



ADMINISTRATIVE PROCEDURES MEMORANDUM

#: APS 043

Conflict of Interest, Nepotism and Cronyism Hiring/Supervision

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MEMO TO: All Staff

FROM: Director of Education

BACKGROUND

In recent years the demand for greater transparency and rigid standards of ethics has forced many organizations to re-examine their hiring and supervision policies. Conflict of interest, nepotism and cronyism have given way to a demand for greater openness, fair competition and objective hiring practices. The following guidelines serve to define these practices and to provide appropriate recommendations governing hiring, promotion and supervision.

DEFINITION

Conflict of Interest: A conflict of interest arises when a person is influenced by personal considerations when doing his or her job. Thus, decisions are made for the wrong reasons. Perceived conflicts of interests, even when the right decisions are being made, can be as damaging to the reputation of an organization and erode public trust, as an actual conflict of interest.

Nepotism: Is a particular type of conflict of interest applying to a situation in which a person uses his or her power to obtain a favour – very often a job – for a member of his or her family. This is not a “no relative” standard, but does prohibit individuals from using or abusing his or her position to get jobs for family members. The objective is to hire/promote the ‘best’ possible candidate.

Cronyism: Is a broader term than nepotism, and covers situations where preferences are given to friends and colleagues.

PROCEDURES

1. No persons related directly or indirectly via marriage may be placed in a position of interviewing one-another. Individuals who find themselves in this situation must declare their conflict and remove themselves from the interview.
2. A potential candidate for a position will not be involved in the recruitment process for that job. This includes acting as the contact person for potential candidates, framing advertisements or conducting reference checks.

3. All interviews must be conducted by a minimum of two individuals. Where possible, the same interview team must interview all candidates for a given position and the same questions must be asked of all candidates.
4. No interview is to take place without the direct knowledge of HRS.
5. All postings/advertisements must be signed off by both the appropriate superintendent and HRS.
6. Selection criteria should be reviewed before recruitment action is taken to ensure they adequately reflect the requirements of the position and attract the widest field of applicants.
7. The recruitment process must be open and transparent.
8. The integrity of the process must not be compromised by shortcuts.
9. If an employee and a family member work in the same jurisdiction and one of them assumes supervisory influence over the other, a transfer of responsibilities will be arranged as soon as possible.
10. Full and accurate records of decision making processes must be maintained.
11. When an employee considers he/she may have an indirect conflict of interest, this conflict of interest should be made known to others who are participating in the process.
12. When an employee considers he/she has a direct conflict of interest the individual should excuse himself or herself from further involvement.
13. No persons shall influence the hiring process through unsolicited promotion and unauthorized recommendations of candidates.

APPENDIX 'A'

When does conflict of interest occur?

Everyone has personal interests and people to whom they are close. It is inevitable that, from time to time, these interests will come into conflict with their work decisions or actions. What needs to be avoided is personal gain at the expense of the organization. The following list though not exhaustive, may assist individuals in identifying situations where a conflict is likely to arise:

Direct Conflict of Interest

- A relative of yours has applied for a job.
- A relative of yours works in the same department/school where you are the direct supervisor

Indirect Conflict

- A friend's relative applies for a job.
- A co-worker in your department/school has a relative who applies for a job.
- A student you once taught applies for a job.

When does Nepotism and/or Cronyism occur?

- Nepotism/Cronyism occurs when one advocates or participates in, or causes the employment, appointment, reappointment, evaluation, promotion, transfer, or discipline of a close family member in a department etc. over which he or she exercises jurisdiction.
- Nepotism/Cronyism occurs when one participated in the determination of a close family member's compensation.
- Supervising directly or indirectly, a close family member or delegating such supervision to a subordinate.

In order to assist you with these and other decisions that are essentially ethical decisions, you are encouraged to consult our ***Professional Standard of Ethics*** document that is available on our StaffNet.