

Candidate Prospectus Appendices

**Non-Executive Director
Autumn 2018**

Appendix 1: The Seven Principles of Public Life

You are required to conduct yourself in accordance with the provisions of the Seven Principles of Public Life. It is essential that you are, and are seen to be, honest and impartial in the exercise of your duties.

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations.

Appendix 2: What is a conflict of interest?

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the body concerned should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

Surely a perceived conflict is not a problem, as long as I act impartially at all times?

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual and the Board that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a Board member can be extremely damaging to the FCA's reputation and it is therefore essential that these are declared and explored, in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

What should I do if I think I have a conflict of interest?

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order to give the Selection Panel as much information as possible.

If I declare a conflict, does this mean I will not be considered for appointment?

No - each case is considered individually. If you are short listed for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Board and how this might be handled if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes that the conflict is too great and would call into question the probity of the Board or the appointment: they can withdraw your application from the appointment process.

What happens if I do not declare a known conflict, which is then discovered after my appointment?

Again, each case would be considered on its merits, but HM Treasury or the FCA may take the view that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Public Life and may terminate your appointment.

What happens if I do not realise a potential conflict exists?

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise that a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce that there is a potential conflict issue based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

What happens if a conflict of interest arises after an appointment is made?

This could arise for two main reasons. The first is that the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the Board becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment it becomes clear that a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chair, in consultation with the Sponsoring Department, to decide whether or not the member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be that the conflict is such that it would be impractical for the member to continue on the Board if they would have to withdraw from a considerable amount of the Board's routine business. In such, cases, the member may be asked to stand down.

Areas where a conflict could arise

There are five main issues, which could lead to real, or apparent, conflicts of interest. These are:

- Relevant pecuniary or other interests outside the organisation;
- Relationships with other parties/organisations which could lead to perceived or real split loyalties;
- Pending Government policy could give unfair personal advantage to people with allied business interests – for example access to privileged information – trade secrets;
- Perception of rewards for past contributions or favours;
- Membership of some societies or organisations.

Examples of real or perceived conflicts of interests might include:

- A significant shareholding in a company regulated by the FCA;
- A close family relationship with the management of a regulated firm;
- Current or recent membership of the Board of a financial services firm;
- Current or recent senior-level employment by a financial services firm.

Appendix 3: Guaranteed Interview Scheme for Disabled Candidates

We are particularly keen to recruit disabled people who have the necessary skills. To encourage those applicants we operate a scheme under which disabled candidates, who have demonstrated the competencies required for the appointment, will be assured of an offer of an interview.

The Guaranteed Interview Scheme (GIS) works as follows:

- Disabled candidates can choose to be considered under the Scheme.
- Their written application will be considered in the same way as other applicants.
- Panel members will not be informed that the candidate has applied under the GIS until after they have done their assessment.
- If the panel considers that, on paper, the GIS applicant has demonstrated the competencies required for the post, then they will be offered an interview.

Interviews are competitive and the interview panel will recommend the best candidate to the Minister(s), who will make the final decision.

Appendix 4: Public Appointment Recruitment Privacy Notice

This notice sets out how HM Treasury, Audeliss and the FCA will use your personal data for the purposes of this recruitment campaign and explains your rights under the General Data Protection Regulation (GDPR).

1. Data subject categories

Personal information to be collected and processed for this campaign relates to members of the public who are applying for public appointments.

2. Data categories

For the application stages, the data categories to be collected will include your:

- curriculum vitae and covering letter.
- employment references.
- name, title, address, telephone numbers and personal email address.
- employment history and qualifications.
- date of birth.
- right to work documentation (where necessary).
- disability information (where applicable).

This list of data categories is not exhaustive and may vary depending on the appointment you are applying for.

3. Purpose of processing

Your personal information will be processed in order to consider your application for a public appointment and in accordance with the Governance Code on Public Appointments which is published by the Cabinet Office.

HM Treasury employs and/or works with suitably selected partners to carry out certain activities for this application process. Where it is necessary to use third parties to do this, these third parties will only process your personal data as directed by HM Treasury and for the purposes of the application process.

These activities include, but are not limited to:

- processing your application.
- advising candidates of the outcome of their application.
- arranging interviews for successful candidates.
- equality and diversity monitoring.

4. Legal basis for processing personal data

This personal data is collected for the performance of a public appointment campaign or reappointment process. It is necessary for the purpose of pursuing

the legitimate interests of HM Treasury, Audeliss and the FCA to appoint suitable candidates to public positions.

5. Recipients

Personal data of applicants will only be made available to staff within HM Treasury, or organisations working on its behalf, who have a business need to see it and will only be shared with other organisations for the purposes of this application process.

