

SIB Guidance on Conflicts of Interest

Author: Sam Pringle
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The
**Strategic
Investment
Board**

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1 Introduction

Your actions or decisions made in the course of working for SIB must not be determined by considerations of personal gain. Such behaviour calls into question the professional objectivity and ethics of the individual and reflects negatively on the company. SIB operates in a position of public trust; you must respect that status and conduct your affairs in ways that will not compromise the integrity of the company. You should avoid and conflicts of interest, including perceived conflicts of interest and behave responsibly when conflict of interest situations arise.

You must declare any personal or business interests that may conflict with your responsibilities as an employee or Board Member of SIB and as a public servant. This guidance describes what constitutes a conflict of interest and sets out the procedures to follow in terms of their declaration and subsequent management. A conflict of interest includes anything that could be perceived as posing a conflict of interest.

SIB follows the general guidance published on the Department of Finance website as [DAO \(DoF\) 07/21 att \(29 Sept 2021\) - Conflicts of interest guidance](#).¹

You should study this guidance, as well as the DoF document, carefully as annually you must sign a declaration that you have read them and agree to abide by the guidance.

2 The Key Principles

[Managing Public Money Northern Ireland](#) (MPMNI)² contains the seven principles of public life, known as the Nolan principles, which apply to all in public service. They are Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership.

Of these, Integrity reflects that *“Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships”*.

You must therefore discharge your duties in a manner that is seen to be honest, fair and unbiased. Departments and other public bodies such as SIB must therefore ensure that conflicts of interest are identified and managed to safeguard the integrity of staff and Board Members and maximise public confidence in decisions and in the organisation’s ability to deliver public services properly.

The DoF guidance identifies four main stages areas in relation to conflicts of interest:

- Identifying a conflict of interest – actual, potential or perceived;
- Declaring conflicts of interest;
- Managing conflicts of interest; and
- Publishing registers of interest.

¹ <https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/daodof0721att.pdf>

² <https://www.finance-ni.gov.uk/publications/managing-public-money-ni-final-version>

SIB only publishes registers of interests for its Board. Board members' interests, including the CEO, are also included in a note to the SIB annual accounts. SIB employees declarations and registers of interests are logged, reviewed and kept as restricted records.

3 Conflicts Of Interest

It is important that conflicts of interest (including potential or perceived conflicts) are identified at the earliest opportunity.

3.1 Actual Conflict of Interest

The Northern Ireland Audit Office (NIAO) published [Conflicts of Interest: A Good Practice Guide](#)¹ in March 2015. It sets out a range of strategies for managing conflicts of interest and circumstances where particular strategies may be most and least suitable.

“At its most basic, a conflict of interest arises when an individual has two different interests that overlap”.

“A conflict of interest involves a conflict between the public duty and the private interest of a public official in which the official's private-capacity interest could improperly influence the performance of his/her official duties and responsibilities”.

3.2 Potential or Perceived Conflicts of Interest

As well as actual conflicts of interest, conflicts of interest can also be potential or perceived.

A conflict of interest could be perceived where it appears that private-capacity interests could improperly influence the performance of your SIB duties and responsibilities. It may pose no actual risk to the conduct of public business, but it requires proper management in order to minimise the risk of reputational damage to SIB and to you as an individual. The appearance of a conflict of interest can be every bit as damaging in terms of public perception as an actual conflict – both should be avoided.

3.3 Identifying Conflicts of Interest

To identify whether a conflict of interest (actual or perceived) exists, there are different issues to consider including:

- The situation or circumstances that may give rise to different types of conflict
- The nature of any relationships: i.e. who could benefit?
- The nature and business of SIB in general
- Your position within the organisation including the nature of what work you do.

In order to identify avoid real conflicts of interest – or any perception of a conflict – you should carefully consider whether an allegation of impropriety could be made against you, your family or friends and/or SIB, or any of its partner/client organisations.

¹ <https://www.niauditoffice.gov.uk/publications/conflicts-interest-good-practice>

The [DAO \(DoF\) 07/21](#) guidance offers a number of examples where a conflict or perceived conflict might arise.

3.3.1 *Situations/circumstances*

Examples where conflicts of interest can arise

- Direct financial gain or benefit to an individual, a relative or close friend – a conflict of interest can occur when an individual has the opportunity to use their position for personal financial gain.
- Using information gained in a public capacity to further private interests.
- Membership of organisations/associations/clubs.
- Involvement in, or influencing, the award of a contract or grant where an individual has, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure/grant process.
- Accepting gifts, hospitality or other benefits, for example from potential contractors/suppliers.
- Taking up employment with firms/contractors providing services to SIB or its partners/clients.
- Involvement in a decision that could lead to the appointment/ recruitment/promotion of a relative or friend.
- Sale of land/property/assets.
- Involvement in planning decisions.
- Carrying out business on behalf of the organisation with your own company, or a company in which a relative or close friend has an interest.
- Owning shares in or working for another business or organisation, that has dealings with SIB or its partners/clients.
- Involvement in or being in a position to influence decisions.

The above list is not exhaustive. A list of questions that can be used to help determine if an actual, potential, or perceived conflict of interest exists is provided in Appendix 3 below.

3.3.2 *Relationships – Who*

The interest in question need not always be yours (as an employee, public official or Board member). It can also include the interests of close relatives or friends and associates who could benefit, or have the potential to influence your behaviour. These individuals could include the following and any of their personal partners:

Close relatives – by blood or marriage	Grandchildren
Spouse/Partner	Brother
Parent	Sister

Grandparent
Child

In-laws
Cousins

It can also include close friends or associates who would be considered as someone with whom you have a longstanding and/or close relationship, socialise with regularly or have had dealings with that may create a conflict of interest. Some further detail on “who” can be found in Appendix 4 below.

3.3.3 The Nature and Business of SIB in General

The nature of the organisation you work in is an important context for considering the risk profile and the likely areas that need to be carefully considered in relation to potential conflicts.

