



CONFLICT OF INTEREST

Conflict of interest in recruitment: right person, right job

The South Australian Department for Special State Projects is recruiting for a new Media Manager. How will Alison, the Executive Director, manage the process?

The story

The Department for Special State Projects has a merit based recruitment policy. The Executive Director of Corporate Services, Alison is recruiting for a new Media Manager. The position, which reports directly to Alison, has been externally classified as an ASO8.

A selection panel including Alison, Melati from Human Resources and Fidel, the Manager of Stakeholder Engagement, is assembled to review applications and interview candidates. 65 applications are received and the selection panel agree on eight candidates for interviewing, including Archie, an existing member of the media team.

Archie does not win the position, instead it is offered to Jackson, a candidate from outside of government, who appeared to meet the selection criteria and have good references.

Jackson accepts the job.

From day one there is tension between Archie and Jackson. Within two weeks of Jackson commencing Archie has lost confidence in his ability to perform in the manager's role. In Archie's opinion, Jackson does not have the required experience, has little or no knowledge of the way government operates and he does not seem to have any media contacts, despite this being a desirable selection criteria.

Archie also notices that Alison and Jackson have a very familiar relationship and wonders if they knew each other prior to Jackson joining the department. Four weeks later Archie discovers that he and Jackson have a mutual friend. This mutual friend tells Archie that Jackson dropped out of university after one year and never completed his degree. He also told Archie that Jackson had once been charged with receiving stolen goods but that those charges were dropped before going to court.

Archie consulted the original job advertisement and noted that a university degree in communications or journalism was a mandatory selection criterion. He also confirmed that the successful candidate was required to undergo an integrity check.

Whilst looking at some Facebook photographs of a party at this mutual friend's house, Archie discovers a photo of Alison sitting on Jackson's lap. His friend tells him that he suspects Alison and Jackson are in a relationship but that they both deny it.

When Archie runs into Melati from HR, she asks him how Jackson is settling in. Archie doesn't tell her too much for the fear of sounding like he has sour grapes for not winning the position himself.

Melati tells Archie that Jackson was not her preferred candidate, nor was he Fidel's preferred candidate. Both Melati and Fidel thought that two other candidates were better qualified and suited to the role. However, given that the role was to report directly to Alison and also that Alison was the most senior and experienced person on the panel, both Melati and Fidel agreed to sign off on Alison's preferred candidate.

Archie asked Melati if Alison had declared that she knew Jackson. Melati said she had not. Archie then reported his suspicion to the Office for Public Integrity (OPI).

Facts uncovered after a report was made to the Office for Public Integrity

- ▼ Alison and Jackson had known each other for some time prior to Jackson winning the position.
- ▼ Alison and Jackson began an intimate relationship in the months leading up to Jackson applying for the position.
- ▼ Alison had assisted Jackson in writing his application.
- ▼ Alison had coached Jackson on how to answer questions the panel would be asking.
- ▼ Alison did not declare her conflict of interest.
- ▼ Alison did not submit a request for an integrity check on Jackson.
- ▼ Human resources did not insist on an integrity check even though the agency policy requires that all staff undergo one.
- ▼ Jackson would not have passed an integrity check as he has a criminal record and an association with an organised crime group. Alison was aware of this.
- ▼ Alison influenced the panel into employing Jackson against their better judgement.
- ▼ Melati and Fidel felt awkward in challenging Alison's selection due to the senior position she holds in the Department.
- ▼ Jackson's application and CV contained falsehoods, including a claim that he had an honours degree in journalism and that he had managed a media team in his previous position.
- ▼ Melati conducted the phone reference checks but did not discover that the contact names and numbers provided by Jackson were fraudulent.

With thanks to ICAC Office for Public Integrity, South Australia

Questions

1. List all of the ethical issues around this situation.
▽
▽
2. List all of the governance and operational issues - and potential issues - you can identify in this recruitment process.
▽
▽
3. Why is it important to understand exactly what happened during this recruitment process?
▽
▽
4. What effect could this type of conduct have on the reputation of the agency?
▽
▽
5. What effect could this type of conduct have on the morale and motivation of employees of the agency?
▽
▽
6. In terms of controls and governance what might the public authority do to prevent this occurring again?
▽
▽
7. Is there anything that Archie could have done to prevent this from happening?
▽
▽
8. What could Melati and Fidel have done to ensure the integrity of the recruitment process?
▽
▽
9. Is there anything else the public authority should consider?
▽
▽



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources