

# Department of Home Affairs

## Independent Monitoring Boards and Parole Committee

### Application Form

You are asked to return the completed form to:

**Shelley Walker, Legislation & Policy Executive  
Chief Executive's Office  
Department of Home Affairs Headquarters  
Tromode Road, Douglas, IM2 5PA**

or alternatively send your scanned signed copy via email to:  
[GeneralEnquiries.DHA@gov.im](mailto:GeneralEnquiries.DHA@gov.im)

Please fully complete all sections of this *form* and return to the above address, or alternatively scan a wet ink signed copy, together with an up to date *Curriculum Vitae* and a *statement* on why you feel you are eligible for this post.

#### Personal Details

Title (Mr/Mrs/Miss/Ms/Other... <i>specify</i> )	<input type="text"/>
Surname	<input type="text"/>
First Name(s)	<input type="text"/>
Home Address	<input type="text"/> <input type="text"/> <input type="text"/>
	<input type="text"/> Post Code
Telephone Number	<input type="text"/>
Mobile Number	<input type="text"/>
E-mail	<input type="text"/>

#### Criminal Offences

This appointment is exempt from the requirements of the Rehabilitation of Offenders Act 2001 with regard to the non-disclosure of spent criminal convictions.

Do you hold a criminal conviction?

Yes

No

Are you currently the subject of any criminal proceedings?

Yes

No

If the answer is **Yes** to either of the above questions please provide details on a separate sheet.





## References

Please provide the names and addresses of two persons from whom references may be obtained. References will be taken up prior to interview if you are short listed, unless you indicate otherwise in the space provided. Candidates should not give the names of serving civil servants for character references. Referee names should not be given without the consent of the person concerned.

### Reference One:

May we approach this referee prior to interview?

Yes

No\*

Name

Address

Telephone

E-mail

Post Code

### Reference Two:

May we approach this referee prior to interview?

Yes

No\*

Name

Address

Telephone

E-mail

Post Code

## Other Information

If there is any other general information you would like to include about your past experience, personal qualities and skills, please do so here.

  
  
  
  
  
  
  

I declare that to the best of my knowledge the information contained in this form and my C.V. is true and accurate. I understand that if any details I have given are found to be false, or that I have withheld relevant information, my application may be disqualified or, if already in employment, my appointment terminated. I understand that personal details about me will be held electronically and manually for employment purposes, subject to the requirements of data protection legislation.

I understand this position is considered exempt from the requirements of the Rehabilitation of Offenders Act 2001 and I may be required to apply for a Disclosure and Barring Service check that discloses information regarding spent and unspent convictions.

Signature

Date

# **Isle of Man Government**

## **Department of Home Affairs**

### **Appointments to the Independent Monitoring Boards and the Parole Committee**

The Department of Home Affairs is looking for suitable members of the public to join the Independent Monitoring Board at the Isle of Man Prison, court holding cells, the Custody Suite at Police Headquarters; the IMB at the adolescent Secure Care Home; and the Parole Committee.

A job description and person specification for the role(s) is attached at annexes A, B and C to these notes. Potential applicants are encouraged to find out more by telephoning Shelley Walker on 694306 or e-mailing [GeneralEnquiries.DHA@gov.im](mailto:GeneralEnquiries.DHA@gov.im).

#### **Entry Requirements**

An applicant's Curriculum Vitae must set out the knowledge and experience the applicant feels is necessary for this appointment.

Potential appointees are also required to provide evidence of entitlement to work in the United Kingdom, which in most cases will be in the form of a valid passport. An appointment will be conditional on the applicant providing documents to confirm this.

Failure to present the above evidence will entitle the Department to withdraw the appointment.

As a member of the IMB's all applicants must have their own transport, a driver's license and a mobile 'phone in order to perform this role effectively.