This consideration and focus will vary, for example if you are in an organisation that is involved in issuing grants or an organisation whose business involves procurement, both are likely to need a greater focus on identifying and managing conflicts of interest.

3.3.4 Your Position within SIB and the Nature of Your Work

For SIB this includes your activities for, or position with any partner or client organisation.

In identifying conflicts, the consideration of your role and the type of work you are involved in can be a significant factor. The nature of what you are working on could result in a greater focus on conflicts of interest: e.g., if you are working on a specific project, grant/subsidy scheme, land and property sales, procurement, recruitment/promotion competitions, etc. For example, procurement law requires that Contracting Authorities act appropriately to prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures to avoid any distortion of competition and to ensure equal treatment to bidders.

It is also important to reflect on your seniority in SIB or a client/partner organisation (e.g., if you embedded within it), which is relevant in terms of requirements to declare conflicts and the maintenance of a register of interests (these are covered in greater detail in later sections of this guidance).

3.3.5 Other issues to consider

3.3.5.1 Confidentiality

On occasions, SIB members of staff/Board Members will be required to treat discussions, documents or other information relating to the work of SIB (or for its clients/partners) in a confidential manner: e.g., commercially, or politically sensitive information. It is imperative that you respect this duty of confidentiality at all times. You should never use information to which you have privileged access for personal or financial gain for yourself or others, or in a way that brings SIB, its clients, or its partners into disrepute.

3.3.5.2 Lobbying

For any public body to fulfil its commitment to being open and accessible, it needs to encourage participation by outside organisations and individuals in the decision-making process. However, openness and accessibility need to be balanced by transparency and

probity in the way business is conducted within the organisation (be it SIB or a client/partner). This includes how lobbyists and lobbying are dealt with. The case of Green-sill, which was highlighted in the media in early 2021, while involving those in former and current Ministerial positions, raises several issues with regards to the risks around lobbying and provides some important lessons. However, the key principles are that:

- No individual or organisation should receive financial or personal gain in exchange for lobbying on their behalf;
- No individual or organisation should lobby on behalf of an individual or firm to influence a contract award decision;
- No person or organisation should gain better access to, or treatment by, you or the public body as a result of paying a company or individual to lobby on their behalf; and
- You must not accept work which would involve you lobbying your own public body or advising on how to influence the body and/or its Board Members.

3.3.5.3 Procurement

A conflict of interest is a very real risk at every stage of the procurement process. As stated above, the Public Contracts Regulations 2015, which govern the public procurement process, require that Contracting Authorities take appropriate measures to prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures to avoid any distortion of competition and to ensure equal treatment to bidders.

If conflicts of interest are not properly managed there could be a perception that the Contracting Authority in question is not acting in the public interest or seeking to achieve value for money for the taxpayer. Conflicts, real or perceived can arise in several different ways where an individual has, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement process. Examples of conflicts of interest during a procurement process could include:

- Using information provided by a potential bidder to give them a competitive advantage by developing the procurement strategy or procurement documentation to suit their product or services.
- Leaking information, not in the original tender documents, to a potential bidder to increase its chances of success.
- Accepting hospitality or gifts from private sector companies in advance of, or during a procurement process.
- Providing policy advice to government while also working, or consulting, for industry.
- Awarding contracts to suppliers in which the decision-maker has a personal or financial interest.

There is also the real risk, if a conflict of interest is not declared and addressed, of a legal challenge that could result in a decision to award a contract being overturned. This in

turn could lead to allegations of fraud, bribery and corruption which could have further legal implications.

3.4 *Examples of Conflicts of Interest*

The list below is not exhaustive as it is not possible to anticipate every situation. Furthermore, judgement will be required on a case-by-case basis.

It is essential that any conflicts are identified early, and any risks identified are managed appropriately. The best way of dealing with conflicts of interest is to prevent them from arising in the first place, but if they do arise, it is important to declare them immediately and handle them suitably and efficiently.

Activity	Consequence
<p>You are a close friend of an individual whose company regularly tenders for government contracts related to your business area and you are in a position to influence the decisions in relation to the specification and procurement strategy.</p>	<p>You could be perceived as specifying services and influencing strategies in favour of the company that employs your friend.</p> <p>Where a conflict, even if only perceived, exists you should:</p> <ul style="list-style-type: none"> • Not get involved in the setting of criteria for the assessment of the grant, tender, etc. • Not get involved in the actual preparation of the grant, tender, licence application (e.g. involvement with the business case or procurement strategy) or subsequent presentations, interviews, etc. • Not receive any relevant papers in advance of the meeting. • Not be present for the discussion or voting or receive any minutes relating to that part of the meeting. • Not use your position to try and improperly influence a decision by lobbying any other person.
<p>You are having a meeting with a supplier/potential supplier in a restaurant/coffee shop.</p>	<p>This could be perceived as having too cosy a relationship with an individual supplier and they are favoured over others.</p>
<p>You (or a family member) are a director of a building supplies firm and the Board on which you sit, or project you are managing, is procuring building materials.</p>	<p>You or a relative could personally benefit from this decision.</p>
<p>A cash payment or other offer is made from a supplier to an employee.</p>	<p>You could be perceived as being influenced by the supplier/accepting a bribe.</p>
<p>Being involved with an external body that is seeking funding from or via SIB (or its partner/client organisation) or have inside knowledge of a funding application.</p>	<p>You could be perceived as influencing either the funding application or the allocation of funds if the application is successful.</p>

