

Factsheets

APS recruitment

Managing conflict of interest in recruitment

## Overview

A conflict of interest exists if an individual in a selection decision-making process has a personal interest—such as a relationship or financial interest—that conflicts with their official duties in that process.

Conflicts of interest may be real or apparent. An apparent conflict is one which a reasonable independent observer might perceive exists and could influence the outcome, whether or not this is in fact the case.

Any real or apparent conflict of interest must be properly managed to ensure that Australian Public Service (APS) recruitment is transparent, merit-based and free from patronage and favouritism. Agency recruitment processes should include steps that ensure panel members and decision-makers are aware of the importance of managing conflicts of interest and are required to declare any real or apparent conflicts of interest.

## What may give rise to a conflict of interest in recruitment?

Staff involved in recruiting, including scribes, should consider what may constitute a conflict of interest. Conflicts to consider include:

* family or friendship relationships with a candidate
* family or friendship relationships between panel members
* current or previous working relationship with a candidate, and
* financial interests (relating to either a candidate or the outcome)

## Managing a conflict of interest

Conflicts of interest cannot always be avoided, but when they arise, agencies must ensure that the details are documented promptly and appropriately. As far as possible, this should occur before shortlisting and assessment of candidates commences. For example, agencies can adopt processes where panels are provided with the names of the candidates (to check whether a conflict might exist) prior to providing the panel with the full details of the applications.

Agencies must ensure that they have processes in place to assess conflicts and ensure a delegate removed from the conflict is satisfied with any proposed mitigation strategy. For example, a selection panel chair might recommend that a panel member should stand aside from considering a particular candidate or potentially from the whole recruitment process. This recommendation would then be considered by the delegate. Factors that the delegate may need to consider include:

* the nature or significance of any pre-existing relationship and
* the extent to which the employee’s personal interest could be affected by the recruitment outcome.

## Mitigating a conflict of interest in recruitment

Where it is determined that a conflict of interest can be managed through mitigation, potential mitigation options can include ensuring:

* written referee comments are provided before accessing any applications if a panel member is a candidate’s referee
* a conflicted panel member does not assess a particular candidate
* candidates are placed with panel members they do not know if there is more than one interview panel
* all panel members and the delegate are aware of the relationship
* there are at least two other un-conflicted panel members who can make an assessment of the candidate and
* a conflicted delegate declares the conflict to a higher delegate and/or stands aside as a delegate to the process.