observance of the Standard by the employees of the University is carried out by the compliance officer of the University, deans of faculties and heads of structural divisions.

2 Regulatory references

This Standard uses references to the following normative documents:

IS ISO 9000:2015 Quality management system. Basic Provisions and Glossary.

IS ISO 9001:2016 Quality management system. Requirements.

3 Terms, definitions and abbreviations

This Regulation contains terms, definitions and abbreviations in accordance with IS ISO 9000: 2015 Quality management system. Basic Provisions and Glossary, in addition to them, the following terms and their definitions are established:

AMP – administrative and management personnel;

Close relative — spouse, parents (including adoptive parents), children (including adopted children) full and half brothers and sisters;

DAW – department of administrative work;

DP – a documented procedure;

KTU – Karaganda Technical University;

Confidential information – any information, including official information, which has actual or potential commercial value due to its unknown to third parties, access to it is legally restricted and the owner of the information takes measures to protect its confidentiality. Information that is confidential information is determined by current

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legislation, internal documents of the University;

Conflict of interests – a situation in which the personal interest of an employee or official of the University affects or can affect the impartial performance of his official duties;

Corporate culture – specific to the University values, principles, norms of behavior and attitudes;

Personal profit – the ability to receive income in the form of money, other property, including property rights, property services, or any benefits (advantages) both for the employee himself and for his family members, close relatives and/or other persons with whom the employee's personal interest is associated, as well as for legal entities (companies) with which the employee can be related;

PD – personnel department of the University;

A gift – a gratuitous transfer of a thing or property right (claim) to the donor or a third party, or release from property obligations to the donor or third parties;

ATS – Academic Teaching Staff;

QMR – quality management representative;

Employee, worker – a person who has an employment relationship with the University and directly performs work under an employment contract;

RK – Republic of Kazakhstan;

QMS – quality management system;

ST – standard;

ST RK – Standard of the Republic of Kazakhstan;

TEP – training and educational personnel;

Falsification – fabrication of academic records or other documents; data (observations during a scientific experiment, fake records, survey results); signatures in academic work; deliberately forging or damaging academic work.

LD – legal department.

4 Liability and powers

4.1 This Standard is approved by the University Board.

4.2 The Compliance Officer is responsible for the content, structure and design of the approved Standard. The decision on the final version of the Standard is made by the QMR.

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5 General provisions

5.1 This Standard is developed in accordance with the Law of the Republic of Kazakhstan "On Education" [1], the Law of the Republic of Kazakhstan "On Access to Information" [2], the Labor Code of the Republic of Kazakhstan [3], the Charter [4], the Anti-Corruption Standard [5], the Internal Regulations [6] and other internal regulatory documents of the University.

5.2 This Standard is aimed at organizing by each employee of the University an effective system for managing conflicts of interest, the purpose of which is: to eliminate conflicts of interest, identify potential / possible conflicts of interest, control them, and prevent their consequences.

5.3 This Standard is revised when legislation changes or as necessary.

5.4 In case of changes in the requirements of the legislation, this Standard until the moment of its change is valid in the part that does not contradict the current legislation at the time of its application.

6 Reasons and conditions for a conflict of interest

6.1 In the process of carrying out the professional activity of a University employee, conflicts of interest may arise as a result of:

6.1.1 deficiency of worker control procedures and internal regulations:

- on the delimitation of functions and powers between management bodies, officials and employees of the University;

- on compliance with the norms of business communication and the principles of professional ethics.

6.1.2 participation by the employees of the University, members of his family, close relatives and / or other persons with whom the employee has a personal interest, as well as legal entities (firms) with which the employee is related, in the public procurement of the University.

6.2 A conflict of interest is possible both as a result of the activities of the officials of the University, and as a result of the activities of the teaching staff of the University.

6.3 A conflict of interests of a pedagogical worker is understood as a situation in which a pedagogical worker, while carrying out his professional activities, has a personal interest in obtaining material benefits or other advantages and which affects or may affect the proper performance of professional duties by a pedagogical worker due to a contradiction between his personal interest and the interests of the student , parents (legal representatives) of minor students.

6.4 A conflict of interest in the field of educational relations may arise in the following situations:

6.4.1 performance of professional duties in relation to relatives and / or other persons with whom the employee maintains a relationship based on moral obligations. For example, taking exams or tests, participating in the work of the

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certification commission;

6.4.2 performance of paid work (provision of property services). For example, tutoring with your own students or forcing students to acquire their own scientific works;

6.4.3 receiving material benefits (including money), gifts and services;

6.4.4 property obligations with the teacher and / or his relatives. For example, a teacher and / or his relatives create property obligations on preferential terms, in particular, these are interest-free loans, purchase and sale transactions at a reduced cost, preferential rent or contract, etc.;

6.4.5 situations associated with a clear violation of the established prohibitions by the teacher. In accordance with paragraph 5 of article 51 of the Law of the Republic of Kazakhstan dated July 27, 2007 No. 319-III "On Education", pedagogical workers are prohibited from using educational activities for the purpose of political agitation, religious propaganda or to induce students to take actions that contradict the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan;

6.4.6 use of confidential information.

6.5 In order to avoid the emergence of a situation of conflict of interest, University employees must immediately and adequately respond to various factors affecting the occurrence of a conflict of interest.

