



Ministry of Education and Science of Ukraine

SUMY STATE UNIVERSITY

ORDER

March 19, 2018

Sumy

№0215-I



On measures to prevent corruption



In order to ensure compliance with the Law of Ukraine "On Prevention of Corruption", the organization of work aimed at strict compliance with Sumy State University anti-corruption legislation, to implement measures to prevent the causes and conditions that may contribute to the offense, taking into account the Guidelines for prevention and settlement of conflicts of interest approved by the Decision of the National Agency on Corruption Prevention № 839 of September 29, 2017 (hereinafter - the Guidelines)

I HEREBY ORDER:

1. Heads of structural subdivisions, other officials of SumDU, who are empowered to perform organizational and administrative or administrative and economic functions permanently or temporarily (hereinafter - officials), strictly adhere to anti-corruption legislation. Take into account and implement the Guidelines, as well as restrictions and obligations, in particular those listed in Annex 1 to this order, which arise for officials of legal entities under public law.

Take into account that the concepts of real, potential conflict of interest, official, close person, private interest are used in the order within the meaning of the Law of Ukraine "On Prevention of Corruption".

2. Heads of structural subdivisions subordinated to close persons shall immediately notify in writing of the existing conflict of interest to their immediate supervisor (recommended form - Annex 2) and shall not make decisions in the event of a conflict of interest in relation to a close person.

3. The Head of the relevant official who has a conflict of interest, due to the direct subordination of a close person, of which he is aware (regardless of receipt of the notice), should immediately submit proposals to the rector (recommended form - Annex 3) on measures to prevent and resolve conflicts of interest in accordance with Art. 29-34 of the Law of Ukraine "On Prevention of Corruption" together with the draft of the relevant order (recommended form - Annex 4).
4. Officials between whom a conflict of interest has arisen in connection with functions not related to official subordination, such as control over the performance of works, provision of services, supply of goods to close persons, related legal entities, civil, economic agreements, etc., should immediately notify in written form of the existing conflict of interest of their immediate supervisor (recommended form - Annex 2) and not to make decisions in the event of a conflict of interest. In turn, the Heads of such persons who are aware (with or without notice) of a conflict of interest of a subordinate, should immediately submit proposals to the rector on measures to prevent and resolve conflicts of interest in accordance with Art. 29-34 of the Law of Ukraine "On Prevention of Corruption" (recommended form - Annex 3) together with the draft of the relevant order (recommended form - Annex 4).
5. All officials of SumDU in case of occurrence in the course of employment of private interest (including subordination of close persons) which can influence objectivity or impartiality of decision-making, or on commission or non-performance of actions during performance of official duties, should immediately apply measures to prevent and resolve conflicts of interest in accordance with Art. 28 of the Law of Ukraine "On Prevention of Corruption", including to report a conflict of interest not later than the next working day of his immediate supervisor (recommended form - Annex 2), while in a real conflict of interest not to take action or make decisions, related to conflicts of interest. If possible – proactively take measures to spare the private interest with the provision of supporting documents to the immediate supervisor. The Heads of such persons in case of receipt of the notice - should submit proposals to the rector not later than the next day on measures to prevent and resolve conflicts of interest, subject to Art. 29-34 of the Law of Ukraine "On Prevention of Corruption" (recommended form - Annex 3) together with the draft of the relevant order (recommended form - Annex 4).
6. Officials in case of a real or potential conflict of interest, while performing duties in a collegial body (academic council, selection committee, etc.), do not participate in the decision of this body on issues related to conflict of interest, on which the relevant information is entered in the minutes of the meeting of the collegial body.
7. Officials should analyze the possibility of occurrence of conflict of interest both in themselves directly and in subordinate officials, and promptly take measures to resolve it.

8. Establish that the employee's notification of the decision to resolve the conflict of interest must be made immediately or within two working days after receipt of the employee's notification of the conflict of interest.
9. Direct managers of employees in respect of whom the measures are taken to resolve conflicts of interest should ensure proper execution of paragraph 8 of this order together with the Head of the Documentation Management and Control Department Akimenko L. V.
10. The Head of the Documentation Management and Control Department Akimenko L. V. To bring this order to the attention of the commissioner for prevention and detection of corruption, officials, Vice-Rectors of SumDU, all structural units - in electronic form; together with the Human Resources Department - to officials who are subordinate to close persons and their managers - under personal signature.
11. The Human Resources Department when hiring managers, other officials that transferred to such positions, entrusting employees with organizational and administrative and economic functions, should familiarize them with this order. Monitor the possibility of direct subordination of close persons to SumDU officials and take measures to report such cases directly to the specified persons and the commissioner for prevention and detection of corruption, to organize the settlement of conflicts of interest.
12. To the commissioner for prevention and detection of corruption at SumDU, First Vice-Rector V. D. Karpusha, to exercise control over the compliance by SumDU officials of the requirements of the anti-corruption legislation and to take measures for its settlement. I reserve general control over the execution of the order.

