

DISCLOSING A CONFLICT OF INTEREST

Guideline & Disclosure Form for
Political Staff

Introduction and Purpose

Political staff are required under the [Political Staff Oath Regulation](#) and [Standards of Conduct for Political Staff](#) to avoid conflicts of interest. Political staff must arrange their private affairs in a manner that will prevent real, perceived or potential conflicts of interest from arising. Political staff also have an obligation to proactively disclose information to their manager (or the Chief of Staff to the Premier) regarding circumstances that may give rise to a real, perceived or potential conflict of interest so that any such conflict may be assessed and appropriately addressed. Effectively managing conflicts of interest is one of the primary ways that public confidence in the integrity of government is fostered and maintained.

The purpose of this guideline is to provide direction to political staff seeking to disclose a possible conflict of interest. It includes self-assessment tests to assist political staff in determining if they are in a real, perceived or potential conflict, and a disclosure form to assist in gathering information applicable to the possible conflict. The guideline supports the effective administration of the Standards of Conduct for Political Staff by clarifying the obligations of political staff to prevent and resolve conflicts of interest, and by setting out the process to report conflicts that do arise. A process diagram summarizing the conflict of interest process, including the employer's process for reviewing disclosures made by political staff, is found at [Appendix D](#).

Disclosures made by political staff must be assessed and addressed by their manager and/or the Chief of Staff to the Premier. Please refer to the companion document to this guideline, [Assessing & Addressing Conflicts of Interest Disclosed by Political Staff: Guideline for Managers of Political Staff and the Chief of Staff to the Premier](#), for more information on how the employer addresses conflict of interest matters.

Scope

This guideline has the same scope as the Standards of Conduct for Political Staff. Political staff are persons appointed under section 15(1)(a) of the *Public Service Act* who report through to the Chief of Staff to the Premier or provide support to a Minister, and who are not assigned job duties primarily of an administrative, technical or communications nature. Most appointees working in the Office of the Premier and supporting Ministers' offices are political staff (e.g., Ministerial Assistants and Executive Assistants). Appointees to Government Communications and Public Engagement are not political staff.

Regular employees in the BC Public Service with concerns about real, perceived or potential conflicts of interest should review the conflict of interest page on MyHR and/or confer with their manager, ethics advisor or deputy minister.

Defining a Conflict of Interest

The Standards of Conduct for Political Staff define a conflict of interest as a situation where a political staff member's private affairs or financial interests are in conflict, or could result in the perception of conflict, with the staff member's duties or responsibilities in such a way that:

- the staff member's ability to act in the public interest could be impaired; or
- the staff member's actions or conduct could undermine or compromise:
 - the public's confidence in the staff member's ability to discharge work responsibilities; or
 - the trust that the public places in the Province of British Columbia.

A conflict of interest therefore involves a conflict between the public duty and private interests of a political staff member, in which the private interests could influence the performance of their job duties, or in which a staff member uses their office for personal gain.

Conflicts of interest do not relate exclusively to matters concerning financial transactions or the transfer of economic benefit. A conflict may arise regardless of the staff member's intentions and does not

necessarily imply an individual is improperly motivated. A conflict may arise wherever a set of circumstances exists that creates the risk of a real, perceived or potential conflict of interest.

Real, Perceived and Potential Conflicts

The Standards of Conduct for Political Staff require that political staff must disclose any real, perceived or potential conflict of interest. A **real** conflict of interest has the same definition as described above.

A **perceived** conflict of interest can be said to exist where a staff member's private interests would appear to a reasonable person to conflict with their job duties *even though there may not be an actual conflict*. For example, a staff member has a close relative who has applied for a job in the Premier's Office. The staff member will participate on the interview panel to take notes, but will play no role whatsoever in making the hiring decision. This may be viewed as a perceived conflict (the staff member is participating on the interview panel involving her relative) even though there is no real conflict (the staff member is only taking notes not participating in any decision-making). Note a perceived conflict can be just as serious as a real or actual conflict.

