

Procedure for the Prevention of Corruption and Conflict of Interest

(Version 2)

Issued in accordance with
Section 17¹, Paragraph three of the Law on Higher Education
Institutions, Article 7, Paragraph 6.1 of the Law on Prevention
of Conflict of Interest in Activities of Public Officials,
Paragraph 8, Sub-paragraph 8.3 of Cabinet Regulation No 630
of 17 October 2017 "Regulations Regarding the Basic
Requirements for an Internal Control System for the Prevention
of Corruption and Conflict of Interest in an Institution of a
Public Person".

I. Explanation of terms and abbreviations

1. **Law** – Law on Prevention of Conflict of Interest in Activities of Public Officials.
2. **Employee** – a natural person with whom employment legal relationships have been established at Rīga Stradiņš University (hereinafter – RSU). Within the scope of this document, the term "employee" also includes members of governing bodies with whom the agreements of authorisation on the performance of duties of a member of the council have been concluded.
3. **Employee with the status of a public official** – an employee who has been granted the status of a public official in accordance with the Law and this procedure.
4. **Relatives of the employee** – father, mother, grandmother, grandfather, child, grandchild, adopted, adoptive, brother, sister, half-sister, half-brother, spouse.
5. **Counterparty** – a natural or legal person or an association of natural and legal persons formed on the basis of a contract, who has a declarable business relationship with an employee within the meaning of the Law.
6. **Supplementary work** – work performed by an employee in parallel with work at RSU with another employer.
7. **Conflict of interest** – a situation in which an employee, in the performance of his/her official duties, whether permanent or temporary, is required to take a decision or participate in taking of a decision or to take other actions related to his/her official duties which affect or may affect the personal or financial interests of the employee, his/her relatives or counterparties.
8. **Risk of conflict of interest** – the likelihood that an employee, in the performance of his/her duties, will take a decision or participate in taking of a decision, or take other action related to his/her duties, that affects or may affect the personal or financial interests of the employee, his/her relatives or counterparties.
9. **Corruption** (or corrupt activity) – bribery, unlawful giving or receiving of benefits, commercial bribery, taking advantage in bad faith official position, extortion, fraud, solicitation of unauthorised payments, embezzlement, taking decisions for personal interests, illegal activity in the interests of the benefactor or any other person, acceptance of unauthorised gifts, dealing with state property for personal interests, other activities which are assessed as a threat to the legality and interests of RSU activities.
10. **Corruption risk** – the likelihood that an employee entrusted with authority or responsibility within the scope of certain powers will act intentionally or without intent for the benefit of his or her material interests or the material interests of another person, gaining undue benefits for themselves or providing others with undue benefits, and/or causing harm to RSU.
11. **Prevention of corruption** – actions that promote the integrity of employees in the performance of their duties and are aimed at reducing the opportunities for corrupt practices,

thereby reducing the risk of corruption and conflict of interest or eliminating the possibility of its occurrence in the future.

12. **Heads of structural units** – directors, heads of departments or units, deans, vice-deans, heads of departments, heads of laboratories, heads of museums, etc. in accordance with the regulations of structural units.

II. General provisions

13. The Procedure for the Prevention of Corruption and Conflict of Interest (hereinafter – the Procedure) provides the following:
 - 13.1. determination of the status of a public official;
 - 13.2. the procedure for granting permission for an employee with the status of a public official to hold another position; and the procedure for coordinating an employee's supplementary work;
 - 13.3. the procedure for an employee to disclose their involvement in a conflict of interest situation and the procedure for delegating the performance of a task by an employee in a conflict of interest situation to another employee;
 - 13.4. the activities and identified functions of RSU which are exposed to the risks of conflict of interest, and the indications of the risks of corruption and conflict of interest;
 - 13.5. the procedure for reporting possible violations (conflict of interest situations and possible corrupt activities).
14. The purpose of the Procedure is to ensure timely identification, prevention, assessment and proper management of corruption and conflict of interest risks, taking into account the binding external and internal regulatory requirements of RSU, thereby reducing RSU's financial and reputational risks.

