

INSTRUCTIONS FOR DECLARING A CONFLICT OF INTEREST FOR EMPLOYEES RELATING TO THE RECRUITMENT PROCESS

What is a conflict of interest?

A conflict of interest (COI) exists when a reasonable person might perceive that a Council employee's personal interest interferes or appears to interfere, or where an employee's personal interest may influence, or be seen to influence, their decisions or actions in the performance of their official duties.

Why do I need to declare conflict of interest?

All employees must perform their duties in a fair and unbiased way in the public interest, ensuring that decisions and actions are not impacted by their personal interests or the likelihood of gain or loss to them or others that they may wish to benefit or disadvantage. Employees must regularly consider the relationship between their personal interests and official duties in order to honestly and transparently identify, disclose and manage any conflicts in the public interest.

Interview panel members

Interview panels should be made up of at least three (3) panel members. As panel members are reviewing applications, they should be ready to declare any conflict of interest as soon as it is identified.

Before the formal shortlisting commences, all COIs must be declared and discussed with a view to identifying whether any panel members should be excused from the process and replaced by an independent third party who doesn't have a conflict or for the panel to discuss and document how any potential biases will be managed.

The aim is to ensure that any scrutinisation of Council's recruitment process by an internal or external source reveals a professional and transparent

process that strives to recruit the most appropriate candidate for any role, without favour.

The removal of a panel member should not be considered a punishment or acceptance that the officer would have acted in a manner contrary to Council policy, but as further evidence of Council's desire to remain ethical and transparent in all of its dealings.

Must I declare a conflict of interest for internal applicants?

Yes. Conflicts of interest are broken up into three (3) categories – perceived, potential and actual. While a relationship with an internal applicant may be purely professional, there could be a perception by a reasonable person that a conflict existed because of the applicant's internal status.

How much information do I need to provide?

The information provided should be sufficient to clearly demonstrate the nature of the relationship with the applicant eg:

- Attend work functions and associate as part of a work team
- Friendships outside of the workplace.
- Work or previously worked together as colleagues or as a direct report/supervisor situation.
- Applicant or associate/s of applicant eg partner, child, sister, aunt, etc. is a friend of yours or your associate/s.
- Previous work friendships that have dwindled over a period of years.

Making a declaration does not automatically exclude a panel member from performing the role. A declaration allows for open discussion between panel members which supports an ethical culture within Council.

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Who should manage the conflict of interest?

The Hiring Manager manages all COIs unless the Hiring Manager is the discloser or also has a COI. In these circumstances, a section lead, branch manager or even a general manager must take responsibility for ensuring a transparent process is undertaken.

Example of an appropriate disclosure for an internal applicant

Description of interest: Perceived conflict of interest in the recruitment of vacant position P1234 Odd Job Person.

General background and details of proposed involvement or responsibility: I am a panel member for the position P1234 Odd Job Person. I wish to declare a conflict of interest with two applicants for the position, Mr Joe Bloggs and Ms Georgina Smith. Joe is an internal applicant and we worked in the same team approximately 4 years ago. During that time we collaborated as colleagues and had a good working relationship. We did not form a friendship outside of work. Ms Smith is an external applicant who I have known from approximately 2 years. Our daughters are in the same netball team and we socialise at training sessions and on game day. I am confident that I can perform the role of panel member in an unbiased manner.

Actions proposed to manage conflict of interest: The interview questions are being created to provide an even opportunity for all applicants, regardless of their internal or external status. Appointment will be based on merit and the consensus of the full

panel. Discussions and decision making during the interview process will be conducted in a professional and ethical manner with recommendations submitted for higher level approval and relevant scrutiny.

What about if I am listed as a referee for the preferred applicant?

If you are on an interview panel and the preferred applicant has listed you as a referee, the applicant **must** be requested to provide an alternative independent referee with the details included in the recruitment paperwork that is returned to People and Culture at the conclusion of the process.

Comments must be added to the open COI advising that the Hiring Manager has requested the above information as well as providing the details of the alternative referee.

How do I raise a conflict of interest?