Activity	Consequence
<p>You have been offered hospitality: e.g., lunch/dinner/concert tickets from an organisation and the organisation has applied for funding or is the potential bidder for a government contract.</p>	<p>If accepted, you could be perceived as influencing the allocation of funds/award of contract if the application is successful or contract is awarded to this supplier/organisation, even if the hospitality was in support of business objectives.</p>
<p>You are a director/manager in a voluntary body that has submitted a grant application to the organisation, and it is due to be considered by the Board of which you are also a member.</p>	<p>You have a direct conflict and could be perceived as influencing the decision to award grant to which you/your organisation will benefit.</p>
<p>The Board/organisation is meeting to discuss the possible closure of a facility where a member of your family is employed.</p>	<p>You could be perceived as disclosing sensitive/confidential information that could benefit family member.</p>
<p>You have been asked to be a member of a recruitment/promotion interview panel. One of the shortlisted candidates is a close relation/friend.</p>	<p>You could be perceived as influencing the outcome of the recruitment/promotion process.</p>
<p>You are involved in the sale of land owned by the public sector and a member of your family is a director in the company that is bidding for it.</p>	<p>You could be perceived as influencing the decision-making process/price and potentially benefiting a family member.</p>
<p>A public body has seconded an individual from the private/voluntary sector to develop tender documentation/ grant scheme for which their employer/ voluntary organisation will be interested in submitting a tender/application.</p>	<p>It could be perceived that the individual will develop the tender documentation/grant scheme to the advantage of their employer/voluntary organisation.</p>
<p>A public body has contracted with a Consultancy Firm to provide expertise in relation to the procurement of an IT system including the development of the business case, influencing stakeholders/ users about the potential solutions available, developing the specification and having access to commercially sensitive information throughout the procurement competition where the Consultancy Firm is likely to be a Supplier (or Sub-contractor) for the IT system.</p>	<p>A conflict of interest exists as the Consultancy Firm may influence decisions to favour their own company in the upcoming procurement.</p>

4 Declaring Conflicts of Interest

It is a key principle that you should declare any conflicts of interest (including perceived conflicts) at the earliest opportunity.

As soon as you identify that you have any type of conflict of interest, it should be declared immediately to your line manager, CEO, the Board, Chairman of Committee, etc. If in doubt, be over cautious and make a declaration. It is better to be open and transparent: to be safe rather than sorry later.

SIB maintains records of declarations of interest made annually or when an employee starts. These are compiled into a central register of interests. Staff are expected to keep their declarations under review and update their declaration as necessary. This applies also to Associates and temporary employees such as agency workers.

A similar system operates for SIB Board members, the main difference being that SIB publishes the interests of Board members as a register available on the SIB website and in the annual accounts.

SIB processes the information you provide in accordance with data protection principles and the UK GDPR. Data is processed only to ensure that Board Members and staff act in the best interests of SIB, its clients or partner organisations, and to meet its regulatory obligations. SIB does not use the information for any other purpose.

As noted above, SIB publishes Board members' interests as a matter of course. SIB does not publish employees' declarations of interest. However, in the event of a concern being raised – internally, by a partner or client, or by a member of the public your declarations may be scrutinised as part of any investigation.

You should declare interests as noted below. This applies equally to employees, temporary appointments (such as agency workers), Board/Audit Committee members and other Committee members.

1. **Upon appointment.** All new appointees must complete a Declaration of Interests form. You must disclose any interests, conflicts of interest or potential conflicts of interests. Or you must confirm that have none via a 'nil return'. For new employees this is part of the induction process. For Non-Executive Board Members, Audit and Risk Assurance Committee members or other committee members a form should be issued with your letter of appointment.
2. **Annually.** All SIB Board Members, employees, Associates, etc. are asked annually to review and update their Declaration of Interests.
3. **As and when.** – If your circumstances change at any point after declarations on appointment or after the annual declarations have been made, you should immediately declare any new interests either by submitting a revised declaration of interests or by emailing the CEO with the details, copying in the SIB Information and Compliance Manager.

4. **At meetings.** At the start of all meetings, including Board and committee meetings, taking into consideration the meeting purpose/agenda/papers/etc., any interest that is, or could be seen as, a conflict must be declared and recorded in the minutes. Any action taken to manage any conflicts of interest – e.g., the individual leaves the meeting for a particular agenda item – should also be recorded in the minutes.
5. **At the initiation of a procurement competition.** When initiating a procurement competition, staff involved in any part of the procurement process (e.g., developing business case, specification, evaluation strategy and tender evaluation panel) should make a declaration to confirm that there is no perceived or actual conflict of interest in the industry/sector that is likely to submit tender. This declaration should be refreshed when the identity of the tenderers (and their subcontractors) is known.
6. **Contract Management.** Staff responsible for the management of a contract or approval of invoices should make a declaration to confirm that there is no perceived or actual conflict of interest in the Contractor.
7. **Recruitment/promotion panels.** At the initiation of a recruitment or promotion competition, panel members must declare any perceived or actual conflict of interest. Panel members are made aware that any perceived or actual conflict of interest must be declared at any stage that it arises within the selection process. Panel members must also record at each stage of the selection process if a perceived or real conflict of interest exists.
8. **Commencing a new work package.** When an SIB Associate starts a new work package for an SIB client/partner, they must declare any perceived or actual conflict of interest. The Head of the Strategic Support Unit (SSU) has a suitable form. Equally, this principle applies to SIB employees generally if they start a new role.

In respect of Boards or Committees, the Chair should remind Board/Committee members on a regular basis of the need to register new interests and also ensure that Board/Committee members declare (and deal with) such conflicts of interest in accordance with best practice.

In addition, you have a responsibility to bring any interests which may present a conflict or potential conflict to the attention of the responsible officer/manager for any specific project or piece of work you are involved in.

While members of staff and Board/Committee members are responsible for declaring interests and identifying whether their interests represent a conflict of interest in relation to SIB business, line managers, senior staff, Board and Committee chairmen should always be alert for situations that may create a conflict.