III. Determination of the status of a public official

15. An employee who, according to the job description or otherwise defined duties of the position, has the characteristics of a public official as mentioned in the Law and Procedure, is assigned the status of a public official. Annex 1 to the Procedure specifies the functions which, if specified in the employee's job description or in a decree, assign the status of a state official to the employee.
16. When hiring an employee, according to the job description, it is determined whether the employee conforms to the status of a public official. If so, the Human Resources Department submits information about this employee to the State Revenue Service immediately, but no later than 15 (fifteen) working days from the start date of the employee's employment relationship.
17. In the event that the employee is assigned duties by decree which are equivalent to the status of a public official, this shall be stated in the decree with which the employee is acquainted, and the Human Resources Department shall immediately, but not later than 15 (fifteen) working days from the date of issue of the decree, submit information on the employee to the State Revenue Service.
18. An employee with the status of a public official shall be familiar with and comply with the obligations specified in the Law and other regulatory enactments and restrictions on combining the functions of a public official.
19. An employee with public official status must not perform activities related to the performance of his or her official duties (e.g. preparing or issuing administrative acts, entering into contracts) in relation to persons or organisations from which the employee has received any benefits or advantages (material benefits, services, hospitality offers) or any other advantages for himself or relatives during the last two years. For the purposes of the Procedure, the following shall not be considered as a benefit or advantage: flowers,

souvenirs, books or representational items, attendance at training or conferences, awards, prizes and discounts of all kinds available to the public.

IV. Combining positions and coordinating supplementary work

20. An employee has the responsibility and the obligation, in the event of combining positions or performing a supplementary work, to avoid entering into a conflict of interest situation and to avoid any breach of ethical standards in his/her activities.
21. An employee shall be obliged to refrain from performing official duties or from carrying out supplementary work that would harm the execution of their direct duties or raise suspicions of a conflict of interest situation, and in situations where the objectivity and neutrality of their actions might be questioned due to ethical considerations.
22. Before combining positions or taking up a supplementary work in an institution or with an employer other than RSU, the employee shall submit a written application in free form addressed to the Rector at the Records Management and Archives Department (hereinafter – RMAD) or by sending it to the address dokumenti@rsu.lv. The application shall not be submitted if the supplementary work is indicated at the time of entering into the employment relationship with RSU.
23. In the application, the employee shall indicate the position, institution, or employer where the position combining or supplementary work will be performed, including the name, address, position held, or work performed, specifying the main duties and planned working hours.
24. The RMAD shall register the application within the Records Management System (hereinafter – the RMS) and submit the application for co-ordination and evaluation to the head of the employee's structural unit and the Human Resources Department.
25. An employee with the status of a public official shall not be permitted to combine positions at RSU with another position, if such possibility is not provided for in the Law or other regulatory enactments. Permission for combining positions must be obtained before commencing the combining of positions. When holding multiple positions as a public official, a written permission must be obtained for each position. If combining positions is possible without obtaining permission according to the Law (lecturer, scientist, physician veterinarian, professional athlete, and creative work), and combining positions does not create a conflict of interest, is not contrary to the ethical norms binding on public officials, and does not harm the performance of the direct duties of a public official, then the employee is entitled not to submit an application.
26. An employee with the status of a public official shall not require written permission to combine an RSU position with another position if the position is combined with:
 - 26.1. another position in an institution of a public person, but not more than one other paid or otherwise compensated position, if such a combination of positions is permitted by Law;
 - 26.2. another position in RSU or RSU subordinate institutions or capital companies owned by RSU, if such a combination of positions is permitted by Law;
 - 26.3. a position in consortiums or associations established by higher education institutions and scientific institutions, if RSU is a member of these consortiums or associations and the position is held within the framework of a joint project, and such a combination of positions is permitted by Law.
27. Permission for combining positions for employees with the status of a public official is granted by the Rector or Vice-Rector according to subordination. The Human Resources Department, in consultation with the Legal Unit, shall evaluate the application and, within 30 (thirty) calendar days, prepare a written free form authorisation or refusal to combine positions, which shall be signed by the Rector or Vice-Rector in accordance with the subordination. The authorisation may be granted for a fixed period or indefinitely.

28. A refusal to combine positions issued to an employee with the status of a public official shall be drawn up in accordance with the procedures laid down in the Administrative Procedure Law.
29. For employees who are not public officials but wish to perform a supplementary work and whose employment contract with RSU stipulates that the employer must be informed in advance, the head of the unit shall examine the application and provide authorisation or refusal in the form of a resolution in the RMS attached to the application within 14 (fourteen) days.
30. RSU may refuse to allow an employee to carry out supplementary work where this is justified by a legitimate and protected interest of the employer, in particular where the supplementary work adversely affects or is likely to affect the proper performance of the employee's obligations to the RSU. The protected employer's interests are the following:
 - 29.1. against unwanted competition on the part of the employee, which may raise doubt on the employee's loyalty, or even a conflict of interest;
 - 29.2. against the reduction of the employee's performance or diligence in carrying out work tasks.
31. The employee is obliged to provide the necessary information on changes in factual circumstances (in the event of combining positions or termination of a supplementary work) on his/her own initiative or at the request of RSU.

