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## Complaints and Conflict of Interest: Information Guidance

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### **Thank you for your interest in this appointment.**

Public bodies have a role to play in shaping and influencing national policy and decision-making. Appointments to the boards of public bodies are commonly known as public appointments.

Appointments are made by the individual Departments' Ministers and the administration of your application will be handled by civil servants in the Department overseeing the Competition. Occasionally a recruitment consultant may handle this process. Whoever handles the process, it is overseen by the Commissioner for Public Appointments for Northern Ireland.

The Commissioner for Public Appointments for Northern Ireland regulates, monitors and reports on the Ministerial appointments process. Departments are required to follow the Commissioner's Code of Practice for Ministerial Appointments to Public Bodies to ensure that appointments are made on merit, after fair and open competition. The Code of Practice covers Ministerial appointments to a wide range of boards and public bodies. A full list can be found on our website. The Code of Practice can also be obtained from our website. [www.ocpani.gov.uk](http://www.ocpani.gov.uk).

The Commissioner is assisted by OCPA NI Assessors. Independent scrutiny underwrites the integrity of the public appointments process and OCPA NI Assessors are the Commissioner's representatives during appointment rounds. Their role is to ensure that the appointment process follows the Commissioner's Code.

OCPA NI Assessors scrutinise each stage of the process. Thus, if you are invited to an interview for a public appointment you will see an OCPA NI Assessor who will be a member of the Selection Panel. Personal profiles of our OCPA NI Assessors can be seen on our website.

### **Making a Complaint**

#### **What should you do if you believe the process used to make an appointment has breached the Commissioner's Code of Practice?**

The Commissioner is responsible for investigating complaints. She will examine the process used to make an appointment or the manner in which an application for appointment was handled. The Commissioner has no remit to investigate complaints relating to non-selection or non-reappointment unless it appears that the appointment process has breached the Code. The Commissioner does not investigate how a body is run or the actions of its members.

The Commissioner will limit the investigation of a complaint to an appointment made no more than one year previously. If you feel you have reason to complain you should first direct your concerns to the relevant Department. If, after you have received a reply, you are still concerned, you can contact the Commissioner at the address overleaf.

## Guidance on Conflicts of Interest

The application form you complete will ask if you are aware of any possible conflict of interest which may arise in connection with the appointment. Conflicts of interest are not normally a barrier to appointment but both real and perceived conflicts must be explored by the selection panel to ensure that the public can have confidence in the board's independence and impartiality.

To give you an idea of what might constitute a conflict of interest here are a few examples of areas which could lead to real or apparent conflict:

- relevant financial or other interests with the organisation concerned
- relationships with other parties/organisations which could lead to perceived or real split loyalties
- perception of rewards for past contributions or favours
- membership of some societies or organisations.

Some examples of potential, real or perceived conflicts of interest are:

- you are the director of a building firm and the board to which you are seeking appointment conducts regular procurement exercises for building materials – *you could benefit personally from decisions taken by the board*
- you are a manager in a voluntary organisation, whose funding applications are considered by the board to which you are seeking appointment – *the body for which you work could benefit financially from decisions taken by the board*

- you are the director of a pharmaceutical company and the board to which you are seeking appointment will be directing policy on medical research - *your company could have access to information which would give it a commercial advantage over its rivals*
- you have, in the past, contributed or lent significant funds to the political party to which the appointing Minister belongs – *your appointment could be viewed as a reward for past favours*
- you and a member of the Selection Panel are both members of an organisation whose membership is kept secret - *your appointment could be viewed as the "old boy network" in operation.*

These are examples only. Please remember that declaring a conflict does not necessarily preclude you from appointment. You should consider carefully your own circumstances to gauge whether or not a real or perceived conflict might exist and discuss it in more detail with the Selection Panel if you are successful in reaching interview stage. More guidance on conflicts of interest can be found on our website.

## Contacting OCPA NI

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