SIB has a standard form for employees to declare interests, reproduced in Appendix 2 below (“SIB – Statement of Agreement and Declaration of Interests”). The form template is available in Content Manager (DF1/08/316258 “[*TEMPLATE*] Register of Interests - Staff [SIB Annual Statement of Agreement and Declaration of Interests]”) and on the [SIB Intranet](#) – navigate to [DOCUMENT CENTRE > POLICIES AND PROCEDURES](#).

There is a different procedure for SIB Board and Non-executive Board Members to make annual declarations of interests. The Finance, and Information and Compliance Managers deal manage this process.¹

¹ E.g., see FI1/21/496042 *"Email: SIB Board of Directors - your 2021/22 Register of Interests, your Related Party Transactions Declaration, and the draft SIB 2020/21 accounts of "Transactions Involving Directors?"*

5 Managing Conflicts of Interest

It is a key principle that conflicts of interest (including potential/perceived conflicts) are managed appropriately.

Public confidence in SIB depends on it being clearly understood that decisions are taken in the public interest and not for any other reason. Interests may be financial or non-financial but there is a particular risk in respect of financial interests. It is important therefore that conflicts of interest of any type, in any circumstance, whether actual, potential, or perceived, are identified and declared at the earliest opportunity, and that prompt decisions are taken to mitigate risks and manage them appropriately.

Any conflict of interest that is concealed, even if unintentionally through ignorance, or managed poorly, creates at best a risk of allegations or perceptions of misconduct. It can potentially result in more serious consequences, such as severe reputational damage, litigation against an organisation, disciplinary action, and can result in individuals losing their jobs.

Therefore, you must:

- Observe, and be seen to observe, the highest standards of propriety.
- Guard against actual, potential, or perceived conflicts of interest.
- Keep records of what is done to manage any actual or potential conflicts, and who has approved the actions taken to avoid, mitigate or eliminate any conflict.
- If in doubt, ask for guidance from the CEO, the Legal Director and/or the Information and Compliance Manager.

5.1 *Managing the Conflict or Potential Conflict of Interest*

You should discuss with your line manager the nature of any actual, potential, or perceived conflict and agree the relevant course of action.

- If necessary, step away from or divest the “interest”.
- Agree any actions to avoid, mitigate or eliminate any conflict. This agreement must be made with the CEO, the line manager and, if appropriate, any client/partner of SIB. In some cases, it may also be necessary to clear the actions with TEO as well.
- Make a formal record in Content Manager of the details of the actual/potential/perceived conflict of interest, how it is managed, and note any conditions imposed.
- Make sure that the Information and Compliance Manager logs the actions taken in the official register.

Line managers may need to seek advice from others in SIB or TEO. If you are unable to discuss the matter with your line manager, for whatever reason, you should seek advice from the CEO.

The methods for managing any conflicts of interest should be assessed on a case-by-case basis and will be determined after consideration of a number of factors such as the level of risk presented and what management is actually feasible.

In very low risk cases, it may be deemed sufficient to declare the interest so that it is known/recorded but with no further action considered necessary.

On other cases, it may be necessary for you to leave meetings when certain items are being discussed/decisions being taken. In these circumstances, you must make declarations of interest as early as possible and certainly well before the item on the agenda is discussed. Ideally, a declaration should be made at the beginning of the meeting and provide enough information to allow those present to understand the nature of the interest.

In the event of a particularly contentious or difficult matter, there may be a need to hold a pre-meeting to discuss how a particular conflict of interest should be handled. Declarations of interest and any action taken as a result should be recorded in the minutes or other appropriate record.

If an individual refuses to leave the room, the Chair should suspend the meeting and reconvene without them being present. In certain situations, handling a conflict of interest properly may require much more than simply leaving the room while the matter is being discussed and voted upon.

In other more complex situations where the conflict is more serious and if it is not manageable, it may be necessary for you to relinquish the private interest that is creating the conflict with your public duties, move completely away from the role where the conflict arises, or for you to resign from SIB.

Conflict of interest risks must be recorded, and a full record of decisions made to manage those risks should be saved to ensure a robust audit trail is held.

Any/all management action that is taken (including a decision to take no action) must be recorded in the SIB annual register of interests for employees, and/or in the appropriate registers for Board Members, and in the minutes of meetings if appropriate. In the case of Board Members, the actions taken should also be included in the published registers, and if appropriate in the note to the SIB Company accounts for the year.

In summary, there are several ways of managing a conflict of interest:

- **Restrict** – where restrictions are placed on the employee/Board member's involvement in the matter.
- **Recruit** – where a disinterested third party is used to oversee part of or all the process that deals with the matter.
- **Remove** – where an employee/Board member is removed from the matter.
- **Relinquish** – where the employee/Board member relinquishes the private interest that is creating the conflict.
- **Resign** – where the employee/Board member resigns from their position with SIB (or its client/partner).

5.2 Public Appointments

Any real, potential, or perceived conflicts of interest for public appointees should be declared through the public appointment process operated in line with the Commissioner for Public Appointment NI (CPANI) Code of Practice for Ministerial Appointments Northern Ireland. Selection panel members must assess whether there is an integrity or conflict of interest issue and determine how it will be handled in line with section 3.38 of the Code.

Non-executive Directors for SIB are appointed through a process managed by TEO.

Appendix 1 Changes from the Previous Version

Table 1: Version History

VERSION NUMBER	VERSION DATE	SUMMARY OF CHANGES
1.0	15-Oct-21	<ul style="list-style-type: none"> Previously the SIB guidance was Appendix 1 of DF1/10/190918 “SIB Policy and Procedures on Fraud: Including Guidance on Conflicts of Interest”. It is now rewritten as a separate document aligning with “DAO (DoF) 07/21 - Guidance on Conflicts of Interest” (see FI1/21/1239556), which is published on the DoF website as DAO (DoF) 07/21 att (29 Sept 2021) - Conflicts of interest guidance.¹

¹ <https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/daodof0721.att.pdf>

Appendix 2 SIB – Statement of Agreement and Declaration of Interests¹

All SIB staff must review the potential for them to have conflicts of interest.