A **potential** conflict of interest arises where a staff member has private interests such that, while no conflict has yet arisen, a conflict would arise were the staff member to become involved in discharging workplace responsibilities in the future that could be influenced by the private interest. For example, a staff member is a Ministerial Assistant in the Ministry of Environment. The staff member has recently advised their manager that they intend to accept a volunteer role with an environmental advocacy group that operates across Canada, including in British Columbia. In this case, the staff member is in a potential conflict related to the possibility that the environmental advocacy group with whom they wish to affiliate may in the future lobby the provincial government to make a change to its current environmental policy.

Please refer to the [Standards of Conduct for Political Staff](#) for additional information on conflicts of interest.

Key Responsibilities: Preventing and Disclosing a Conflict of Interest

Key responsibilities of political staff in relation to preventing/disclosing a conflict of interest include:

- Regularly reviewing the Standards of Conduct for Political Staff section on conflicts of interest, especially upon any changes to their job duties or position;
- Taking all possible steps to recognize, prevent, report and resolve any real, perceived or potential conflict of interest between their job responsibilities and their private interests;
- Avoiding any action to hide or conceal a conflict of interest;
- Refraining from maintaining private interests that may unduly influence their ability to discharge their job responsibilities;
- Not knowingly taking advantage of, or benefitting from, information that is obtained in the course of their employment that is unavailable to the public;
- Refraining from the direct or indirect use of, or allowing the direct or indirect use of, government property of any kind for anything other government business;
- Not interfering in the government dealings of private entities or persons in order to inappropriately influence the outcome; and
- Ensuring that any real, perceived or potential conflict of interest is resolved in favour of the public interest.

Managers of political staff and the Chief of Staff to the Premier are responsible for reviewing, assessing and addressing conflict of interest issues brought forward by political staff. Key responsibilities of these individuals are listed at **Appendix B**.

Process for Disclosing a Conflict of Interest

Political staff who believe they may be in a conflict of interest must disclose the matter to their manager or the Chief of Staff to the Premier. This disclosure should proceed according to the following steps:

1. **Identification of possible conflict by the staff member;**
2. **Confirmation of possible conflict by the staff member's manager (or the Chief of Staff to the Premier);**
3. **Completion of the disclosure form for political staff; and**
4. **Review and determination by the employer.**

STEP 1: IDENTIFICATION OF POSSIBLE CONFLICT BY THE POLITICAL STAFF MEMBER

New and current political staff who find themselves in a real, perceived or potential conflict of interest are required under the Standards of Conduct for Political Staff to disclose the matter to their manager or the Chief of Staff to the Premier, and to follow their direction in resolving the conflict. **Disclosure is required both at the outset of employment and an ongoing basis as circumstances may demand.** This includes staff members who have less than full-time employment, or job functions that necessarily contemplate external remunerative work or external affiliation, as such external affiliations may be a common source of a possible conflict.

Many conflict of interest issues can be easily identified as such by a political staff member following a review of the Standards of Conduct for Political Staff. For example, a conflict exists where:

- A staff member is involved in making the decision to hire a family member;
- A staff member accepts an expensive gift from a private entity in exchange for preferential treatment;
- A staff member has a private consulting business and uses their position in government, or uses confidential government information, to gain an advantage for their private business; or
- A staff member uses government property or equipment to pursue a private business.

For circumstances where a conflict of interest cannot be easily identified, three self-assessment tests are provided to assist political staff in assessing whether they are in a real, perceived or potential conflict. These tests are found at **Appendix A**.

Note these same three tests are included in the [Guideline for Managers of Political Staff and the Chief of Staff to the Premier](#) to assist those individuals in assessing a disclosure made by a political staff member to determine whether a conflict of interest exists. A manager or the Chief of Staff to the Premier may wish to discuss these tests with the staff member making the disclosure as part of the process of better understanding the circumstances being disclosed.

