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**DAO (DoF) 07/21**

**29 September 2021**

Dear Accounting Officer

## **GUIDANCE ON CONFLICTS OF INTEREST**

### ***Purpose***

1. The purpose of this DAO letter is to advise of the publication of guidance on ***Conflicts of Interest***, which is attached separately and is available on the Accountability and Financial Management section of the DoF website.

### ***Background***

2. The Northern Ireland Civil Service (NICS) Standards of conduct as set out in the Staff Handbook and the NICS Code of Ethics, which is part of a member of staff's contract, requires that civil servants must not use their official position or any information obtained through their employment with NICS to further their private interests or the interests of others. It states that they must not accept gifts or hospitality, or receive other benefits from anyone which might reasonably be seen to compromise their personal judgement or integrity.
3. It is important to note that it is a disciplinary offence to:
  - Use an official position to further private interests, or the interests of others;
  - Misuse information acquired in the course of official duties; or
  - Disclose information which is held in confidence.

4. Failure therefore to disclose a relevant interest may result in disciplinary action and could ultimately lead to dismissal. The discipline policy of the Staff handbook describes the disciplinary procedures which may be applied. While the handbook covers NICS only, other public bodies should have similar policies and an appropriate equivalent of the Staff handbook in place.
5. It is essential therefore that any conflicts of interest are identified and that any risks are managed appropriately. There is a substantial body of good practice guidance and material available on the issue of conflicts of interests within the NI public sector to help identify and manage conflicts of interest. However, it was recognised that there was a need to consolidate the key aspects of existing material into one specific piece of guidance for the wider public sector.

### ***The Guidance***

6. The new guidance contains detailed information on the four main stages to consider and work through in relation to conflicts of interest, including high level principles as below:
  - Identifying a conflict of interest – actual, potential or perceived: *It is important that conflicts of interest (including potential/perceived conflicts) are **identified at the earliest opportunity.***
  - Declaring conflicts of interest: *Conflicts of interest (including perceived conflicts) must be **declared at the earliest opportunity.***
  - Managing conflicts of interest: *Conflicts of interest (including potential/perceived conflicts) must be **managed appropriately.***
  - Publishing registers of interest: *To ensure openness and transparency, **registers of interests** of senior officials and board members of public bodies should be **made available/published.***
7. It also provides detailed guidance across all of these stages, in particular around identifying conflicts of interest. There are also a number of useful

annexes to the guidance containing among other things, information on the range of guidance and good practice material that already exists on conflicts of interest, and sample templates for Declarations of Interest and Registers of Interest.

8. The information provided will be processed in accordance with data protection principles as set out in the UK GDPR. Data will be processed only to ensure that Board Members and staff act in the best interests of departments. The information provided will not be used for any other purpose.
9. The guidance is intended to help both staff and Board Members from departments and their sponsored bodies drawing on the various sources already available, recognised good practice in this area and lessons learned through PAC. It does not however seek to replace any of these, or any other guidance. The guidance is also in line with the NICS staff handbook and the NICS Code of Ethics.

### **Action**

10. This DAO and the attached guidance should be brought to the attention of staff and Board Members within your department and ALBs. They should be considered alongside other relevant policies and guidance on areas such as Procurement, HR, Gifts and Hospitality etc.

### **Queries**

11. Any queries regarding the guidance should be addressed to [Julie.Sewell@finance-ni.gov.uk](mailto:Julie.Sewell@finance-ni.gov.uk) or myself ([Stuart.Stevenson@finance-ni.gov.uk](mailto:Stuart.Stevenson@finance-ni.gov.uk)).

Yours sincerely



**STUART STEVENSON**

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