A Statement of Agreement and Declaration of Interests must be completed and signed annually by all SIB staff. The form is designed for typing or writing; however, the form must still be printed, physically signed and returned as a hard copy to the Chief Executive Officer (CEO) or as directed in the annual notice asking staff to update their declarations. The most up-to-date version of the declaration form is always available separately in Content Manager (DF1/08/316258 “[*TEMPLATE*] Register of Interests - Staff [SIB Annual Statement of Agreement and Declaration of Interests]”) and on the [SIB Intranet](#) – navigate to [DOCUMENT CENTRE > POLICIES AND PROCEDURES](#).. For convenience of reference a facsimile copy of the template is provided on page 25.

You must:

- Confirm that you have read and understood the SIB Policy and Procedures on Fraud (this document).
- Confirm that you have read and understood the key SIB policies as noted on the declaration form (these are also available on the SIB Intranet in the Document Centre).
- Submit a statement annually that you agree to abide by the policy, any conditions within it and conditions imposed by any of the documents referred to in the policy.
- State that you have complied with the policy and conditions since making your last return. If this is your first return, then you must state that you have complied since joining SIB.
- Declare any outside interests or activities that may potentially conflict with the interests or activities of SIB.
- Confirm that nothing reported represents an actual conflict of interest – any doubts and exceptions must be recorded and cleared with the CEO.
- Submit a new statement and declaration immediately if your circumstances change since your last submission. (You must do this immediately and not wait until your next submission would normally be due). Consult with the CEO if you have any doubts about what to register.

Please note that SIB is participating in the National Fraud Initiative’s data matching exercise.

¹ DF1/10/269176 “*Managing the SIB Declaration of Interests*” sets out how the forms are to be monitored.

Statement of Agreement and Declaration of Interests

Name: (Please print)

Occupation/position:
(Please say if you are retired)

I have read and understood the “*SIB Guidance on Conflicts of Interest*”, the “*SIB Policy and Procedures on Fraud*” and the other key policy documents as listed on page 27. I accept that I must follow the guidelines in place and I agree to be bound by the “*SIB Policy and Procedures on Fraud*” and the “*SIB Guidance on Conflicts of Interest*” while I am an employee of SIB.

Please print “YES” or “NO” in the box. →

I confirm that, to the best of my knowledge, I have complied fully with the provisions of the “*SIB Policy and Procedures on Fraud*”, the “*SIB Guidance on Conflicts of Interest*” and any related documents since my last return.

And, if this is my first return, that I have fully complied since joining SIB.

Please print “YES” or “NO” in the box. →

If you answer “No” to this confirmation, you must provide full details of the reasons below. (Continue on a separate page if necessary).

I understand that a breach of the provisions of the “*SIB Policy and Procedures on Fraud*”, the “*SIB Guidance on Conflicts of Interest*” and any related documents may, subject to investigation, lead to disciplinary action which, in certain circumstances, could lead to dismissal and that failure to submit an annual declaration may also be treated as a disciplinary matter.

Please print “YES” or “NO” in the box. →

If you or your family, friend(s) or associate(s) operate or are involved in an outside business (including voluntary and charitable businesses/activities) you should take this into account in answering the questions on this form. Consider the following points carefully.

- Any potential or actual links between that business/activity and SIB, or SIB’s clients or partner organisations.
- The separation of activities associated with the business/activity and your official duties.

Do you hold any positions outside SIB, whether paid or unpaid, in any public or private organisation(s)?

Please print "YES" or "NO" in the box. →

Are you, family members, friends or associates involved in any outside businesses or activities (including voluntary and charitable) that could present a conflict or perceived conflict with your work for SIB, its clients or its partners?

Please print "YES" or "NO" in the box. →

If you answered "Yes" to either of the above, please provide details below.

Do you receive any payment or reward from any organisation(s) other than SIB?

Please print "YES" or "NO" in the box. →

If you answered "Yes", please provide details below ((e.g. amounts received, frequency of payment, etc.).

Do you have any of the following that might, to your knowledge, conflict with the work of SIB or that could lead to a perception of a conflict of interest?

- Interests in, relationships with, or perceived relationships or interests with outside organisations or individuals, including former employers.
- Political activities, sponsorships, shareholdings or dealings, etc. with outside organisations.
- Personal relationships with individuals (e.g. relations who are employed by suppliers or clients of SIB).

Please print "YES" or "NO" in the box. →

If you answered "Yes", please provide details below. Note that you must also tell the CEO about these relationships and interests and anything that might lead to a perception of a conflict of interest. You also have an ongoing responsibility to inform the CEO should you work or be asked to work on assignments where these matters could give rise to the risk of conflict.

I confirm that:

- Nothing reported above is a conflict of interest for my work for SIB.
- Should circumstances change I will revise this form.
- Should any conflict or perceived conflict of interest arise I will immediately report it to the SIB CEO.

Date: Signed:

Please note that SIB is participating in the National Fraud Initiative’s data matching exercise.

Please see DF1/10/190918 “SIB Policy and Procedures on Fraud” and FI1/21/1242715 “SIB Guidance on Conflicts of Interest” for guidance while completing this declaration.

SIB Key Policies

You can find the key policies on Content Manager (CM) – see the references in the table below – or on the [SIB Intranet](#) – navigate to [DOCUMENT CENTRE > POLICIES AND PROCEDURES](#).