STEP 2: CONFIRMATION OF POSSIBLE CONFLICT BY THE STAFF MEMBER'S MANAGER

Once a political staff member has identified a possible conflict of interest concern, or where they are having difficulty identifying whether a conflict exists, the next step is to discuss the concern with their manager (or the Chief of Staff to the Premier). The staff member should explain the reasons why they believe they may be in a real, perceived or potential conflict and be prepared to answer any questions their manager may have regarding the issue. This step should be completed **within 30 days** of the staff member becoming aware of the possible conflict.

The manager (or the Chief of Staff to the Premier) will make a preliminary judgement as to whether a possible conflict of interest issue exists based on the facts available. Where the issue is straightforward, the manager may direct the staff member to take steps required to resolve or mitigate the conflict. **In such situations, this concludes the disclosure process and no other action is required.**

Where the issue is complex and/or not easily resolved or mitigated, the manager may require the staff member to complete the [Conflict of Interest Disclosure Form for Political Staff](#). The form ensures all applicable information related to the conflict is gathered and disclosed in writing, and establishes the basis for additional review by the staff member's manager or the Chief of Staff to the Premier.

STEP 3: COMPLETION OF DISCLOSURE FORM FOR POLITICAL STAFF

At the direction of their manager or the Chief of Staff to the Premier, the next step is for the staff member to complete the [Conflict of Interest Disclosure Form for Political Staff](#) found at **Appendix C**.

The Disclosure Form requires the staff member to:

- Acknowledge they have read and understood the conflict of interest provisions of the Standards of Conduct for Political Staff;
- Acknowledge they are disclosing what is or may be a conflict of interest;
- Report the facts and other relevant details related to the possible conflict; and
- Acknowledge they will cooperate with requests for additional information made by the employer, and inform the employer of any changes to the facts or other relevant details related to the possible conflict.

Once the Disclosure Form has been completed and signed, it should be submitted to the staff member's manager (or the Chief of Staff to the Premier).

The political staff member has now fulfilled their obligation to disclose a possible conflict of interest to the employer.

STEP 4: REVIEW AND DETERMINATION BY THE EMPLOYER

The final step requires the employer to review the staff member's disclosure and decide whether the conflict, its likelihood of influencing the staff member and potential for harm require the conflict to be resolved or mitigated. Each determination of this kind must be based on a case-by-case review of the specific circumstances at issue, and therefore relies on the professional judgement of the manager or the Chief of Staff to the Premier to gauge the overall magnitude of the conflict and decide how it should be addressed. Such determinations should:

- Assess the private interests of the staff member against their workplace duties and the employer's obligation to ensure the public interest is upheld;
- Be consistent with the Standards of Conduct for Political Staff, applicable guidelines or other authorities;
- Where deemed necessary by the Chief of Staff to the Premier, be made in consultation with an outside advisor (e.g, legal counsel, the Head of the BC Public Service Agency) where the matter is complex or cannot be easily resolved; and
- Be conducted in a timely manner and document any decisions made.

Once a determination is made by the employer, the staff member will be notified in writing of the decision and be advised of what steps they must take (if any) to resolve or mitigate the conflict.

For more information on how the employer assesses and addresses conflicts of interest disclosed by political staff, please refer to the companion document to this guideline, [Assessing and Addressing Conflicts of Interest Disclosed by Political Staff: Guideline for Managers of Political Staff and the Chief of Staff to the Premier](#).

A process diagram summarizing the conflict of interest process, including the employer's process for reviewing political staff disclosures, is found at **Appendix D**.

Reporting Allegations of Wrongdoing

In addition to disclosing conflicts of interest, a political staff member has a duty to report any situation relevant to the BC Public Service that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Political staff can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the Freedom of Information and Protection of Privacy Act). Political staff will not be subject to discipline or reprisal for bringing forward to their manager or the Chief of Staff to the Premier, in good faith, allegations of wrongdoing. Please refer to the [Standards of Conduct for Political Staff](#) for more information.

The Standards of Conduct for Political Staff note that political staff may also report wrongdoing under the *Public Interest Disclosure Act* (PIDA). Please refer to the Standards for more information and direction regarding the disclosure of wrongdoing under PIDA.

