

## FACT SHEET

### Panel Conflict of Interest Declaration

The Department of Education is committed to ensuring ethical, fair and transparent merit based recruitment and selection processes. A robust declaration process supports this commitment.

The declaration process requires selection panel members to disclose whether they have any actual, perceived or potential conflicts of interest. The declaration requirement enhances transparency, meets whole of government legislation and departmental policy requirements and reflects the department's commitment to merit based recruitment and selection.

#### **What is a conflict of interest?**

A conflict of interest occurs where an employee's private interests influence or could be perceived to influence the employee's ability to effectively and impartially carry out their duty in the public interest, now or in the future.

Conflicts of interest can be actual, perceived or potential.

- An **actual** or **real** conflict of interest involves a direct conflict between a public official's current duties and responsibilities and existing private interests.
- A **perceived** or **apparent** conflict of interest can exist where it is perceived that a public official's private interests might improperly influence the performance of their duties - whether or not this is in fact the case.
- A **potential** conflict of interest arises where a public official has private interests that could conflict with their official duties in the future.

#### **Declaring a conflict**

All panel members at the beginning of the recruitment and selection process and before shortlisting **MUST** declare any actual, perceived or potential conflicts of interest related to any candidates that have applied. A declaration is made by completing the panel conflict of interest declaration form.

New conflicts may arise during the recruitment and selection process. This must be declared to the panel chair immediately. The panel chair is responsible for managing conflicts of interest.

If there is NIL declarations to be made the panel chair will complete the relevant details within the panel conflict of interest declaration form.

#### **What is a personal relationship?**

A personal relationship is a family relationship or a social or personal connection between two people, outside of the usual interactions that co-workers have with one another as a requirement of their job. Panel members and the panel chair are responsible for disclosing all known past or current personal relationships with candidate's and each other.

#### **What is a professional relationship?**

A professional relationship is a connection between two people which has been developed through professional or workplace interactions.

Professional relationships may include but are not limited to relationships between:

- managers and their team members
- professionals and clients (for example principals and graduate students)
- relationships between colleagues

A professional relationship does not necessarily constitute a conflict of interest; however, each case should be considered individually.



### **How do relationship-based conflicts of interest relate to recruitment and selection?**

Examples of conflict of interest which may occur as a result of past or current relationships between selection panel members and candidates include nepotism, favouritism and bias (positive and negative).

These are conflicts because they involve an employee putting their private interests (benefitting or disadvantaging a candidate) before their duty as a public servant.

### **How do selection panel members disclose conflicts of interests with candidates?**

At the beginning of the shortlisting process, the panel chair can decide whether to use hiring manager functionality (during the feedback process) or the department's panel conflict of interest declaration form.

The panel chair will receive a list of the candidate's via email or via hiring manager access. The declaration must be completed by all panel members for **known** candidates who have applied for advertised roles (internally or externally advertised).

The declaration information is to be included with the selection report for the approval delegate's consideration.

### **How is disclosure of relationships managed?**

If the panel chair declares a conflict of interest he or she must discuss this with the delegate immediately, in order to allow the delegate to decide on the action to take (i.e. establish a new panel or seek a new panellist)

If a panel member declares a conflict of interest, they must consult with the panel chair and will be withdrawn for the remainder of the recruitment and selection process. A replacement panel member is then appointed and the process continues.

Information regarding the declarations will be disclosed in the panel conflict of interest declaration form.

### **Consequences for non-disclosure**

If an employee fails to disclose a conflict of interest, they may be in breach of the department's [Standard of Practice](#), the [Code of Conduct for the Queensland Public Service](#) and be liable to disciplinary action.

An employee's refusal to take any action directed by the department to resolve or manage a conflict of interest may be in breach of the department's [Standard of Practice](#) and [Code of Conduct for the Queensland Public Service](#) and subsequently the [Public Service Act 2008 \(Qld\)](#) and may render the employee liable to disciplinary action

### **Who can I contact for additional support?**

For further clarification, please contact the relevant recruitment contacts:

Corporate and School Support: [Recruitment.HR@qed.qld.gov.au](mailto:Recruitment.HR@qed.qld.gov.au)

Classified Teaching: [Recruitment.Teaching@qed.qld.gov.au](mailto:Recruitment.Teaching@qed.qld.gov.au)

Executive Recruitment: [ExecutivePerformance@qed.qld.gov.au](mailto:ExecutivePerformance@qed.qld.gov.au)