V. The procedure for informing about finding oneself in a conflict of interest situation and the procedure for transferring the execution of work tasks to another employee

32. The employee is obliged to assess the restrictions and prohibitions specified in the Law, Procedure, or other regulatory acts, and in a conflict of interest situation, act in accordance with the procedures established in regulatory acts.
33. If, while performing work tasks, the employee determines that he or she is in a conflict of interest situation or there is a risk of a conflict of interest, the employee must immediately inform the head of the structural unit in writing using work email or by submitting a request to dokumenti@rsu.lv, in a free form, and refrain from further participation in decision-making or task execution. The RMAD shall register the application in the RMS and forward it to the employee's structural unit manager.
34. The head of the structural unit shall, without delay, but not later than within 3 (three) working days from the day of receipt of the information or application, make a decision on transferring the execution of the employee's work tasks to another employee.
35. A member of the Procurement Commission or an expert engaged in the work of the Procurement Commission shall be obliged to inform the Chairperson of the Procurement Commission of a conflict of interest or of a risk of a conflict of interest, to request to be excluded from further participation in the work of the Procurement Commission and not participate in the decision.
36. In the event that the head of a structural unit is in a situation of conflict of interest or risk of conflict of interest, he or she shall immediately inform the Rector or Vice-Rector thereof, in accordance with the subordination, in writing by e-mail or by sending an application in a free form to dokumenti@rsu.lv and refrain from further participation in decision-making or task execution. The RMAD shall register the application with the RMS and forward the application to the Rector or Vice-Rector in accordance with the subordination.
37. The Rector or Vice-Rector immediately shall make a decision to transfer the duties of the head of the structural unit to another employee – to another head of the structural unit or to the deputy head of the structural unit (if any).
38. The decision to transfer a task shall be formalised by the Rector's decree if the task to be transferred is a duty of the employee or is assigned by decree. If the task is not assigned by

decree, the transfer may be made by resolution in the staff member's e-mail or in the RMS, depending on the way the information is received.

39. For failure to provide information, as well as subsequent decision-making in a situation of conflict of interest, the employee shall be liable in accordance with the procedures specified in regulatory enactments. Such conduct shall be regarded as a significant violation of the provisions of the employment contract.
40. Upon receipt of information regarding a detected violation or performance of duties in a situation of a deliberate conflict of interest, the head of the unit or the Whistleblowing Commission, if it has received an application, shall verify the information and act immediately to prevent any further risk of conflict of interest. If corruption risks or corrupt practices are identified, the information should be reported to the competent authorities.
41. It is prohibited for the head of the structural unit, Rector or Vice-Rector, Whistleblowing Commission or employees, even after the termination of employment relationships with RSU, to disclose information about the person who has informed about an employee's conflict of interest. The prohibition on disclosing information shall not apply to the provision of information to the Corruption Prevention and Combating Bureau and law enforcement authorities.

VI. Risks and indicators of corruption and conflict of interest

42. The employee shall take decisions in accordance with the procedures specified in external and internal regulatory enactments in the amount of authorisation granted to the employee in the interests of RSU, ensuring lawful and fair operation of RSU. The employee shall not allow his/her personal or financial interests (including those of relatives, counterparties) to influence the operation of RSU.
43. While fulfilling their job duties, an employee shall not allow the occurrence of corruption risks and conflict of interest risks, including not allowing the following actions:
 - 43.1. non-compliance with prohibitions or restrictions on combining positions, if provided for by Law or other regulatory enactments;
 - 43.2. execution of functions of a public official or performance of job duties in a conflict of interest situation;
 - 43.3. requesting or offering and accepting or giving an unlawful advantage;
 - 43.4. accepting or giving an unauthorised gift (favour, granting or transfer of rights, release from an obligation, waiver of a right in favour of a public official or his relative, other actions);
 - 43.5. requesting or accepting donations from a natural or legal person, which may be interpreted as inducement or reward if it is related to the fulfilment of job duties and may affect the decision-making in relation to such person, or raise doubts about the objectivity of the performance of a job duty or operation of RSU;
 - 43.6. unauthorised disclosure or use of information or information available to the employee for the performance of job duties for purposes unrelated to the performance of job duties, or for the benefit of oneself or another person (databases, other information not publicly available);
 - 43.7. any unlawful conduct or provision of false information for the benefit of oneself or another person;
 - 43.8. abuse of position;
 - 43.9. unauthorised disposal of property or financial resources belonging to RSU or placed at its disposal or transferred for storage;
 - 43.10. deliberate concealment of information in one's own interests or in the interests of another person;
 - 43.11. deliberate misrepresentation or concealment of false or distorted information in one's own interests or in the interests of another person;

- 43.12. deliberate failure to perform or negligent performance of duties assigned to the employee in one's own interests or in the interests of another person;
- 43.13. influencing an employee to obtain a favourable decision;
- 43.14. unequal treatment in decision-making in relation to other employees or candidates for a position at RSU;
- 43.15. unequal treatment of students, applicants and other persons who are subject to uniform decisions;
- 43.16. misrepresentation of transactions;
- 43.17. and other conduct that may present risks of corruption and conflict of interest.
- 44. Indicators of corruption risk in employee-supplier cooperation in public procurement:
 - 44.1. procurement without rational justification, necessity (artificially created demand according to the interests of a particular entrepreneur);
 - 44.2. the goods or services procured are overvalued (in price) in favour of a particular supplier;
 - 44.3. procurement amount divided into lots to avoid the application of the appropriate procurement procedure of the Public Procurement Law;
 - 44.4. procurement items unreasonably combined (for example, equipment procurement, software provision, technical maintenance), thereby ensuring the ability of a specific company to perform the contract;
 - 44.5. the responsible official for procurement has made decisions regarding a contract affecting the interests of his/her own established company or current (in cases of conflicting interests) or former employer, sponsor, or patron;
 - 44.6. procurement documentation prepared and adjusted to match the characteristics of goods or services offered by a specific company;
 - 44.7. the procurement documentation is unreasonably complex or the conditions contained therein are excessive or specific, or such as to create confusion, conceal corrupt behaviour and make monitoring more difficult;
 - 44.8. possible suppliers competing for the contract involved in the preparation of the procurement documentation;
 - 44.9. an advantage has been given to a particular tenderer through the exchange of confidential information prior to the submission of the tender or during the period of clarification of the tender;
 - 44.10. the terms of the contract have been amended after the contract has been concluded, making substantial changes to the contract, such as easing the requirements relating to the subject-matter of the procurement or increasing the costs in favour of the contractor, etc.
- 45. Indicators of corruption risk in employee – student cooperation include:
 - 45.1. with regard to the admission of an applicant – a study place was awarded (enrolment) disregarding the admission competition criteria and results (bypassing the admission competition queue);
 - 45.2. tuition fees, a tuition fee discounts, scholarships have been granted in violation of the established procedure;
 - 45.3. the student has been transferred from a fee-paying place to a government subsidised study place bypassing the established procedure or by changing grades;
 - 45.4. the final grade of a study course has been granted, disregarding the conditions laid down in the relevant academic regulations;
 - 45.5. a decision has been made not to exclude the student from the list of students (not to exmatriculate the student) in violation of the requirements set out in the RSU internal regulations/documents;
 - 45.6. the right to use a student hostel has been granted in violation of the established procedure, or a rent discount has been granted or maintained without justified grounds, etc.

46. Annex 2 to the Procedure identifies RSU functions which are exposed to risks of corruption and conflict of interest. The identification and assessment of corruption and conflict of interest risks shall be carried out in accordance with the Risk Management Manual.

VII. Procedure for reporting possible violations

47. Upon detecting a violation (corrupt behaviour or conflict of interest) or a corruption or conflict of interest risk, an employee can report a specific case in one of the following ways:
- 47.1. orally or by submitting a free-form written application to the head of his/her structural unit;
 - 47.2. according to process description No 17 “Whistleblowing” by submitting an application in person to the Whistleblowing Commission or by electronic means to the e-mail trauksme@rsu.lv or in writing by post with the reference “RSU Whistleblowing Commission”;
 - 47.3. reporting to the Corruption Prevention and Combating Bureau, taking into account the forms of communication www.knab.gov.lv on the Bureau’s website.
48. An employee can also report in other ways that are not specified in the Procedure. Deficiencies in the form of the report shall not be grounds for the report not being considered and for RSU not responding to it on the merits. RSU shall ensure the anonymity of the reporter.
49. RSU shall ensure that applications submitted by students and other persons are accepted and dealt with on their merits.
50. The head of the structural unit shall inform RSU Whistleblowing Commission of the information received about the risk of corruption or conflict of interest or forward the received written application to RSU Whistleblowing Commission to rapidly eliminate the risk of corruption to the employee and RSU.
51. In communication with employees and students, the employee who has information about the report shall not disclose information about the identity of the whistleblower, the fact of the report received and its content. It shall not be permitted to discuss the fact of an investigation in RSU internal communication if the Corruption Prevention and Combating Bureau has initiated an investigation.