Questions?

For assistance with questions or other issues related to conflict of interest concerns, political staff should consult with their manager or the Chief of Staff to the Premier.

References and Resources

- [Standards of Conduct for Political Staff](#)
- [Oath of Employment for Political Staff](#)
- [Assessing & Addressing Conflicts of Interest Disclosed by Political Staff: Guideline for Managers of Political Staff and the Chief of Staff to the Premier](#)
- [Ethics & Standards of Conduct for Political Staff - MyHR](#)

Conflict of Interest Toolkit

Appendix A: Tests for Identifying Conflicts of Interest

Appendix B: Key Responsibilities of Managers & the Chief of Staff to the Premier

Appendix C: Conflict of Interest Disclosure Form for Political Staff

Appendix D: Conflict of Interest Process Diagram

Appendix A: Tests for Identifying Conflicts of Interest

The following tests provide a simple questionnaire-style framework designed to assist political staff in determining whether they are in a real, perceived or potential conflict of interest:¹

- **Test 1: Real (or Actual) Conflict of Interest**
- **Test 2: Perceived (or Apparent) Conflict of Interest**
- **Test 3: Potential Conflict of Interest**

¹ Tests in this section have been adapted from generic conflict of interest tests developed for public bodies by the Organization for Economic Co-operation and Development (OECD), *Managing Conflict of Interest in the Public Sector*. The explanatory comments for each test are similarly adapted from the OECD generic tests.

TEST 1: REAL (OR ACTUAL) CONFLICT OF INTEREST

- **Question 1: What duties or functions (i.e. job duties) is Political Staff Member X responsible for?**

[Refer to the job description, information describing the functions of the staff member's organization, duties flowing from regulation or legislation, the Standards of Conduct for Political Staff, or other descriptions of duties]

Answer 1: Staff Member X is responsible for functions 1, 2 and 3 in ministry B.

- **Question 2: Does Staff Member X have private interests of a relevant kind?**

[Refer to Comments below on "relevant private interests"]

Answer 2: Yes, the applicable facts are clear and Staff Member X has job-relevant private interests.

- **Conclusion:** Staff Member X has a conflict of interest.

EXPLANATORY COMMENTS:

"Private interests of a relevant kind" refers to private/personal interests that could be affected by the performance of Staff Member X's job duties or responsibilities. In this context, the private interests:

- Qualitatively, are of such a kind that it would be reasonable to believe the private interests could influence Staff Member X's performance of their job duties (for example, close affiliations with people or organizations, or personal assets or investments, etc); **or**
- Quantitatively, are of such financial value that it would be reasonable to believe that the private interest could influence Staff Member X's performance of their job duties (for example, a significant family business interest, opportunity to make a large financial profit or avoid a large loss, etc).

For example, a staff member works in the Ministry of Municipal Affairs & Housing as a Ministerial Assistant and has responsibility for advising their Minister on issues related to provincial grants provided to local governments in BC. The staff member has a private consulting business that provides advice to local governments on how to best navigate the application process so that they may improve their chances of obtaining a local government grant. In this case:

- The staff member's relevant job duties might include: being informed about processes and approval procedures related to the grant process, liaising with ministry staff, and advising their Minister on any issues of concern;
- The staff member also has other relevant public duties, for example ensuring they do not use information acquired through their employment for personal benefit.
- The staff member's private interests are securing additional income and utilizing their knowledge of local government grants for purposes other than their job as a Ministerial Assistant;
- The employer's interests are a fair grant process where all applications are treated equally and applications are evaluated and approved according to objective criteria.

On this basis, it would be concluded the staff member has job-relevant private interests and is therefore in a real conflict of interest. Steps must be taken by the staff member at the direction of their manager or the Chief of Staff to the Premier to ensure this conflict is addressed.

TEST 2: PERCEIVED (OR APPARENT) CONFLICT OF INTEREST

- **Question 1: What duties or functions (i.e. job duties) is Political Staff Member X responsible for?**

[Refer to the job description, information describing the functions of the staff member's organization, duties flowing from regulation or legislation, the Standards of Conduct for Political Staff, or other descriptions of duties]

Answer 1: Staff Member X is responsible for functions 1, 2 and 3 in ministry B.

- **Question 2: Does Staff Member X have private interests of a relevant kind?**

[Refer to Comments below]

Answer 2: The relevant facts are not certain, but it appears to be the case that Staff Member X may have job-relevant private interests.

- **Conclusion:** Staff Member X has a perceived (or apparent) conflict of interest.

EXPLANATORY COMMENTS:

“Private interests of a relevant kind” means the same thing as in Test 1. Recall that a perceived conflict of interest can be said to exist where a staff member’s private interests would appear to a reasonable person to conflict with their job duties *even though there may not be an actual conflict*.

A perceived (or apparent) conflict-of-interest situation can be as seriously damaging to the public’s confidence in a political staff member, or the staff member’s ministry/organization, as a real (or actual) conflict. A perceived conflict of interest should therefore be treated as seriously a real (or actual) conflict, until such time as a final determination regarding the conflict is made.

For example, a staff member has a close relative who has applied for a job in the Premier’s Office. The staff member will participate on the interview panel to take notes, but will play no role whatsoever in making the hiring decision. This may be viewed as a perceived conflict (the staff member is participating on the interview panel involving her relative) even though there is no real conflict (the staff member is only taking notes not participating in any decision-making).

In most instances, the employer must address a perceived conflict in the same way as a real or actual conflict. So in the example above, the staff member’s manager (or the Chief of Staff to the Premier) would decide to remove the staff member from the interview panel to eliminate the perceived conflict and thereby ensure the public interest is upheld.

In rare situations, it may be determined that the perceived conflict can be managed or mitigated in a way that makes the conflict permissible. For example, they might inform persons likely to be affected by the interview panel’s decision that there is a perceived conflict in relation to the staff member being involved with the interview process, but explain that there is no real conflict and therefore it has been decided to let the staff member participate on the panel to take notes. It is recommended that decisions of this kind should only be made in consultation with the Chief of Staff to the Premier, who may at their discretion seek out additional advice (e.g., legal counsel, the Head of the BC Public Service Agency).

TEST 3: POTENTIAL CONFLICT OF INTEREST

- **Question 1: What duties or functions (i.e, job duties) is Political Staff Member X responsible for?**

[Refer to the job description, information describing the functions of the staff member's organization, duties flowing from regulation or legislation, the Standards of Conduct for Political Staff, or other descriptions of duties]

Answer 1: Staff Member X is responsible for functions 1, 2 and 3 in ministry B.

- **Question 2: Does Staff Member X have private interests of a relevant kind?**

[Refer to Comments below]

Answer 2: No, at the present moment Staff Member X has private interests which are not job-relevant, but it is reasonably foreseeable that, in the future, Staff Member X's private interests could become relevant interests.

- **Conclusion:** Staff Member X has a potential conflict of interest.

EXPLANATORY COMMENTS:

"Private interests of a relevant kind" means the same thing as in Test 1.

The significant factor in this test is that Staff Member X has private interests which are currently not private interests of a relevant kind because Staff Member X's job duties are currently unrelated to their private interests. However, if it is likely or possible that circumstances could change in such a way that their private interests could affect the performance of their job duties, then those interests would become relevant interests.

For example, a staff member is a Ministerial Assistant in the Ministry of Environment. The staff member has recently advised their manager that they intend to accept a volunteer role with an environmental advocacy group that operates across Canada, including in British Columbia. In this case, the staff member is in a potential conflict related to the possibility that the environmental advocacy group with whom they wish to affiliate may in the future lobby the provincial government to make a change to its current environmental policy.

As a result, Staff Member X can be considered as having a potential conflict of interest. This situation could continue indefinitely and must therefore be distinguished carefully from real or perceived conflicts of interest (see Tests 1 and 2).

