

**WRITTEN QUESTION TO THE CHAIR OF THE STATES EMPLOYMENT BOARD  
BY DEPUTY M.R. SCOTT OF ST. BRELADE  
QUESTION SUBMITTED ON MONDAY 20th FEBRUARY 2023  
ANSWER TO BE TABLED ON MONDAY 27th FEBRUARY 2023**

**Question**

“With respect to the [Probity standard](#) to which the States Employment Board requires all public servants to adhere, and the duty to declare any private interests relating to their public duties and to take steps to resolve any such conflicts arising in a way that protects the public interest, will the Chair provide a copy of any specific information given to public servants –

- (a) to enable them to identify a private interest, including any definitions or examples that are provided to them for such purpose;
- (b) to enable them to establish whether a conflict between a private interest and their public duty has arisen;
- (c) that indicates the level of objectivity and risk assessment to be used to establish whether a conflict of interest has occurred or is likely to occur requiring them to take steps to resolve the conflict;
- (d) that details the procedure that a public servant is required to follow to resolve any conflict; and
- (e) that details the training they are required to attend (and, if such training is required, over what period and with what frequency) to ensure they are fully aware of all such information?”

**Answer**

(a, b, c, d)

The conflict-of-interest form states:

A conflict of interest can occur if a panel member has a relationship to a candidate or a vested interest in the recruitment outcome. In addition, a candidate may have interests that conflict with the role under appointment. In either case a conflict of interest which is not declared may have an impact on the integrity of the appointment decision.

The Chair of the panel must ask the panel and all others involved in the appointments process to declare any conflicts of interest in advance of the interview. The Chair should then assess and record the impact of the relationship on the recruitment process and, if a conflict exists, what action is taken to mitigate the potential conflict.

Any indication of a conflict of interest relating to a candidate should be explored before an appointment is offered.

In relation to conflicts of interest, the examples below are not intended to be exhaustive and apply equally to Panel members and candidates: -

- Financial interests or share ownership of the panel member or applicant or close family member that might be in conflict with the scope of the role;
- A present or past business or personal association or relationship, whether of warmth or antipathy, with those affected or likely to be affected;
- An expectation of a future interest (for example, future employment);
- Candidates who are actively sought from within a field of expertise in which the public body works. Such a connection does not preclude an appointment, but it might well be perceived by the public as a conflict of interest and will need to be handled sensitively.

- Membership of societies. In some instances, such membership may be cited as creating an obvious conflict, but it must not be an automatic bar to appointment. It must be established whether there is a genuine conflict and whether it would hamper the individual in carrying out the requirements of the post.

This Code applies to conflicts of interest only where an independent third party might reasonably take the view that there is a real risk that the impartiality of the individual's judgement or course of action might be affected by the conflicting interest.

Such relationships should not automatically preclude involvement in a selection process or appointment, but care should be taken in a situation that might create an actual or perceived conflict of interest.

Accountable Officers (AO's) are responsible for ensuring compliance and recording of gifts, hospitality and conflicts of interest. An annual governance statement is provided by AO's as part of this process.

Employees with outside interests are required within their contracts of employment to seek written permission if there is a potential, perceived or actual conflict of interest.

(e)

Training on the revised Codes of Practice is being developed as mandatory training. Any new joiners will receive updates on the codes of practice as part of the MyWelcome (induction) programme. Training will be refreshed in line with the revision of the Codes.

Given the breadth of roles and the nature of work undertaken across public services, there is no one-size-fits-all to defining conflicts of interest and therefore broad training and awareness is provided to all employees. Specific professions will have professional standards to adhere to in addition to the standards of the SEB.