

CONFLICT OF INTEREST PROCEDURES FOR THE INDEPENDENT TECHNICAL ADVISORY PANEL

September 2022

CONFLICT OF INTEREST PROCEDURES FOR THE INDEPENDENT TECHNICAL ADVISORY PANEL (ITAP COI PROCEDURES)¹

PART I | INTRODUCTION AND APPLICABILITY

Introduction

The GPE 2025 operating framework seeks to source, support, and sustain *transformative* education reforms in partner developing countries with the potential for impact at scale. The framework identifies four factors that enable and catalyze progress and unlock bottlenecks in transforming education. GPE funding for system transformation grants is partially conditioned on countries demonstrating progress on these four factors, as needed, specifically:

- Use of data and evidence;
- Gender-responsive sector planning, policy, and monitoring;
- Sector coordination, and;
- Equity, efficiency, and the volume of domestic financing for education

The mandate of the Independent Technical Advisory Panel (ITAP) is to provide an independent assessment of country status against the four enabling factor areas to the local education group at the country level and to the Board at the global level.

The objective of the ITAP COI Procedures is to ensure that processes related to the assessment are fair, integrous, consistent and transparent.

The procedures are divided in two parts:

- Part I: Introduction and applicability
- Part II: Conflict of Interest in the context of the assessment of GPE enabling factor areas by the ITAP, including principles, responsibilities and requirements, and guidance in identifying and managing conflicts of interest

Related documents:

- Declaration of Interest Form and Instructions to the Declaration of Interest Form
- ITAP Terms of Reference

¹ Last revised May 2022

Applicability

The ITAP COI Procedures are applicable to ITAP members once they are requested to serve on a particular country panel by the ITAP Chair.² Certain provisions remain applicable to these members once they have concluded their service on the country panel. The ITAP COI Procedures are also applicable to the ITAP Chair.

The ITAP COI Procedures do not directly apply to ITAP members who have not yet been called to serve on a particular country panel by the Chair. However, activities undertaken by an ITAP member while in the ITAP pool may limit the member's ability to be considered for service, if these activities cause actual, potential or perceived conflicts of interest on a regular basis.

All ITAP members, serving and not, are requested to complete the Declaration of Interest form upon appointment to the ITAP. Members called to serve must update the form each time before starting work on a country panel, as needed. Members called to serve must also complete an online Statement on Conflict of Interest Form for each panel (see page 5-6 for details).

PART II | CONFLICTS OF INTEREST IN THE ASSESSMENT OF ENABLING FACTORS

Conflict of Interest Definition

Generally, a conflict of interest arises when the ability of an ITAP member to exercise objective and independent judgment on a country's status in the enabling factors is impaired, potentially impaired, or perceived to be impaired. Specifically, a conflict of interest occurs when an ITAP member, an Associated Person³ or Associated Institution⁴

² Once selected to serve on a review panel, ITAP members are known as serving ITAP members and they are eligible to serve for a defined period (three years, renewable, contingent on review and renewal of the annual STC contract per WB STC Guidelines, from the start date of the first panel in which they participate.

³ An "Associated Person" means a spouse, minor child, domestic partner, or other household member (e.g. adult child living in the household, parents or others living in the same house or sharing their income with the ITAP member)

⁴ An "Associated Institution" means any organization, corporation, government or other institution in which the ITAP member or an Associated Person is serving as an officer, director, trustee, partner, employee, or vendor that receives or may receive funding from GPE or with which GPE has an agreement, contract, grant or relationship; or any person, organization, corporation, government or similar institution with whom the ITAP member is negotiating or has an arrangement concerning prospective employment. Employee and vendor in this context are considered to include significant contracts (i.e. more than 200 working days per year) and with receipt of (some) benefits normally bestowed on staff, e.g. work computer, paid holidays and sick leave, health insurance. It is understood that ITAP members may engage in other short-term consultancies across a range of

has a financial, professional or personal interest in the assessment of a country's enabling factors.

Procedural Principles

- Independence of ITAP members

The ITAP is an independent, impartial pool of experts appointed by the Performance, Impact and Learning Committee, in its delegated authority from the Board, with the responsibility of providing robust, independent technical assessments of country status against GPE enabling factors.

The ITAP ensures the integrity and consistency of an open and transparent review process in line with the principles, mandate and provisions of its Board-approved terms of reference.