Appendix B: Key Responsibilities of Managers & the Chief of Staff to the Premier

Following the reporting of a possible conflict of interest issue by a political staff member as required by the Standards of Conduct for Political Staff, an assessment by the employer must be made to determine if a real, potential or perceived conflict exists, and decisions made regarding what steps (if any) should be taken to address the conflict. Managers and the Chief of Staff to the Premier may both play a role in this process.

Responsibilities

Chief of Staff to the Premier and Deputy Chief of Staff to the Premier

- Advise managers of political staff of the required standards of conduct and the consequences of non-compliance, including providing comprehensive orientation to new managers of political staff regarding the Standards of Conduct for Political Staff.
- Provide timely advice and direction to managers of political staff and political staff respecting the application of this policy statement, including guidance on an appropriate employer response to transgressions of this policy; and
- Coordinate the development of awareness, training, and communication programs in support of this policy.
- Seek out advice as required on issues that are complex or cannot easily be resolved (e.g., advice from legal counsel, or the Head of the BC Public Service Agency).
- Where a political staff member has no other direct manager to whom they report, the Chief of Staff to the Premier or Deputy Chief of Staff to the Premier assume the responsibilities assigned below to managers of political staff.
- Manage disclosures under the *Public Interest Disclosure Act* and ensure all political staff are aware of the *Public Interest Disclosure Act*.

Managers of Political Staff

- Advise political staff of the required standards of conduct and the consequences of non-compliance, including providing comprehensive orientation to new staff members regarding the Standards of Conduct for Political Staff.
- Promote a work environment that is free of discrimination;
- Deal with breaches of this policy in a timely manner, taking the appropriate action based upon the facts and circumstances, and conferring with the Chief of Staff to the Premier as appropriate;
- Waive the provision on working relationships under the circumstances indicated; and
- Delegate authority and responsibility, where applicable, to apply this policy within their organization.
- Receive disclosures from and provide advice to political staff under the *Public Interest Disclosure Act*.

Political Staff

- Fulfil their assigned duties and responsibilities, regardless of the party or persons in power and regardless of their personal opinions;
- Disclose and resolve conflicts of interest or potential conflict of interest situations in which they find themselves;
- Maintain appropriate workplace behaviour;
- Avoid engaging in discriminatory conduct or comment; and
- Check with their manager or Chief of Staff to the Premier when they are uncertain about any aspect of this policy.

The Role of the BC Public Service Agency

The BC Public Service Agency plays a direct role in providing advice to managers, ethics advisors and deputy ministers as it relates to conflict of interest matters concerning regular [public service employees](#). As it relates to political staff, the role of the Agency is to support the Office of the Premier, which may include establishing human resource regulations, policies, guidelines and tools.

Appendix C: Conflict of Interest Disclosure Form for Political Staff

Conflict of Interest Disclosure Form for Political Staff

The Standards of Conduct for Political Staff define a conflict of interest as a situation where a political staff member's private affairs or financial interests are in conflict, or could result in the perception of conflict, with the staff member's duties or responsibilities in such a way that:

- the staff member's ability to act in the public interest could be impaired; or
- the staff member's actions or conduct could undermine or compromise:
 - the public's confidence in the staff member's ability to discharge work responsibilities; or
 - the trust that the public places in the Province of British Columbia.

A conflict of interest therefore involves a conflict between the public duty and private interests of a political staff member, in which the private interests could influence the performance of their job duties, or in which a staff member uses their office for personal gain.

Political staff are required under the Political Staff Oath Regulation and Standards of Conduct for Political Staff to arrange their private affairs to avoid conflicts of interest, which include real, perceived or potential conflicts, and to disclose possible conflict situations to their manager (or the Chief of Staff to the Premier). Please see the Standards of Conduct for Political Staff for more information about your conflict of interest obligations.