INFORMATION REFERENCE
on obligations and restrictions provided by the Law of Ukraine "On Prevention of Corruption" (hereinafter - the Law) for officials of legal entities under public law:

Officials:

- are prohibited to use one's official powers or one's position and related opportunities for the purpose of obtaining illegal benefits for oneself or other persons, including the use of any state or municipal property or funds in private interests (Article 22 of the Law);
- are prohibited directly or through other persons to demand, ask for, receive gifts for themselves or their relatives from legal entities or individuals: in connection with the implementation of such persons' activities related to the performance of state or local government functions; if the presenter is subordinated to such a person (in accordance with the features defined by Article 23 of the Law);
- in case of receipt of an offer of illegal benefit or gift, despite the private interests, immediately take the measures provided for in Article 24 of the Law, including refuse the offer; if possible, identify the person who made the offer; involve witnesses, if possible, including from among the staff; notify the immediate supervisor in written form of the proposal;
- take measures to prevent the occurrence of real, potential conflicts of interest; notify not later than the next working day from the moment when the person learned or should have learned about the occurrence of a real or potential conflict of interest of the immediate supervisor, and in the case of a person in a position that does not provide for the immediate supervisor or in a collegial body - a national agency or other statutory body or collegial body while in the fulfilment of powers in which a conflict of interest has arisen; not to take actions and not to make decisions in the conditions of a real conflict of interests; take measures to resolve a real or potential conflict of interest (Article 28 of the Law).

Officials shall be held criminally, administratively, civilly and disciplinary responsible for committing corruption or corruption-related offenses in accordance with the procedure established by law.

the position and full name of the immediate supervisor

the position and full name of the person submitting the notification

**NOTIFICATION
of conflict of interest (potential \ real)**

« ____ » _____

Notifying about the occurrence of _____ conflict of interest, that is ¹⁾:
potential / real

I agree and undertake not to act or make decisions in the event of a real conflict of interest.

employee's signature

employee's full name

1) Indicate the circumstances in which a person associates the occurrence of a conflict of interest, and in what it is expressed, the essence of private interest (e.g. direct subordination of close persons; the ability to make, initiate, participate in official decisions about themselves, closed ones; control over oneself, close persons; acceptance of results of works, services under concluded agreements, in respect of which there is a private interest, etc.)

To the Rector of SumDU

1)

the position and full name of person

**Official note
on proposals for resolving conflicts of interest**

« ____ » _____

Please consider the possibility of settlement _____ conflict
potential / real
of interest, which arose in _____ ,
the position, employee's full name
due to the circumstances ²⁾ _____

as follows ³⁾:

signature

full name

- 1) The immediate supervisor of an official who has a conflict of interest.
2) Indicates: "set out in the notice" - in the case of notification of the employee of a conflict of interest; or the circumstances of the identified conflict of interest are indicated - in the absence of notification of the employee.
3) Indicate the proposed specific ways to resolve conflicts of interest, in accordance with Art. 29-34 of the Law of Ukraine "On Prevention of Corruption", for example:

If the Head of the department has a teacher with whom he has family relations, the following proposals may be submitted: directly subordinate the teacher to the Deputy Head of the department, give him the authority to initiate incentives, financial encouragement, penalties, personnel decisions, control over such a teacher, etc., to authorize the Vice-Rector or the Dean of the faculty to control the decisions or draft decisions made or developed by the Head of the department, which relate to such a teacher, and whose decisions cannot be transferred to the Deputy Head, due to their general nature, as well as those accepted by the Deputy in relation to such a teacher, and to conduct their mandatory examination and approval. Similar measures (but taking into account the position) can be applied to other officials of departments, institutes, faculties, centers, members of the administration, etc.

If a close person is subordinated to the Head of the university-wide structural subdivision, the following proposals may be made: to authorize the Vice-Rector to control decisions or draft decisions made or developed by the Head in relation to a close person, and to carry out mandatory verification and approval.

Officials with a conflict of interest arising from functions not related to official subordination, such as control over the performance of works, provision of services, supply of goods by close persons, related legal entities, under civil law, economic agreements: should remove the employee from control and acceptance of relevant works / services / goods, authorize another person (for example, the Head of the Research Unit - for scientific contracts, another materially responsible person - for goods, another official within the competence, etc.).



Ministry of Education and Science of Ukraine

SUMY STATE UNIVERSITY

ORDER

_____ 20____

Суми

№ _____



On measure to prevent corruption



In order to ensure compliance with the requirements of the Law of Ukraine "On Prevention of Corruption", in connection with the occurrence of _____ conflict of interest

_____ potential / real
of _____,
the position, employee's full name

due to circumstances ¹⁾ _____

I HEREBY ORDER:

1. Take the following measures to resolve the conflict of interest and prevent it in the future:

²⁾ _____

2. The Head of the Documentation Management and Control Department together with ³⁾ _____

to familiarize _____ ⁴⁾ with this order under personal signature up to « ____ » _____ ⁵⁾; the Head of the Documentation Management and Control Department is to bring this order in electronic form to the attention of other employees, which are mentioned in it, and the Human Resources Department.

3. Control over the execution of this order shall be assigned to the commissioner for prevention and detection of corruption.

Rector

A. V. Vasylyev

A draft order brought in by ⁶⁾ _____

APPROVED BY:

The commissioner for prevention and detection of corruption, First Vice-Rector

_____ V. D. Karpusha

1) The circumstances in which the conflict of interests is connected are briefly indicated, for example: subordination of close persons, occurrence of private interest during acceptance of works, goods, services under the concluded contracts, etc.

- 2) The method of settlement is determined taking into account the submitted proposals of the immediate supervisor and Art. 29-34 of the Law of Ukraine "On Prevention of Corruption".
- 3) Indicate the position, name of the immediate supervisor of the employee to whom the settlement measures apply.
- 4) Indicate the position, name of the employee to whom the settlement measures apply.
- 5) The term does not exceed 2 working days shall be indicated: from the date of receipt of the notification from the employee on the conflict of interests, and in the absence of the notification - from the date of issuance of the order.
- 6) Position, signature, full name of the immediate supervisor of the employee concerned by the settlement measures or another person who submits the draft order.