The terms of reference stipulate that members serve in their personal capacities only. It is incumbent on prospective and existing ITAP members to verify and certify on the ITAP Declaration of Interest Form that they can belong to the ITAP panels or pools in their personal capacity without violating rules and regulations (especially related to conflicts of interest) of any other organizations they are associated with.

- Mitigation measures to manage actual, potential or perceived conflict of interest

To safeguard independence, impartiality and unbiased decisions, while also considering that ITAP members may have conflicts of interest that do not affect the whole assessment, differentiated risk mitigation measures apply to different contexts. These are described further below.

In cases where the employment or other circumstances of a proposed or current ITAP member gives rise to a strong likelihood of actual, potential or perceived conflicts of interest arising on a regular basis which may significantly limit his or her ability to effectively perform ITAP functions (e.g., due to the need for consistent recusal from a substantial number of assessments), the ITAP Chair in consultation with the Ethics Officer, may determine that the individual should not be selected to serve, or should not continue to serve as an ITAP member.

It is critical that ITAP members are trained on and comply with the provisions of the ITAP COI Procedures and understand that potential and perceived conflicts of interest on their part in exercising their duties as an ITAP member can be as harmful to GPE as actual

institutions/GPE partners and countries and these entities are not considered Associated Institutions unless they meet the definition of employee and vendor described earlier in this footnote.

conflicts.

Requirements for Disclosure and Recusal in Relation to Actual, Potential or Perceived Conflict of Interest⁵

All ITAP members are responsible for upholding the integrity of the ITAP and its independence and reputation.⁶ They must adhere to the principles of the ITAP COI Procedures and disclose all actual, potential or perceived conflicts of interest.

Declaration of Interest

Each member upon appointment to the ITAP is required to complete a declaration of interest form. The form is submitted to the GPE Ethics Officer at ethics@globalpartnership.org.

In addition, upon appointment to every country panel, ITAP members must update their declaration form with the GPE Ethics Officer, as needed, and complete an online Statement on Conflict of Interest Form for the respective panel provided by the Secretariat before starting work on the respective panel.⁷

ITAP members must recuse themselves from service on any country panel where they have an interest, affiliation or other factors that may create an actual, potential or perceived conflict of interest as further specified and qualified in these procedures.

If there is any ambiguity as to whether an actual, potential or perceived conflict exists, ITAP members are strongly encouraged to consult the GPE Ethics Officer. If it is determined by the Ethics Officer that an actual, potential or perceived conflict of interest does exist, the Ethics Officer may propose to the ITAP Chair appropriate mitigation measures which may include removal from a specific country panel or other ITAP-related work.

If a serving ITAP member intends to pursue new activities or employment opportunities that may create an actual, potential or perceived conflict of interest with respect to their responsibilities on the ITAP, they must disclose these to the ITAP Chair in writing, copying the ITAP Coordinator, prior to taking on such activities and consult with the Ethics Officer. In response, the Ethics Officer may recommend the Chair make the following decision: i) allow the member to continue serving on the country panel while undertaking these new activities or employment opportunity, with risk mitigation measures in place; or ii) request that the member stand down from engaging in the new activity or employment

⁵ ITAP candidates will also be apprised of World Bank STC COI Guidance, outlined in "6.6 Avoiding Conflict of Interest" in WB HQ STC Guidelines.

⁶ ITAP TORs state that ITAP members agree to uphold the integrity and independence of the panel and disclose any affiliations that may affect their independence in assessing the requirements of a particular country, or affect the reputation of the ITAP.

⁷ The Board will be notified of the aggregate results of the Statements when considering the ITAP's recommendation on the country allocation. In the case of a full conflict of interest, the member will need to fully recuse from the panel.

opportunity while continuing to serve on the ITAP.

Ethics and Conflict of Interest Guidance: High-Level Summary of Potential Contexts and Situations

Not all significant factors that may create an actual, potential or perceived conflict of interest can be identified in these procedures. **The examples provided below are illustrative and each conflict-of-interest declaration will be handled on a case-by-case basis.** It is the responsibility of ITAP members to bring to the attention of the Ethics Officer any significant links that may give rise to an actual, potential or perceived conflict.

As noted, there may be cases where the employment or other circumstances of a proposed or current ITAP member gives rise to a strong likelihood of actual, potential or perceived conflicts of interest arising on a regular basis, which may significantly limit his/her ability to effectively perform ITAP functions. In these situations, including the following examples, the ITAP Chair in consultation with the Ethics Officer, may determine that the **individual should not be selected to serve, or should not continue to serve as an ITAP member:**

- a. The (applicant) ITAP member's main professional responsibilities are directly linked to the development of funding applications to GPE and/or;
- b. The (applicant) ITAP member is employed by an organization that provides direct technical assistance to GPE applicants or implementers, or is otherwise a potential beneficiary of GPE funding, across multiple regions or countries.