Policy Document Title	CM Reference
SIB Guidance on Conflicts of Interest	FI1/21/1242715
SIB Financial Policies & Procedures Manual , which includes: <ul style="list-style-type: none"> • SIB Travel and Subsistence Policy • SIB Policy on use of Cars • SIB Policy on Acceptance of Gifts and Hospitality 	DF1/11/239920
SIB Policy and Procedures on Fraud	DF1/10/190918
Strategic Investment Board Ltd (SIB) – Policy on Raising a Concern (Whistleblowing)	FI1/18/873641
SIB Policy Prohibiting the Use of Mobile Phones While Driving	DF1/12/290008
Strategic Investment Board Limited (SIB) Staff Handbook	DF1/13/606815
SIB GDPR and Data Protection Policy and Procedures	DF1/09/287091
SIB Records and Information Management Policy	DF1/12/113567
SIB Security Policy and Procedures	DF1/09/287618
SIB Procedures on Loss or Theft of Data or ICT Devices	DF1/12/458202

SIB Business Continuity Plan

(Updated annually as a new document in CM with a different record number. Staff are notified when a new version is released.)

Please search CM or look at Intranet.

Data Protection

Under the Data Protection Act and the UK General Data Protection Regulation (GDPR), SIB has a legal duty to protect any information collected from you. We use leading technologies and encryption software to safeguard your data, and keep strict security standards to prevent any unauthorised access to it.

SIB has a [Privacy Notice](#) that provides more information, explains how SIB uses personal information and the ways in which SIB protects privacy.

Appendix 3 A Conflict-of-Interest Checklist

Do you think you have an actual, perceived, or potential conflict of interest? The following questions may help when assessing an issue or the situation in which you are involved.	Y/N?
1. Would I, or anyone associated with me, benefit from, or be detrimentally affected by, my proposed decision or action?	
2. Could there be benefits for me in the future that could cast doubt on my objectivity?	
3. Do I have a current or previous personal, professional, or financial relationship or association of any significance with an interested party?	
4. Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?	
5. Do I or a relative, friend or associate stand to gain or lose financially in some covert or unexpected way?	
6. Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?	
7. Have I contributed in a private capacity in any way to the matter being dealt with by SIB or its partners/clients?	
8. Have I made any promises or commitments in relation to the matter?	
9. Have I received a substantial gift, benefit, or hospitality from someone who stands to gain or lose from my proposed decision or action?	
10. Am I a member of an association, club or professional organisation or do I have ties and affiliations with organisations or individuals who stand to gain or lose by my proposed action or decision?	
11. Could this situation have an influence on any future employment opportunities outside my current official duties?	
12. Could there be any other benefits or factors that could cast doubt on my objectivity?	

If you answered yes to any of the above, that suggests that you should include the matter in your declaration made annually to SIB (Appendix 2 above). Better the avoidance of doubt.

See also Appendix 4 below, Definitions of Family and Friends.

Appendix 4 Definitions of Family and Friends

The [DAO \(DoF\) 07/21](#) guidance offers some definitions, as follows.

Family		
A parent	A parent-in-law	A son
A spouse/partner	A daughter	A daughter-in-law
A son-in-law	A stepson	A stepdaughter
A stepparent	A sister	A cousin
A brother	An aunt	An uncle
A grandparent	A niece	A nephew
A spouse or partner of any of the above.		
Any relationship as above resulting from adoption.		
Or, if any of the above is one of an unmarried couple, the other member of that couple.		

Friend
The Department of Finance describes a friend as a person (other than a relative) with whom one is on terms of mutual affection: an ally, an associate, a helper, a sympathiser, or a person with whom one has social contact. There can be no absolute and definitive definition of a friend. Consider common sense and individual circumstances in any decision about who is a friend and who is not for this purpose.

Appendix 5 Other Sources of Good Practice/Guidance Material

The [DAO \(DoF\) 07/21](#) guidance notes a substantial body of good practice guidance and material that covers the identification, declaration and management of interests and conflicts of interests within the Northern Ireland public sector. This includes guidance specific to departments and ALBs.

- Managing Public Money NI
- HM Treasury document 'Regularity, Propriety and Value for Money'
- NICS HR Handbook/Code of Ethics
- On Board Guide – A Guide for Board Members of Public Bodies in NI
- Public Bodies Guide
- Code of Conduct for Board Members of Public Bodies
- Corporate Governance in Central Government Departments: Code of Good Practice (NI) 2013
- Audit and Risk Assurance Committee Handbook
- NIAO Good Practice Guide on Conflicts of Interest
- NIAO Good Practice Guide on Managing the Risk of Bribery and Corruption

The Commissioner for Public Appointments for NI has published several pieces of guidance including:

- Code of Practice for Ministerial Appointments in Northern Ireland
- Guidance on conflicts of interest and integrity and how to raise a complaint

In addition, the issue is also covered in the NICS Departmental Common Guidance.

An overview of each of these guidance documents is set out below.

A5.1 Managing Public Money NI

Managing Public Money Northern Ireland (MPMNI) is the key guidance document that sets out the main principles for dealing with resources used by public sector organisations in Northern Ireland. It further reflects that the principles that apply to managing public resources, run right across the many diverse organisations delivering public services in Northern Ireland. The standards which public servants should seek to deliver are set out below:

Honesty	Fairness
Impartiality	Integrity
Openness	Transparency
Accountability	Objectivity

Accuracy

Reliability

MPMNI also contains the seven principles of public life, known as the Nolan principles which apply to all in public service, some of which duplicate/crossover the above. They are Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership.

Of these, Integrity now reflects that Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Paragraph 3.7.1 discusses conflicts of interest in respect of Accounting Officers, and states that there must be no doubt that the Accounting Officer meets the standards described in Box 3.1 without divided loyalties. It lays out possible ways on managing issues as:

- for a significant but temporary conflict, inviting DFP (now DoF) (or sponsor department as the case may be) to appoint an interim Accounting Officer for the period of the conflict of interest.
- for a minor conflict, arranging for someone other than the Accounting Officer to make the key decisions on the issue(s) in question.
- for serious and lasting conflicts, resignation.