VIII. Final provisions

52. Overall compliance with the procedure is ensured according to competence by the Quality Assurance and Internal Audit Department
53. The Procedure shall be binding on all employees.

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Job duties / tasks for the performance of which the status of a public official is determined for the employee

Decision on issuing administrative acts
Decision on appointment, dismissal from office
Decision on allocation, distribution of financial resources
Decision on allocation, distribution of financial resources for projects, funds
Decision on granting additional payments, awarding cash prizes, or granting other types of material benefits
Decision in public procurement
Decision in procurements carried out in accordance with RSU procurement regulations
Procurement in the Electronic Procurement System
Decision within the framework of concluded general agreements
Decision in real estate, property auctions
Decision in real estate, property leasing
Decision on the write-off of tangible assets
Decision on recognition of competencies obtained outside formal education or professional experience and previous education achievements
Decision on the award of a scholarship
Decision on the granting of tuition fee discounts
Decision on the award of internal and external grants (including innovation grants, etc.)
Signing of a contract entailing a financial commitment
Representing RSU in capital companies in which RSU is a shareholder
Decision on acquiring public property, transferring it to the ownership, use, or possession of other persons, alienating it to other persons, or encumbering it with a right of property law or an obligation law
Other, in accordance with the Law, not listed above

Job duties / tasks subject to conflict of interest and corruption risk:

Decision on issuing administrative acts
Decision on appointment, dismissal from office
Participation in academic staff elections
Decision on allocation, distribution of financial resources
Decision on allocation, distribution of financial resources for projects, funds
Participation in project, fund evaluation, resulting in decisions on financial resource allocation
Decision on granting additional payments, awarding cash prizes, or granting other types of material benefits
Decision in public procurement
Decision in procurements carried out in accordance with RSU procurement regulations
Procurement in the Electronic Procurement System (as an approver)
Procurement in the Electronic Procurement System (as a procurement cart preparer)
Giving an opinion in a public procurement (participating as an expert)
Preparation of technical specifications for public procurement procedure / preparation of tasks for procurement in accordance with RSU procurement procedures
Evaluation of the necessity or feasibility of procurement from a specific tenderer
Preparation of procurement documentation
Preparation of a procurement contract
Acceptance of performance of the procurement contract
Making purchases with RSU payment card
Decision within the framework of concluded general agreements
Preparation of the survey and evaluation of tenders within the framework of the general agreement
Decision in real estate, property auctions
Preparation of a decision in real estate, property auctions
Decision in real estate, property leasing
Preparation of a decision real estate, property leasing
Decision on the write-off of tangible assets
Preparation of a decision on the write-off of tangible assets
Conducting inventory of tangible assets
Decision on recognition of competencies obtained outside formal education or professional experience and previous education achievements
Participation in the evaluation of competencies obtained by a student outside formal education or professional experience and previous education achievements
Decision on the award of a scholarship

Participation in the evaluation of the student's eligibility for the scholarship
Decision on the granting of tuition fee discounts
Participation in the evaluation of a student's compliance with the granting of a tuition fee discount
Decision on the award of internal and external grants (including innovation grants, etc.)
Participation in project evaluation, resulting in decisions on grant allocation
Evaluation and assessment of students' final papers (bachelor's thesis, master's thesis), as well as doctoral theses
Conducting any kind of expert assessment in the field of education, qualification, research or any other field on the basis of which the RSU or another institution makes a decision
Decision-making (including preparation) on student enrolment, evaluation of applications and selection of applicants
Decision on the exclusion of a student from the university (exmatriculation)
Decision to transfer a student from the fee-paying place to a government subsidised study place or to a place with remuneration from the state budget (for medical residents)
Decision on granting a discount on the rent of a student hostel
Signing of a contract entailing a financial commitment
Representing RSU in capital companies in which RSU is a shareholder
And others which may be subject to the risk of conflict of interest but are not listed above