Staff Member's Acknowledgements

Acknowledgement	Staff Member Initials
1. I have read and understood the Standards of Conduct for Political Staff section concerning conflicts of interest.	
2. I am disclosing what is or may be a conflict of interest (see instructions below).	
3. I agree to cooperate with the employer regarding requests for additional information directly related to and necessary to address this possible conflict, and to inform the employer of any changes to the facts or other relevant details directly related to this conflict.	

Staff Member Disclosure Statement

Please include as part of this form a Staff Member Disclosure Statement setting out the circumstances you believe may constitute a conflict of interest. You may use the Disclosure Statement page included in this form (see Appendix 2), or attach a separate document. Your statement should include a description of:

- Your **job duties or activities** that are relevant to the possible conflict.
- Your **private interests** relevant to the possible conflict. **[Note: You must review and complete the Third Party provisions of this form before disclosing the personal information of third parties (e.g., spouse, friend, business partner). See Appendix 1 for more information.]**
- The interests of the employer related to upholding public trust and confidence.

For example, a staff member works in the Ministry of Municipal Affairs & Housing as a Ministerial Assistant who has responsibility for advising their Minister on issues related to provincial grants provided to local governments in BC. The staff member has a private consulting business that provides advice to

local governments on how to best navigate the application process so that they may improve their chances of obtaining a local government grant. In this case:

- The staff member's relevant job duties might include: being informed about processes and approval procedures related to the grant process, liaising with ministry staff, and advising their Minister on any issues of concern;
- The staff member also has other relevant public duties, for example ensuring they do not use information acquired through their employment for personal benefit.
- The staff member's private interests are securing additional income and utilizing their knowledge of local government grants for purposes other than their job as a Ministerial Assistant;
- The employer's interests are a fair grant process where all applications are treated equally and applications are evaluated and approved according to objective criteria.

WHEN YOU HAVE COMPLETED THIS FORM, PLEASE SUBMIT IT (AND ANY SUPPORTING DOCUMENTS) TO YOUR MANAGER (OR THE CHIEF OF STAFF TO THE PREMIER).

Notice of Collection of Personal Information:

The information required by this form is being collected for the purpose of assessing whether the disclosure you have made to the employer as required by the Political Staff Oath Regulation and Standards of Conduct for Political Staff constitutes a real, perceived or potential conflict of interest. Managing conflict of interest concerns in favour of the public interest is necessary to maintain public trust and confidence in the integrity of the Government of British Columbia.

This information is collected in accordance with section 26 of the Freedom of Information and Protection of Privacy Act (FOIPPA). Once a conflict of interest matter is resolved, this form will be included on the staff member's personnel file held by the BC Public Service Agency. All information collected, used and disclosed for the purposes of assessing a possible conflict of interest will be treated in strict accordance with FOIPPA. Questions about the management of this information can be directed to the Director, Policy and Research Branch, BC Public Service Agency, PO BOX 9404, Victoria, BC, V8W 9V1, (250) 952-6000.

Staff Member Declaration:

I certify that the information I am providing with this form is to the best of my knowledge complete and accurate. I acknowledge that misrepresentations or material omissions may be a breach of the Standards of Conduct for Political Staff and grounds for discipline.

Name of Staff Member: _____

Signature of Staff Member: _____

Date: _____

APPENDIX 1: COLLECTION AND USE OF A THIRD PARTY'S PERSONAL INFORMATION

Assessment of a conflict of interest by the employer may on occasion require a Third Party's personal information in order to determine whether the circumstances represent a conflict of interest for the staff member. The third party might be the staff member's spouse, another family member, a friend, or business associate whose interest is related to the conflict being disclosed.

To ensure government may collect and use the personal information of a third party that relates directly to and is necessary for an assessment of a conflict of interest, the *Freedom of Information and Protection of Privacy Act* requires the third party to authorize the collection of their personal information. **If you are making a disclosure that involves the personal information of a third party, you must obtain their signature authorizing the collection and use of the information by the employer.**

If you are unable to obtain the signature of the third party for any reason, or if you have any questions, please contact the BC Public Service Agency for advice regarding how to proceed.