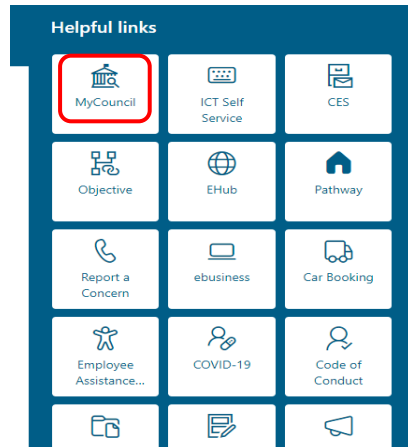
Once you identify that you may have a conflict of interest, you should:

- discuss the matter with the Hiring Manager or relevant third party eg section lead, branch manager, general manager;
- agree to an appropriate management action;
- disclose the COI and discuss with all panel members before shortlisting commences.

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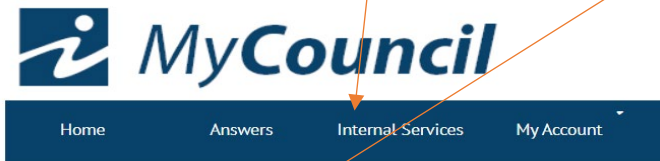
Do I have access to MyCouncil and where can it be found?

All employees have access to MyCouncil. If it is your first time using it, follow the instructions to set up your password. MyCouncil is located in the “Helpful links” on The Wire homepage.



How do I create a new COI?

After logging in, click on “Internal Services” in the banner.



The following list will be displayed. Click on the “Employee Conflict of Interest Disclosure” link.

Internal Services

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Service Requests

- [Civic Centre Requests \(Venue Hire & Catering Requests\)](#)
- [Council Building Facility Maintenance](#)
- [Event Setup Labour Assistance](#)
- [Furniture relocation, removal or repair](#)
- [Legal Requests](#)
- [Marketing Requests](#)
- [Nursery Tree/Plant Requests](#)
- [Fire Maintenance Request](#)
- [Security Services \(Alarm Code, Swipe Card, Keys, Security Guard\)](#)
- [Authorised LG Employee / Contractor Parking Permit](#)
- [Tourism Requests](#)
- [Travel Requests](#)
- [Tree Advice Requests](#)
- [Name Plate - Sign Request](#)
- [Customer Service Scripting Requests](#)

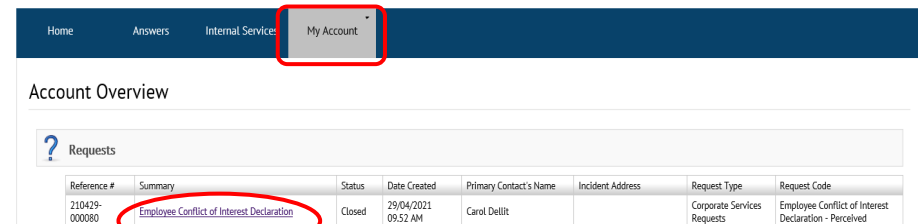
Conflict of Interest Disclosure

For Conflict of Interest disclosures NOT related to Procurement

- [Employee Conflict of Interest Disclosure](#)

How do I find an open COI in MyCouncil?

Once you have logged in, click on My Account on the banner and it will display an account overview.



- Add the necessary commentary
- Click **Submit**

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Ongoing reviews

To assist disclosers and managers with the ongoing management of the COI, an automatic email will be received on the 1st of every second month as a reminder that the conflict is still active.

The discloser and the manager are required to access the COI via MyCouncil and add a comment to acknowledge that the COI has been reviewed and remains active.

Should a circumstance occur that requires consideration of the declared COI, clear notes are to be added to the COI immediately for transparency purposes and to ensure that the manager is able to appropriately action the amendment.

Third party oversight of interview process

The Hiring Manager (panel chairperson) is responsible for managing COIs declared by all panel members. However, if the Hiring Manager (panel chairperson) also has a conflict, the declarations of all panel members, including the chairperson, must be managed by a third party eg section manager, branch manager or general manager.

After reviewing the extent of the COIs declared, the third party manager can make the decisions to:

- (a) request replacement of a panel member/s with an officer/s who has no COI, if appropriate;
- (b) request that an additional independent person be added to the panel.

At the conclusion of the interview process, the third party manager should consult with each panel member individually to gain insight into the process to ensure that all People and Culture requirements have been met and that the most suitable candidate has been selected based on merit.

Closing a COI when no longer active

Once the interview process is completed and the successful applicant appointed the COI can be closed. To do this:

- the discloser must add a comment advising that the COI is ready for closure and the circumstances that triggered the closure;
- the discloser's manager must add a comment to confirm that based on the discloser's advice, they support the closure of the COI.

The Legal and Governance Administrator will then close the COI.