

Recruitment and Promotion

It is fairly straightforward to arrange a level transfer (i.e. without a significant pay rise) of an official from one job to another. But the need to avoid nepotism and favouritism means that you need to take great care when appointing someone from outside the civil service, or promoting someone from within it. The basic rules for these appointments are as follows.

- All such appointments must be made on the basis of fair and open competition.
- All prospective applicants must be given equal and reasonable access to adequate information about the job and its requirements, and about the selection process.
- All applicants must be considered equally on merit at each stage of the selection process.
- Selection must be based on relevant criteria applied consistently to all the candidates.
- Selection techniques must be reliable and guard against bias.

You cannot therefore appoint someone to a job without an advertisement and competition, even if you believe them to be ideally or uniquely suitable. There are limited exceptions, such as for inward secondees, but you should take a close look at the relevant guidance before attempting to make use of such an exception.

And don't forget the need for high quality induction to follow any recruitment process. It is particularly important that new entrants to the profession are introduced to the Civil Service Code, and come to understand its importance and implications. There should be no question of local mission statements or departmental core values overriding the provisions of the code.

Conflicts of interest

Great care needs to be taken to avoid conflicts of interest, whether real or perceived. You may be certain that you could rise above them, but others will doubt it. All potential conflicts of interest, including conflicts with the interests of your immediate family, must therefore be disclosed to managers, remembering that an innocuous friendship, investment, gift or treat can be transformed overnight into a possible conflict of interest. The following paragraphs provide guidance, but nothing in them should be taken to detract from departmental guidance, which should be consulted, and taken to prevail, in case of doubt. Indeed, certain individual departments, or parts of departments, have additional requirements above those mentioned below.

Gifts, hospitality etc. may be divided into three categories.

First, there are gifts from a company whose services you are using or might use, or with whom you might negotiate grant or other support, or which might materially benefit from decisions with which you might be involved. There are absolutely no circumstances in which you can accept a gift of any value, or any hospitality more substantial than a working lunch, from such a source. This prohibition extends to the use of Air Miles and other benefits offered by the travel trade etc.

Second, expensive gifts (each department defines its own limit) from other donors must also generally be refused or returned. Alternatively, it is sometimes possible to say to the donor 'Thank you for the gift which I will use in the office rather than for my personal use'. (You can donate wine to the Christmas party.) Failing this, you can hand the gift over to the department, or pay the department to let you keep it.

Third, any gifts, hospitality etc. whose acceptance is not prohibited under the first two rules above, should also be refused unless the acceptance can clearly be justified as contributing to the achievement of your objectives. Put another way, the reason for the acceptance has to be clearly defensible, always remembering the Greek proverb that 'gifts are poison'. Positive reasons for accepting hospitality include the need to carry out an ambassadorial role, make contacts and gain information. It is therefore generally OK to attend celebrations of a company's success or longevity, or an industry-wide gathering, including trade association dinners. It is also reasonable to accept inexpensive gifts such as ties and pens, so as to avoid giving offence. Conversely, it is important to avoid developing a sense of obligation to a host or donor, and to avoid criticism (from those unable to benefit) of benefiting from lavish hospitality etc. In general, therefore, you should not accept tickets for major sporting events, Glyndebourne or Covent Garden. It is seldom a good argument that you are establishing or maintaining contacts at such events, because it is seldom appropriate or possible to discuss business. It is often useful to apply the 'wow' test. When you receive an invitation and find yourself saying 'wow' then it is time to refuse.

A similar approach should be adopted when considering whether you might be accompanied by a partner to an event. Indeed, the negative factors can be more intense, given that the cost to the host will have doubled, and the opportunity to do business will have diminished. On the other hand, it can be helpful to be accompanied by a partner to an event at which one is trying to build up a relationship with the host or to an event at which one is acting as an ambassador, for instance at a company celebration or an event in aid of charity.

It is usually acceptable to accept local transport, lunch and refreshments when visiting private sector companies. But you may never let a private sector company pay your rail fare, air fare or overnight hotel bill. It is also acceptable to accept overnight accommodation in a company's guest house provided for that purpose, but of course you must not then claim overnight subsistence. And it is permissible to

accept a free flight in a company plane if there is no convenient public transport and if the plane would have been making the journey anyway. But the offer of such transport should be refused if convenient public transport is available, or if the provision of the flight would cause the company to incur significant expense.

Financial Interests

We must all take particular care to avoid profiting, or enabling others to profit, (or even getting into a position where we could do these things) from information which is supplied to us in confidence. In particular, you must consult your line manager if you are asked to handle papers concerning any company (including a bank) in which you have invested, or with which you have any financial link. (However, standard bank accounts may be ignored for this purpose, unless they contain a huge amount of money.) You must also tell your manager if you hold shares in, or have any other link with, any company which is dealt with by you or your colleagues. You must do this immediately on joining the team, or immediately on acquiring the shares etc. This applies even if the shares are held via a PEP or ISA. Holdings in collective vehicles such as unit trusts need not be reported unless you have a large holding (over £1000) and you know that your trust has invested in a company or companies with which you are dealing.

You must also tell your line manager about any other employment or self-employment. And you must disclose links to all other bodies (including charities) if it looks as though you might be asked to deal with them on behalf of the department.

There are also strict rules about business appointments after retirement. It is obviously important that there should be no cause for any suspicion of impropriety when you take up a new job after retirement. All offers of employment should therefore be reported to your department who will if necessary involve the Advisory Committee on Business Appointments which gives advice on applications at the most senior levels, and reviews a wider sample in order to ensure consistency and effectiveness.

Sponsorship by the Private Sector

Many Government information campaigns are sponsored by the private sector and these help save lives in the home or on the roads. Similarly, partnerships with private sector sponsors can be a valuable means of promoting British industry abroad. But take care to follow these guidelines:

- Companies' support should add significant benefit to an existing Government message or campaign.
- There should be no overt commercial advantage to the sponsor in terms of direct sale of products or promotion of brands.
- The project should not be 100% dependent on sponsorship support for its

funding.

- Sponsorship should be sought in an open and even-handed manner from businesses competing in a given field. A chosen sponsor's competitors should not be given grounds to complain that they were not given a fair chance.
- Sponsorship should be of activities and events, and not linked to individual Ministers or officials, lest those individuals appear to be placed under an obligation to the sponsor. There must be no suggestion that sponsors are being given privileged access to Ministers in return for the sponsorship.
- Department must not, and must not appear to, endorse the sponsoring company or its products.
- Sponsors must not be involved in, or seeking, a significant commercial relationship with departments, nor may they be affected by the department's role in making or enforcing legislation.
- Sponsorship of individual amounts of more than £5000 must be disclosed in the department's annual report. For this purpose, the value of *in kind* sponsorship should be measured by ascertaining what it would have cost the department to pay for the support that was provided, not what it cost the sponsor.