7 Principles for managing conflicts of interest

Each employee of the University is obliged to adhere to the following key principles of managing conflicts of interest:

7.1 *The principle of priority of the interests of the University.* Employees, officials put the interests of the University above their personal and other interests, and the interests of third parties;

7.2 *Loyalty and Integrity Principle.* The employee acts in good faith and in the interests of the University, does not allow conflicts of interest and does not act in his own interests or in the interests of any third parties;

7.3 *Disclosure principle.* Any conflict of interest with employees, present or possible in the future, should be known to the compliance officer of the University. Employees immediately and fully disclose all cases of conflict of interest, including the prerequisites for their occurrence;

7.4 *The principle of impartiality.* Each employee refrains from taking actions aimed at the realization of personal and other interests that may pose a risk due to a possible conflict of interest and (or) the impartial performance of his job duties;

7.5 *The principle of discretion and honesty.* Each employee is extremely careful in situations involving a conflict of interest, and is clearly aware of his duties and the depth of responsibility to the University. The employee takes the necessary measures in a timely manner to identify and manage a conflict of interest, including the immediate notification of a conflict of interest;

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7.6 The principle of intolerance and internal culture. The university creates a culture and a high degree of intolerance for conflicts of interest in its work environment. The University encourages its employees to disclose possible conflicts of interest, and develops an internal culture of open communication aimed at understanding the provisions of the Standard.

7.7 The principle of personal responsibility and personal example. Each employee is responsible for untimely identification and disclosure, as well as for improper resolution of conflicts of interest in favor of the interests of the University. Employees of the University by their actions serve as a personal example of integrity and ethical behavior, demonstrate a commitment to professionalism, and strictly comply with the requirements of the Standard, other internal documents of the University and the legislation of the Republic of Kazakhstan. Each employee is involved in identifying risks and shortcomings of the University's internal control system, and also contributes to the observance of the principles of professional ethics;

7.8 Principle of individual consideration and objectivity. If each and any conflict of interest is identified, it should be considered on an individual basis with an assessment of potential risks for the University, and its further settlement should be made. Employees of the University strive to minimize any subjectivity that distorts the real situation of a conflict of interest, including any influence of personal and other interests and various factors on the process and results of research on conflicts of interest;

7.9 Confidentiality principle. The confidentiality of the process of disclosing information about a conflict of interest and the process of further settlement of the conflict of interest is strictly preserved until the stage of summing up the results and making a final decision on the situation in question.

8 Identifying conflicts of interest

8.1 The effectiveness of work to prevent and resolve conflicts of interest requires full and timely identification of such conflicts.

8.2 The University is obliged to ensure the timely identification of conflicts of interest at the earliest stages of its development and attentive attitude to it from its officials and employees.

8.3 The University is obliged, when hiring employees in whose activities a conflict of interest may arise, to identify potential risks of a conflict of interest, to establish increased requirements for the personal, professional qualities of candidates and their reputation.

8.4 Each employee of the University is obliged to bring to the attention of the Compliance Officer of the University information about any conflict of interest as soon as it became known.

8.5 Heads of structural divisions are obliged to ensure effective control over compliance by employees with established requirements, restrictions, prohibitions aimed at preventing conflicts of interest.

9 Settlement of conflicts of interest

9.1 The body for resolving conflicts of interest at the University is the Compliance Control Commission (hereinafter the Commission). The tasks of the Commission include the settlement of disagreements between participants in educational relations on the implementation of the right to education, consideration of information about the conflict of interests of employees and its settlement, if there is a conflict of interests. The decision of the Commission is binding on all participants in educational relations at the University and is subject to execution within the time frame provided for by the said decision.

9.2 Disclosure of information about a conflict of interest is carried out in writing. It may be permissible to initially disclose a conflict of interest verbally followed by a written record. The official responsible for receiving information on emerging (existing) conflicts of interest is the compliance officer of the University.

9.3 The Commission undertakes to confidentially review the information provided and resolve conflicts of interest. The information received must be carefully checked by an authorized official in order to assess the seriousness of the risks arising for the University and select the most appropriate form of resolving conflicts of interest. As a result of this work, the Commission may come to the conclusion that the situation, information about which was provided by the employee, is not a conflict of interest and, as a result, does not need special methods of settlement.

9.4 The Commission may also conclude that a conflict of interest exists and use a variety of ways to resolve it, including:

- restricting employee access to specific information that may affect the employee's personal interests;
- voluntary refusal of an employee or his removal (permanent or temporary) from participation in the discussion and decision-making process on issues that are or may be influenced by a conflict of interest;
- revision and change of the employee's functional responsibilities;
- transfer of an employee to a position that provides for the performance of functional duties not related to a conflict of interest;
- refusal of the employee from his personal interest, which creates a conflict with the interests of the University.

9.5 This list of ways to resolve conflicts of interest is not exhaustive. In each specific case, by agreement with the employee, other forms of its settlement can be found.

9.6 When deciding on the choice of a specific method for resolving conflicts of interest, it is important to take into account the significance of the employee's personal interest and the likelihood that this personal interest will be realized to the detriment of the interests of the University.

9.7 To prevent conflicts of interest, employees must follow the University Ethics Rules.

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