A5.2 HMT Regularity, Propriety & Value for Money

The HMT handbook “*Regularity, Propriety and Value for Money*” is designed primarily for Accounting Officers in Government Departments, Agencies and Non-Departmental Public Bodies (NDPBs), but is also of interest to NDPB Board Members, who also have an important role in ensuring that these bodies operate with propriety and regularity. Although this is an HM Treasury document, it has read across in Northern Ireland and a link to it is included in all Accounting Officer appointment letters in Northern Ireland.

Paragraph 2.1 states that all public servants are expected to observe the highest standards of conduct. Public servants must act with propriety, particularly in the care and management of public funds. The handbook explores what propriety means in a financial context. It is a concept with many facets, and experience has shown how important it is to understand the concept fully and to keep it at the forefront of the mind when making decisions.

Parliament’s concern for regularity and propriety in the stewardship of public funds is particularly reflected in the work of the Public Accounts Committee (PAC), and hence the Committee’s work features heavily in the handbook. The Committee is invariably very critical of any breaches of propriety or regularity, and their comments are reported widely in the media. At the close it is suggested there is one final test to apply if there is

any question mark over whether a proposed course of action meets the requirements of propriety.

Could this be satisfactorily defended before the Public Accounts Committee?

The Public Accounts Committee is only one element of accountability, which is ultimately to the public. On that basis, the test could simply be worded.

Could this course of action be satisfactorily defended in public?

The fact that what is involved is responsibility for public funds means that the standards of behaviour expected of public servants in financial matters are different, and in some respects more demanding than those which may be accepted for equivalent activities in a private context. Achieving good results is important, but these results must not be achieved by cutting corners.

The handbook aims to illustrate what is and what is not “proper behaviour” and there are some basic “dos and don’ts”. One of the basic don’ts is:

Don’t allow a conflict of interest to affect, or appear to affect, decisions.

The handbook also refers to the Civil Service Code – “*Civil servants should conduct themselves with integrity, impartiality and honesty...[they] should not misuse their official position...to further their private interests or those of others...*”; and

The Model Code of Conduct for Staff of Executive NDPBs says – “*Key members of staff, such as the Chief Executive, Finance Director...should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them...*”

A5.3 NICS HR Handbook/Code of Ethics

The Northern Ireland Civil Service (NICS) has a range of robust policies and procedures in place which supports and promotes integrity, honesty, and responsibility of its staff. The Standards of Conduct Policy (para 6.01) provides the principles and rules that govern the behaviour and conduct of all NICS staff. The Code of Ethics sets out the values and standards of behaviour expected from NICS staff. A fuller description and constitutional position of Civil Servants and the values they are expected to uphold can be found in the Standards of Conduct Policy (para 6.01) Para 3 Code of Ethics and Annex 1.

A5.4 On Board Guide

The On Board Guide, which is a guide for Board Members of Public Bodies, states that Board Members must be (and be seen to be) completely selfless and objective as well as adhering to the highest standards of personal integrity. Section 5 sets out Standards of behaviour, and specifically Board Members must:

- Demonstrate **selflessness** by taking decisions solely in terms of the public interest. They must not act to gain financial or other material benefit to themselves, family, friends, or employer.
- Demonstrate **integrity** by not placing themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

- Be **objective** – decisions should be taken solely on merit when carrying out public business.
- Act with **honesty** at all times. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

The principles in relation to integrity, honesty, and openness, are given further practical effect by the requirement for Board Members to declare certain interests in the proceedings of their public body. Together with the rules on registration of interests, this ensures transparency of their interests which might influence, or be thought to influence, their actions. Board members are asked to note that the appearance of a conflict of interest, in terms of public perception, can be every bit as damaging as an actual conflict - both should be avoided.

The above principles would apply equally to members of staff of public bodies.

Board members are advised in the On-Board Guide that it is their personal responsibility to make sure that they are familiar with the provisions of the Code of Practice, and that their actions always comply with it. They are also advised that they should also review regularly, and at least annually, their personal circumstances with this in mind, particularly if their circumstances change.

A5.5 Public Bodies Guide

The “Public Bodies – A guide for NI Departments” makes it clear that staff should be clear about the standard of conduct required, their duties and obligations and penalties that may incur if they fall short of them. It states that conduct rules should cover private interests and possible conflicts with public duties.

Chapter 5 is specifically about Public Body Staff (see attached extract below). Annex 5A contains a ‘Model Code for staff of Executive NDPBs’ which advises that NDPBs should have a Staff Handbook which includes staff conduct and disciplinary matters. The Model includes a section on Conflicts of Interest which states that staff should abide by any rules adopted by the body and not misuse their position. Specifically, it states

“Key members of staff, such as the Chief Executive, Finance Director, managers of large contracts and staff working on contracts, should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them.”

Extract from Public Bodies – A Guide for NI Departments

- 5.7 Rules of conduct and staff code
- 5.7.1 NDPBs should adopt a staff Code of Conduct in line with the Model Code for Staff of Executive Non-departmental Public Bodies – see Annex 5A.
- 5.7.2 Staff should be clear about the standard of conduct required, their duties and obligations and penalties they may incur if they fall short of them. Conduct rules should cover:
- private interests and possible conflicts with public duty;

- the acceptance of gifts and hospitality;
- relevant share holdings;
- the disclosure of official information;
- political activity; and
- effective and clear procedures for staff to raise concerns about improper conduct (if necessary with an official in the sponsor department) including Whistle-blowing procedures consistent with the Public Interest (Northern Ireland) Order 2003.

5.7.3 In addition there should be rules for NDPB staff accepting business appointments after resignation or retirement in relation to the functions of the NDPB concerned and any potential for conflict of interest which may give rise to public concern. Rules about the acceptance of outside appointments for Civil Servants (which can be replicated for NDPB staff) are set out in the NICS Staff Handbook.

5.7.4 Consideration should be given to rules about restrictions on political activity of NDPB staff, particularly in the run-up to elections and referendums, and to the avoidance of involvement in issues of party political controversy. Guidelines and principles on participation in political activities for Civil Servants (which can be replicated for NDPB staff) can be found in NICS Staff Handbook.