#### **Eligibility for Membership**

The following persons will not be appointed as a member of the IMBs or the Parole Committee:-

- (a) a person who is, or, at any time in the three years prior to [start of recruitment process] has been, a member of the Isle of Man Constabulary;
- (b) a person who is, or, at any time in the three years prior to [start of recruitment process] has been, in service in the Department of Home Affairs (and in the case of IMB adolescent Secure Care Home, also the Department of Health and Social Care);
- (c) a person who is, or, at any time in the three years prior to [start of recruitment process date] has been, a member of the Independent Monitoring Board appointed under Part 7 of the Custody Rules 2015 for those wishing to join the Parole Committee;
- (d) a member of the Legislative Council or the House of Keys; and
- (e) a Justice of the Peace (in case of the Parole Committee, and by exception on consultation with the Isle of Man Magistrates' Association).
- (f) in the case of the IMBs, any person interested in any contract for the supply of goods or services to the institution in question (the Isle of Man Prison, the adolescent Secure Care Home etc.).

## **Selection Procedures**

All applications will be assessed and a shortlist will be selected for interview. Referees of those invited to attend an interview may be approached at this time **providing** permission has been given on their Application Form.

Where permission has not been given on the application form, a referee would not be approached at this stage.

A candidate shortlist will be drawn up and those on the list will be invited for an informal discussion about the duties and responsibilities of the role before the formal interview. (In the case of the IMB Prison, a visit to the prison will be included in the informal discussion).

## **Terms and Conditions of Appointment**

This appointment by the Department will be subject to the relevant legislation namely the Custody Rules 2015 (as amended), or in the case of the IMB adolescent Secure Care Home the Secure Care Home Rules 2002 (as amended), both sets of rules are made under the Custody Act 1995. In addition any appointment will be subject to the seven principles underpinning public life found within the Government Code, and as detailed in **annex D**.

## **Remuneration**

Members of the Board or Committee are compensated for their time and reasonable expenses for attending meetings, as provided for under the Payment of Members Expenses Act 1989 (as amended) and the related secondary legislation. The attendance allowance is £78 per meeting, up to a maximum of £130 per session. In addition, a member may be able to claim mileage for travelling to attend such meetings at a rate of up to 50 pence per mile.

## **Hours of Work**

The average time commitment for each role is set out as follows:

IMB members:

- time commitment can be anything from between 5 hours to 4 days a month
- must be able to attend at Board meetings on the afternoon of the second Monday of each month, meetings and visits are predominantly held at the Isle of Man Prison in Jurby

IMB adolescent Secure Care Home members:

- time commitment can be anything from a few hours a month upwards.
- must be able to attend at Board meetings which are held several times each year, meetings and visits are predominantly held at the adolescent Secure Care Home in Douglas, meetings may be held at the Department of Home Affairs in Douglas

Parole Committee members:

- time commitment can be from 15 hours per month depending on volume of parole applications for consideration
- must be able to attend at Committee meetings which are held monthly and may last for 5 hours depending on content (with around 10 hours preparation in advance of the meeting by Members), meetings are predominantly held at the Department of Home Affairs in Douglas

## **Smoking Policy**

You will be expected to comply with the Isle of Man Government Smoking Policy, and for the policy within the building in which you are appointed, in accordance with the Public Health (Tobacco) Act 2006.

## **Rehabilitation of Offenders Act 2001**

The nature of the role is such that applicants are not, by virtue of the Rehabilitation of Offenders Act 2001 (Exceptions) Order, entitled to withhold details of 'spent' criminal convictions.

The Department will provide that a Disclosure and Barring Service (DBS) check be undertaken by any successful candidate ensuring they comply with the terms of the post, and will ask to review the DBS certificate once received by the candidate prior to their appointment being confirmed.

A regular update to this DBS certificate is required on a 3 yearly basis, according to both Department policy and recognised good practice, the Department will provide this. Alternatively, a successful appointee may wish to sign up to the DBS update service on their appointment, in immediate proximity to receipt of their initial DBS certificate, and on direct payment of an annual fee that may then be claimed back as part of the associated expenses for the post. The DBS update service is only available direct to an individual and within a few weeks of issuance of a DBS certificate hence the particular notation of that requirement.