A conflict of interest requiring an ITAP member's **full recusal** from participating in the assessment of a specific country's funding requirements may arise if:

- a. The ITAP member has been involved in the discussion of the enabling factors at country level or expects to be involved in the subsequent grant development or implementation process;
- b. The ITAP member is employed by a government, corporation or organization that has been involved in the discussion of the enabling factors at country level or is expected to be involved in the grant development or implementation process (including providing technical assistance funding); or
- c. The ITAP member may be a beneficiary or is employed by or has a role in an entity which may be a beneficiary of funding from GPE in connection with the linked forthcoming funding requests (STG, and SCG if applicable), if approved (e.g. developing country government, grant agent, implementing agent nominated, provider of technical assistance); or
- d. The ITAP member is a national or resident of the country of which the enabling factors are being assessed; or

- e. The ITAP member took part in any GPE/World Bank audit or investigation of GPE grants or implementers during the past three years in a country that has applied for funding.

In case of full recusals, conflicted members may not use their status of ITAP members to access and influence the ITAP members who are conducting the assessment.

A conflict of interest requiring an ITAP member's **partial recusal** (i.e. recusing him/herself from participating in the assessment of and decision-making on a specific enabling factor area) may arise if:

- a. The (proposed) ITAP member has been involved in a country's education sector analysis or the development or review of the sector plan, or participated in a joint sector review. In this scenario, the member would need to recuse her/himself from the enabling factor on gender-responsive sector planning and monitoring.⁸
- b. The (proposed) ITAP member has provided advisory services to the government (e.g., expenditure review or simulation models) or to organizations having a substantial involvement in the education sector in a country. In this scenario, the member would need to recuse her/himself from the enabling factor on domestic financing.

The ITAP Chair, with the proactive assistance of the Ethics Officer based on information disclosed on the declaration of interest form of the respective ITAP member or in the Statement on Conflict of Interest, is responsible for overseeing country panels to ensure that any actual, potential or perceived conflicts of interest do not compromise the reputation and independence of the decision-making process.

If the circumstances described above arise, the ITAP Chair may consult with the Ethics Officer in order to provide guidance to the ITAP member regarding whether the member should recuse herself/himself fully or partially from the respective country panel. ITAP members may also wish to contact the Ethics Officer directly to receive confidential advice regarding conflicts of interest that participation in an ITAP panel might create.

Consequences of Non-Compliance

If an ITAP member does not comply with the requirements set out in the ITAP COI Procedures, the ITAP Chair, with the assistance of the Ethics Officer, may determine remedial actions on a case-by-case basis, including requesting an ITAP member to step down from the ITAP.

⁸ However, if the work involved making policy proposals that are later implemented and come under ITAP review, a full recusal may be required.

Specific Restrictions for Serving ITAP Members and Former ITAP Members

The ITAP terms of reference do not expressly preclude members from performing consulting services for the GPE Secretariat. However, prior to performing any such services for GPE, members are required to inform the ITAP Chair of their intention to do so. The Chair will then consider whether the performance of such services would have an actual or perceived effect on the independence of the ITAP and whether any measures should be put in place to safeguard the actual or perceived independence of the ITAP. The ITAP Chair may refer the matter to the Ethics Officer for guidance.

However, ITAP members involved in a particular country panel assessment, must refrain from participating in the remainder of the application (i.e. system capacity grant and system transformation grant) and implementation processes for these grants, while serving on the ITAP and after the end of their term of service, for the lifecycle of the resulting grants.

ITAP members should not work on any country partnership compacts given the ITAP process is directly linked to the partnership compact process with ITAP reports serving as an input into the development of partnership compacts. Such consultancies would constitute an actual or perceived conflict of interest and a reputational risk for the ITAP as an independent body and for GPE.

In addition, in line with WBG Staff Rules, for a period of two years after the conclusion of the STC contract, neither the STC, nor any Associated Institution should seek or accept work connected with projects or operations that were a direct concern or make use of any material acquired during his/her assignment(s), unless the prior consent of GPE has been obtained.

Information obtained during a country panel assessment that is not publicly available cannot be used by panel members for any other purpose than the assessment itself.