A5.6 Code of Conduct for Board Members of Public Bodies

An updated template for “Code of Conduct for Board Members of Public Bodies” was issued in 2014. Departments were advised that the template should be used as the basis on which to develop specific/bespoke Codes of Conduct for Board Members, and that any such Code should take account of the relevant legislation and other provisions under which individual bodies had been established.

Section 4 of the template is on Members’ Interests and advises that Members must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests – private or otherwise. It emphasises that the appearance of a conflict of interest, in terms of public perception, can be every bit as damaging as an actual conflict and that both should be avoided. It further provides examples of interests which may need to be declared, and guidance on how these could be managed.

A5.7 Corporate Governance in Central Government Departments: Code of Good Practice NI 2013

The above code reflects that departmental Accounting Officers should establish and document a clear allocation of responsibilities amongst in the department, but he or she retains overall personal responsibility and accountability to the Assembly for a arrange of issues, including propriety and regularity.

The code also makes the following points on the role of the Board:

- Board members should act in the public interest in keeping with the Nolan principles of public life.
- The Board should support actions to ensure that officials comply with the NI Civil Service Code.
- The Board should agree and document an appropriate system to record interests and manage conflicts and potential conflicts of interest of Board members. The Board should publish, in its Governance Statement, how any identified conflicts of interest, and potential conflicts, of Board members have been managed.

A5.8 Audit and Risk Assurance Committee Handbook

The Audit and Risk Assurance Committee Handbook sets out a clear set of principles that should be followed by Audit and Risk Assurance Committees. It includes that there should be a process for registering member's interests and for declaring and managing conflicts of interest in the Audit and Risk Assurance Committee, and that normally this should mirror the processes used at Board level. It further sets out how it is the personal responsibility of members to proactively declare any potential conflicts arising out of business undertaken by the organisation(s), arising on the Committee's agenda or from changes in the member's personal circumstances, and suggests how these could be managed.

The handbook also contains a model letter of appointment for Audit and Risk Assurance Committee members, which includes the requirement to register any interests, and to update these if there are any changes to their personal circumstances during the period of their appointment.

A5.9 NIAO Good Practice Guide on Conflicts of Interest

The NIAO Good Practice Guide on Conflicts of Interest was published in March 2015. It seeks to provide clear and simple advice for staff drafting and implementing conflict of interest policies. It also aims to help Board Members and staff in key positions to recognise when they have a conflict of interest and how they should act when such a situation arises.

The main aim of the guide is to promote high standards in public life and especially to follow the key characteristics of propriety as defined in the 'Seven Principles of Public Life' known as the Nolan Principles. These seven principles underpin public life. One of the key messages of the Guide is that a perception of a conflict of interest can be just as significant as an actual conflict of interest.

The Guide includes case studies of different types of conflicts of interest and sets out a range of strategies for managing conflicts of interest. It also details the circumstances where particular strategies are most suitable and least suitable.

A5.10 NIAO Good Practice Guide on Managing the Risk of Bribery and Corruption

The NIAO Good Practice Guide on Managing the Risk of bribery and Corruption was published in November 2017. The Guide aims to help Northern Ireland public sector organisations and individual public officials identify how bribery and corruption may occur, highlight the key risk areas and provide advice on how the risks can be countered, both at an organisational and personal level.

The guide lays out that the term “bribery” and “corruption” are often linked. It also states that corruption has a broad definition and in public sector terms relates to someone using public office to further their private and personal interests. It goes on to state that corruption can include, for example, fraud, conflicts of interest and unethical behaviour. Bribery is a specific offence falling within the broad spectrum of corruption.

The guide is useful in providing a link to conflicts of interest and provides some useful examples and information on managing conflicts of interest.

A5.11 Commissioner for Public Appointments for NI guidance

A5.11.1 Code of Practice for Ministerial Appointments in Northern Ireland

The Commissioner’s role is to regulate, monitor, report and advise on the way in which Ministers make appointments to the Boards of many public bodies in Northern Ireland. The Commissioner’s key concern is to ensure that these appointments are made in ways that are open, transparent and merit based. The Code covers conflicts of interest issues whether real, perceived, or potential, with regards to the assessment of applicants during the public appointments process.

It advises that some manageable conflicts of interest will not be a barrier to appointment, but that selection panels should discuss all real, perceived, and potential conflicts with all applicants.

A5.11.2 Guidance on conflicts of interest and integrity and how to raise a complaint

This is guidance for those applying for public appointments. It lays out that while Public Appointments are made by individual Government Ministers, whoever deals with competitions they are overseen by the Commissioner for Public Appointments in Northern Ireland. It states that the Commissioner regulates the process but is not involved in individual competitions. The guidance also states that departments must follow the Commissioner’s ‘Code of Practice for Ministerial Appointments to Public Bodies in Northern Ireland’ to ensure that appointments are made on merit, after fair and open competition. It also provides details on how to make a complaint if candidates feel they have not been treated fairly and provides some guidance on conflicts of interest and integrity.

A5.12 Departmental Common Guidance

The Departmental Common Guidance (currently under review) includes Annexes (regulated/unregulated) providing Probity and Conflicts of Interest Guidance for Candidates, which some departments include in their competition information booklet. The Annexes

cover the seven principles and advise, *“As part of the selection process you will be tested on your commitment to maintaining high standards in public life with particular emphasis on probity issues and conflicts of interest.”*

The Annexes cover:

- What is a conflict of Interest?
- Surely a perceived conflict is not a problem, as long as I act impartially at all times.
- What should I do if I think I have a conflict of interest?
- If I declare a conflict, does this mean I will not be considered for appointment?
- What happens if I do not declare a known conflict, which is then discovered by the Department after my appointment?
- What happens if I do not realise a potential conflict exists?
- What happens if a conflict of interest arises after an appointment is made?