## **Further Information**

For further information, a member of the IMB may be contacted by emailing [IMB@gov.im](mailto:IMB@gov.im)

## **Note**

**Canvassing of political members of the Department of Home Affairs either directly, or indirectly, will disqualify the candidate. This does not prevent an applicant from seeking more information on the role from officers of the Department or from using for reference purposes Members of the Legislature, other than those serving in the Department of Home Affairs.**

## **Annex A - Job Description**

Independent Monitoring Board at the Isle of Man Prison, court holding cells,  
the Custody Suite at Police Headquarters

### **Role of the Independent Monitoring Board at the Isle of Man Prison, court holding cells, the Custody Suite at Police Headquarters:**

There is an Independent Monitoring Board (IMB) attached to every prison, including the Isle of Man Prison. The Board members on the Island also act as Independent Custody Visitors (ICV) and have responsibility for all the holding cells in custody suites and for prisoner escorts. The role of the Board involves a wide range of responsibilities, and each member is expected to contribute to the work of the Board through participation in various activities. Some are regular tasks to which all members of the Board are expected to make a contribution. Others occur less frequently and may not always involve all members.

Being an IMB member takes up an average of 12 hours over 3 sessions a month, although this can vary depending on prison population and events. The Board also tries to take into account the time slots each individual has available. In order to try and help you to carry out these duties you will be provided with a degree of training, and will be accompanied by an experienced Board member on visits for at least the first six months.

It should be noted that each member must have their own transport, possess a driver's licence and a mobile 'phone. You will be provided with an iPad, and a government email to allow for communication with your fellow board members.

#### **1. Monitoring:**

The main function of the Board is to monitor the Prison / Custody Suites / Escorts. Monitoring is NOT the same as inspecting! In order to assist the Board in its work you will be expected to:

- Participate in a rota of monitoring visits, in which two members of the Board visit the establishment each week. These may take an average of three to four hours to complete. Visits to the Custody Suites usually take approximately 1 hour.
- Undertake monitoring of any area of special responsibility assigned to you (e.g. healthcare, education, regimes, safer custody)
- Attend from time to time (with observer status), meetings in the prison;
- Attend from time to time (with observer status), adjudication hearings;
- Submit notes of your observations and findings to the Board.

In carrying out monitoring visits you will pay particular attention to the way detainees are treated, the conditions of the Prison/Custody Suite, and the range and suitability of the activities available.

If you come across any matter of serious concern, you will be expected to bring this matter to the immediate attention of the Chair of the IMB and the Governor of the prison or, in the case of Custody Suite (Police), the Inspector in charge of Custody and Handling. Matters considered sufficiently serious may be escalated to the Minister of the Department of Home Affairs.

#### **2. Applications:**

If detainees have problems they are unable to resolve within the prison, they have the opportunity to request a meeting with an IMB member. The requests are known as 'applications', As an IMB member you will be involved in listening and responding to applications from individual detainees, which will involve:

- Allowing the individual ample opportunity to explain the nature of his or her concerns;
- Making careful notes of the issues raised and checking with the detainee that you have understood correctly;
- Investigating the issues raised in the application, usually with the appropriate authorities;
- Providing a timely and accurate response to the individual concerned.

### **3. Board Meetings:**

The IMB meets on the second Monday of every month. The meetings can last as long as 3 to 4 hours. Travelling time needs to be taken into account too, especially regarding rota visits. Some are double meetings, (an ICV meeting followed by an IMB meeting, or a meeting with a member of the Department of Home Affairs followed by a General Board meeting).

The business of the Board follows an agenda and the Governor is present for part of the period so he can deliver his report and deal with other concerns.

Each member of the Board is expected to attend these meetings and contribute to the discussions and decisions of the Board.

### **4. Serious Incidents:**

The Board has an "on call" rota for dealing with Serious Incidents and Notifiable Incidents. Very occasionally a serious incident may occur inside an establishment (e.g. a disturbance disorder or death in custody). If this happens then members of the Board are asked to attend in order to monitor the situation and observe the way it is handled.