NOTICE TO THE THIRD PARTY – Authorization for Collection and Use of Personal Information:

The information provided in the Staff Member Disclosure Statement will be collected by the employer of the staff member for the purpose of assessing whether the circumstance disclosed in the statement constitutes a conflict of interest. In making their disclosure, the staff member has determined that they must disclose your personal information contained in the Staff Member Disclosure Statement as it is directly related and necessary to assess whether a conflict of interest exists.

Disclosing and managing conflicts of interest is a requirement of the Standards of Conduct for Political Staff and the Political Staff Oath for the purposes of maintaining public trust. Once a conflict of interest matter is resolved, this form will be included on the staff member's personnel file held by the BC Public Service Agency. This information is being collected in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act and will be subject to the protection provisions of that Act. Questions about the collection of this information can be directed to the Director, Policy and Research Branch, BC Public Service Agency, PO BOX 9404, Victoria, BC, V8W 9V1, (250) 952-6000.

By authorizing the indirect collection of my personal information contained in the attached Staff Member Disclosure Statement, I agree that I have reviewed and authorize the collection of this information for the purpose of assessing whether a conflict of interests exists for the staff member named below.

Name of Staff Member: _____

Name of the Third Party: _____

Signature of the Third Party: _____ **Date:** _____

APPENDIX 2: STAFF MEMBER DISCLOSURE STATEMENT

Name of Staff Member: _____

Position of Staff Member: _____

Ministry or Organization: _____

Name of Supervisor/Manager: _____ Date: _____

Please provide a description of:

- Your **job duties or activities** relevant to the possible conflict.
- Your **private interests** relevant to the possible conflict. **[Note: You must review and complete the Third Party provisions of this form before disclosing the personal information of third parties (e.g. spouse, friend, business partner). See Appendix 1 for more information.]**
- The interests of the employer that are related to upholding public trust and confidence.

Staff member's job duties or activities relevant to the possible conflict:

Staff Member’s private interests relevant to the possible conflict:

Interests of the employer related to upholding public trust and confidence:

Appendix D: Conflict of Interest Process Diagram

Disclosure of Conflict of Interest by Political Staff Member to the Employer

Identification of possible conflict by the staff member: Political staff who believe they are, or may be, in a real, perceived or potential conflict of interest must bring the matter forward to their manager or the Chief of Staff to the Premier. This step should be completed by the employee within **30 days** of the staff member becoming aware of the possible conflict.



Confirmation of possible conflict by staff member's manager: Where the issue is straightforward, the manager may direct the staff member to take steps required to resolve or mitigate the conflict. Where the issue is complex and/or not easily resolved or mitigated, the manager may require the staff member to complete the Conflict of Interest Disclosure Form for Political Staff.



Completion of disclosure form by staff member: The form ensures all applicable information related to the conflict is gathered and disclosed in writing, and establishes the basis for additional review by the staff member's manager or the Chief of Staff to the Premier.



Assessment and Resolution by the Employer

Review of staff member's disclosure by their manager or the Chief of Staff to the Premier



Identify work duties and relevant interests: Identify the work duties, government interests and private interests of the staff member that are relevant to the circumstances.



Analyze and assess: Analyze whether the staff member's private interests conflict, or could be perceived to conflict, with their ability to discharge their work duties or serve the public interest, and assess the severity of the harm that could result from the conflict. This step may involve consultation with Chief of Staff to the Premier, who may in turn seek out additional advice.



Decide and resolve/mitigate: Decide whether the circumstances give rise to a real, perceived or potential conflict that must be addressed in some way by the employer; consider what steps could be taken to resolve or mitigate the conflict so it does not pose unacceptable risks to government or the public interest; communicate the final decision and direction to the staff member in writing.



Document: Document on the staff member's personnel file, and elsewhere as may be required, the reasons for the conclusion reached and steps taken (if any).



Communicate: To the extent reasonable and necessary, communicate transparently within the organization regarding the conflict and how it was addressed.