If you attend such an incident on behalf of the Board, you would be expected to:

- keep a careful and accurate record of your involvement and observations; and
- attend the de-brief after the incident and contribute as appropriate.

The Board are also asked to monitor detainees at the Police Custody Suite who have been detained for 48 hours or more.

### **5. Training:**

You will be expected to participate in training provided for Board members.

### **6. Further Information:**

For further information, a member of the IMB may be contacted by emailing [IMB@gov.im](mailto:IMB@gov.im)



## **Annex A - Person Specification**

Independent Monitoring Board at the Isle of Man Prison, court holding cells,  
the Custody Suite at Police Headquarters

<b>ATTRIBUTES</b>
<b>Qualifications</b>
<p>Membership of the Independent Monitoring Board will involve the successful applicant visiting the IOM Prison, the Police Custody Suites and the Courts Holding Cells.</p> <p>While no specific qualifications are necessary the successful candidate will require some physical fitness due to the size of the IOM Prison.</p> <p>The qualifications of an applicant will be of interest to the Board and potential applicants are invited to consider how their qualifications may be relevant to the work of the Board.</p>
<b>Experience</b>
<p>Members of the IMB come from all backgrounds and walks of life and the diversity of experience each member brings to the Board is valued. Applicants would be required to show how their experiences may be relevant to the work of the Board.</p>
<b>Knowledge &amp; Skills</b>
<p>While no specific knowledge is required for this appointment an applicant should possess a number of skills. These will include the ability to:-</p> <ul style="list-style-type: none"><li>• listen and respond effectively (this will include the ability to check your own understanding and ensure others are able to understand your response);</li><li>• draw out information from a number of sources including staff, detainees and others;</li><li>• convey points clearly (orally and in writing);</li><li>• assist in the preparation of reports for consideration and publication by the Board;</li><li>• utilise Microsoft Word and Outlook, or similar software;</li><li>• use appropriate procedures when dealing with issues;</li><li>• contribute to discussions and be prepared to support your views;</li><li>• work as a member of a team; and</li><li>• observe and respond effectively.</li></ul>
<b>Key Competencies and Behaviours</b>
<p>The applicant will be expected to:-</p> <ul style="list-style-type: none"><li>• maintain the highest standards of integrity and honesty in full compliance with the seven principles of public life (see annex D of the information pack);</li><li>• have an awareness of the need to treat everybody with fairness, respect and dignity;</li><li>• hold a commitment to the work of the Board; and</li><li>• show perseverance and a willingness to take responsibility and challenge when necessary.</li></ul>

### **Circumstances/Interests**

A desire and commitment to contribute to the Government's core purpose "to maintain and build on the Island's high quality of life."

Conduct themselves at all times, both in their professional and personal lives, in a manner which will maintain public confidence in the position.

Ideally the applicant would qualify as an "Isle of Man worker" as defined in section 1 of the Control of Employment Act 1975 (as amended).

All applicants must have their own transport, a driver's licence and mobile `phone to effectively perform this role. You will be provided with an iPad, and a government email to allow for communication with your fellow board members.

## **Annex B - Job Description**

### Independent Monitoring Board at the adolescent Secure Care Home

#### **Role of the Independent Monitoring Board at the adolescent Secure Care Home:**

There is an Independent Monitoring Board (IMB) attached to every prison and this provision includes the adolescent Secure Care Home in the Isle of Man which is managed by St Christopher's on behalf of the Department of Health and Social; Care. The Board members on the Island also act as Independent Custody Visitors (ICV). The role of the Board involves a wide range of responsibilities, and each member is expected to contribute to the work of the Board through participation in various activities. Some are regular tasks to which all members of the Board are expected to make a contribution. Others occur less frequently and may not always involve all members.

Being an IMB member with responsibility for the adolescent Secure Care Home time commitment can be anything from a few hours a month upwards. In order to try and help you to carry out these duties you will be provided with a degree of training, and will be accompanied by an experienced Board member on visits as required.

It should be noted that each member must have their own transport, possess a driver's licence and a mobile 'phone. You will be provided with an iPad, and a government email to allow for communication with your fellow board members.

#### **1. Monitoring:**

The main function of the Board is to monitor the adolescent Secure Care Home. Monitoring is NOT the same as inspecting! In order to assist the Board in its work you will be expected to:

- Participate in monitoring visits, in which members of the Board visit the establishment each time there is a new admission and on other occasions as may be required. These may take an average of three to four hours to complete.
- Undertake monitoring of any area of special responsibility assigned to you (e.g. healthcare, education, regimes, safer custody)
- Attend from time to time (with observer status), meetings at the adolescent Secure Care Home;
- Attend from time to time to meet with new admissions and those in regular custody;
- Submit notes of your observations and findings to the Board.

In carrying out monitoring visits you will pay particular attention to the way detainees are treated, the conditions of the adolescent Secure Care Home, and the range and suitability of the activities available.

If you come across any matter of serious concern, you will be expected to bring this matter to the immediate attention of the Chair of the IMB and the Manager of the adolescent Secure Care Home employed by St Christopher's, along with the appropriate contact within the Department of Health and Social Care. Matters considered sufficiently serious may be escalated to the Minister of the Department of Home Affairs.

#### **2. Applications:**

If detainees have problems they are unable to resolve within the adolescent Secure Care Home, they have the opportunity to request a meeting with an IMB member. The requests are known as 'applications', As an IMB member you will be involved in listening and responding to applications from individual detainees, which will involve:

- Allowing the individual ample opportunity to explain the nature of his or her concerns;
- Making careful notes of the issues raised and checking with the detainee that you have understood correctly;
- Investigating the issues raised in the application, usually with the appropriate authorities;
- Providing a timely and accurate response to the individual concerned.

### **3. Board Meetings:**

The IMB meets every few months and the meetings themselves can last as long as 3 hours.

The business of the Board follows an agenda and the adolescent Secure Care Home Manager may be present for part of the period so they may deliver their report and deal with other concerns, a member of staff from the Department of Home Affairs will also be present at meetings.

Each member of the Board is expected to attend these meetings and contribute to the discussions and decisions of the Board.

### **4. Serious Incidents:**

The Board are contactable for dealing with Serious Incidents and Notifiable Incidents. Rarely a serious incident may occur inside the establishment (e.g. a disturbance disorder or death in custody). If this happens then members of the Board are asked to attend in order to monitor the situation and observe the way it is handled.

If you attend such an incident on behalf of the Board, you would be expected to:

- keep a careful and accurate record of your involvement and observations; and
- attend the de-brief after the incident and contribute as appropriate.

### **5. Training:**

You will be expected to participate in training provided for Board members.

### **6. Further Information:**

For further information, a member of the IMB may be contacted by emailing [IMB@gov.im](mailto:IMB@gov.im)

## **Annex B - Person Specification**

Independent Monitoring Board at the adolescent Secure Care Home

<b>ATTRIBUTES</b>
<p style="text-align: center;"><b>Qualifications</b></p> <p>Membership of the Independent Monitoring Board will involve the successful applicant visiting the adolescent Secure Care Home.</p> <p>While no specific qualifications are necessary the successful candidate will require some physical fitness in order that they may visit the adolescent Secure Care Home.</p> <p>The qualifications of an applicant will be of interest to the Board and potential applicants are invited to consider how their qualifications may be relevant to the work of the Board.</p>
<p style="text-align: center;"><b>Experience</b></p> <p>Members of the IMB come from all backgrounds and walks of life and the diversity of experience each member brings to the Board is valued. Applicants would be required to show how their experiences may be relevant to the work of the Board.</p>
<p style="text-align: center;"><b>Knowledge &amp; Skills</b></p> <p>While no specific knowledge is required for this appointment an applicant should possess a number of skills. These will include the ability to:-</p> <ul style="list-style-type: none"><li>• listen and respond effectively (this will include the ability to check your own understanding and ensure others are able to understand your response);</li><li>• draw out information from a number of sources including staff, detainees and others;</li><li>• convey points clearly (orally and in writing);</li><li>• assist in the preparation of reports for consideration and publication by the Board;</li><li>• utilise Microsoft Word and Outlook, or similar software;</li><li>• use appropriate procedures when dealing with issues;</li><li>• contribute to discussions and be prepared to support your views;</li><li>• work as a member of a team; and</li><li>• observe and respond effectively.</li></ul>
<p style="text-align: center;"><b>Key Competencies and Behaviours</b></p> <p>The applicant will be expected to:-</p> <ul style="list-style-type: none"><li>• maintain the highest standards of integrity and honesty in full compliance with the seven principles of public life (see annex D of the information pack);</li><li>• have an awareness of the need to treat everybody with fairness, respect and dignity;</li><li>• hold a commitment to the work of the Board; and</li><li>• show perseverance and a willingness to take responsibility and challenge when necessary.</li></ul>

### **Circumstances/Interests**

A desire and commitment to contribute to the Government's core purpose "to maintain and build on the Island's high quality of life."

Conduct themselves at all times, both in their professional and personal lives, in a manner which will maintain public confidence in the position.

Ideally the applicant would qualify as an "Isle of Man worker" as defined in section 1 of the Control of Employment Act 1975 (as amended).

All applicants must have their own transport, a driver's licence and mobile 'phone to effectively perform this role. You will be provided with an iPad, and a government email to allow for communication with your fellow board members.

## **Annex C - Job Description**

### Parole Committee Member

#### **1. Role of the Parole Committee**

The Isle of Man Parole Committee is an independent statutory Committee within the Isle of Man Criminal Justice System.

It is responsible for making recommendations to the Minister for Home Affairs regarding the release and recall of prisoners whose cases are referred to it by the Department. When prisoners are released on licence, the Committee may make recommendations regarding the conditions applied to such licences; the variation or cancellation of these conditions; and any other matter which is connected with the release or recall of prisoners.

#### **2. Committee Meetings.**

The Committee has up to 12 monthly meetings scheduled per year, each meeting lasting for around 5 hours depending on the size and complexity of the agenda. In advance of these meetings members are required to consider dossiers and, following training, the prepare papers with regard to such dossiers. The experience of existing members indicates such preparations will take at least 10 hours prior to each meeting, in a confidential environment, depending on the nature of the submissions to the Committee. The business of the Committee follows an agenda and the Prison Governor and Head of Community Rehabilitation are present for part of the meetings so they can deliver an update report and deal with other concerns on behalf of the Prison and Probation Services.

Each member of the Committee is expected to attend these meetings and contribute to the discussions and decisions of the Committee. You will be provided with an iPad, and a government email to allow for communication with your fellow committee members.

#### **3. Training**

You will be expected to participate in any training which may be provided for Committee members.

## Annex C - Person Specification

Parole Committee Member

<b>ATTRIBUTES</b>
<b>Qualifications</b>
Whilst no specific qualifications are required the qualifications held by applicant will be of interest and potential applicants are invited to consider how these may be relevant to the work of the Committee.
<b>Experience</b>
Members of the Committee come from all backgrounds and walks of life and the diversity of experience each member brings to the Committee is valued. It will be useful for the applicant to demonstrate a past history of community involvement and support. Applicants would be required to show how their experiences may be relevant to the work of the Committee.
<b>Knowledge &amp; Skills</b>
Whilst no specific knowledge is required for this appointment, an understanding of the Isle of Man Criminal Justice System and the associated legislation would be a definite advantage. In addition, an applicant should possess a number of skills. These will include the ability to – <ul style="list-style-type: none"><li>• listen and respond effectively (this will include the ability to check your own understanding and ensure others are able to understand your response);</li><li>• draw out information from a number of sources including staff, prisoners and others;</li><li>• convey points clearly (orally and in writing);</li><li>• utilise Microsoft Word and Outlook, or similar software;</li><li>• use appropriate procedures when dealing with issues;</li><li>• contribute to discussions and be prepared to support your views;</li><li>• work as a member of a team; and</li><li>• observe and respond effectively.</li></ul>
<b>Key Competencies and Behaviours</b>
The applicant will be expected to:- <ul style="list-style-type: none"><li>• maintain the highest standards of integrity and honesty in full compliance with the seven principles of public life (see annex C of the information pack);</li><li>• have an awareness of the need to treat everybody with fairness, respect and dignity;</li><li>• hold a commitment to the work of the Committee.</li></ul>



### **Circumstances/Interests**

A desire and commitment to contribute to the Government's core purpose "to maintain and build on the Island's high quality of life."

Conduct themselves at all times, both in their professional and personal lives, in a manner which will maintain public confidence in the position.

Ideally the applicant would qualify as an "Isle of Man worker", as defined in section 1 of the Control of Employment Act 1975 (as amended).

In addition, it would also be ideal for applicants to have been normally resident on the Island for three years, but exceptions may be made to this point.

You will be provided with an iPad, and a government email to allow for communication with your fellow committee members.

## **Annex D**

Independent Monitoring Board and Parole Committee  
Conflicts of Interest  
A guide for applicants for membership of public bodies

### **The Seven Principles Underpinning Public Life**

The Government Code requires members of Boards and Committees at all times to exercise the highest standards of behaviour in line with the seven principles of public life. The principles of public life are as follows:

- Selflessness** Holders of Public Office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.
- Integrity** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- Objectivity** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- Accountability** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness** Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- Honesty** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership** Holders of public office should promote and support these principles by leadership and example.

All candidates who put themselves forward for public appointment must be able to demonstrate their commitment to the principles and values of public service.

It is important the candidate's commitment to the probity principle is tested and assessed at interview. One of the issues which might arise in relation to this is of conflict of interest.

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

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means any private, voluntary, charitable or

political interest which might be material and relevant to the work of the body concerned, should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict.

It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

### **Surely a perceived conflict is not a problem, as long as I act impartially at all times?**

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual and the Board that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a Board Member can be extremely damaging to the body's reputation and it is therefore essential these are declared and explored in the same way as an actual conflict would be. The fact a member acted impartially may be no defence against accusations of potential bias.

### **What should I do if I think I have a conflict of interest?**

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order to give the Selection Panel as much information as possible.

### **If I declare a conflict, does this mean I will not be considered for appointment?**

No – each case is considered individually. If you are shortlisted for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Board and how this might be handled, if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes the conflict is too great and would call into question the probity of the Board or the appointment, they can withdraw your application.

### **What happens if I do not declare a known conflict, which is then discovered by the Board after my appointment?**

Again, each case would be considered on its merits, but a view may be taken that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Conduct Underpinning Public Life and your appointment terminated.

### **What happens if I do not realise a potential conflict exists?**

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce there is a potential conflict issue, based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

### **What happens if a conflict of interest arises after an appointment is made?**

This could arise for two main reasons. The first is the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the Board becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment, it becomes clear a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chairman and Chief Executive of the Department, to decide whether or not the Member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be the conflict is such that it would be impractical for the Member to continue on the Board, if they would have to withdraw from a considerable amount of the body's routine business. In such cases, the member may be asked to stand down from the body.

### **Areas where a conflict could arise**

There are five main issues, which could lead to real, or apparent, conflicts of interest. These are:

- Relevant pecuniary or other interests outside the organization;
- Relationships with other parties/organizations which could lead to perceived or real split loyalties;
- Knowledge of emerging Government Policy could give unfair personal advantage to people with allied business interests – for example, access to privileged information, trade secrets;
- Perception of rewards for past contributions or favours;
- Membership of some societies or organizations.

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

- You are a director of a building supplies 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 organization, 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.
- Your company could have access to information, which would give them a commercial advantage over their rivals.
- Your appointment could be viewed as a reward for past favours.
- Your appointment could be viewed as the “old boy network” in operation.

In other words, no one should use, or give the appearance of using, their public position to further their private interests. This is an area of particular importance, as it is of considerable concern to the public and receives a lot of media attention.

The above are examples only, so you should consider carefully your own circumstances to gauge whether or not a real, or perceived, conflict might exist.