The organisations with whom this information will be shared will vary depending on the position being applied for. They include, but will not be limited to, the following:

- The Office of the Commissioner for Public Appointments.
- Cabinet Office.
- The Prime Minister's Office.
- Royal Household for Crown appointments (where applicable)
- Ministry of Justice, for some Crown appointments.

The application process also requires HM Treasury to share applicant data with the relevant recruiting and appointing bodies.

The legal basis for the sharing of this personal data with these relevant organisations is the same as (4) above and is in line with the Governance Code for Public Appointments.

6. Retention

HM Treasury, Audeliss and the FCA are required to keep information provided in support of applications for the necessary period required to satisfy the purposes of audit.

7. Special category data

We will also collect, use and store the following special categories of data you supply as part of your application. This information will include your:

- race or ethnicity.
- religious beliefs.
- sexual orientation.
- sex/gender.
- political beliefs.

8. Legal Basis for processing special category data

The legal basis for our processing of your special category data shall be the same as (4), listed above.

9. Your data protection rights

You have the right to request:

- information about how your personal data are processed and to request a copy of that personal data.
- that any inaccuracies in your personal data are rectified without delay.
- your personal data are erased if there is no longer a justification for them to be processed.

You also have the right:

- in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.
- to object to the processing of your personal data where it is processed for direct marketing purposes.

10. How to submit a Data Subject Access Request (DSAR)

To request access to personal data that HM Treasury holds about you, contact:

HM Treasury Data Protection Unit
G11 Orange
1 Horse Guards Road
London
SW1A 2HQ
dsar@hmtreasury.gov.uk

To request access to personal data that Audeliss holds about you, contact:

Audeliss
9 Dallington Street
London
EC1V 0LN
sarah.ambler@audeliss.com

To request access to personal data that the FCA holds about you, contact:

Financial Conduct Authority
12 Endeavour Square,
London,
E20 1JN
simon.pearce@fca.org.uk

11. Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9
5AF
0303 123 1113
casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

12. HM Treasury, Audeliss and the FCA contact details

For the purposes of this recruitment campaign, the data controller for your personal data is HM Treasury, Audeliss and the FCA. Our contact details are:

HM Treasury
1 Horse Guards Road
London
SW1A 2HQ 020
7270 5000
public.enquiries@hmtreasury.gov.uk

The contact details for HM Treasury's Data Protection Officer (DPO) are:

Data Protection Officer 1
Horse Guards Road London
SW1A 2HQ
privacy@hmtreasury.gov.uk

The contact details for Audeliss's Data Protection Officer are:

Audeliss
9 Dallington Street
London
EC1V 0LN
Sarah.ambler@audeliss.com

The contact details for the FCA's Data Protection Officer (DPO) are:

Andy Cobbett
Financial Conduct Authority
12 Endeavour Square,
London,
E20 1JN
andy.cobbett@fca.org.uk

Appendix 5: Guaranteed Interview Scheme, Political Activity, and Conflict of Interest questionnaire

Non-Executive Director – Financial Conduct Authority

Recruitment Programme 2018

The closing date for applications is 28th October 2018

SECTION1 - Personal Details

Surname:	Forename(s):	Title:
Address for correspondence:		
Postcode:		
Contact Telephone Number (including national or international dialling code):		
Mobile Telephone Number:		
E-mail address:		

Your personal details will not be shared with the panel.

You should note that potential conflicts of interest detailed in this form will be provided separately to the panel and may, if appropriate, be discussed with you during your interview.

SECTION 2 - Guaranteed Interview Scheme (GIS):

This guarantees to interview all disabled candidates (as defined by the Equality Act 2010) who satisfy the minimum criteria for the role.

To be eligible for consideration under the GIS, you must be considered disabled under the Equality Act 2010. This means that you must have or have had in the last 12 months – a physical or mental impairment which has a substantial long-term adverse effect on your ability to carry out normal day-to-day activities.

This includes those whose disability has lasted, or is likely to last, for 12 months, or if the disability or condition is likely to progress or recur.

Do you wish to apply under the Guaranteed Interview Scheme?

YES I would like to apply under the Guaranteed Interview Scheme

SECTION 3 - Consent to share personal details

Please indicate here if you are content for the Treasury as the appointing department to retain your CV and contact details and to share these with the Centre for Public Appointments in the Cabinet Office. Your details will be kept on file and you may be contacted about other opportunities that may arise in the future. All information will be handled in accordance with the Data Protection Act 2018

YES I agree to my details **being shared**
 NO Please **do not pass on** my details

Signature:	Date:
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You should note that political activity and potential conflicts of interest detailed in this form will be provided separately to the panel and may, if appropriate, be discussed with you during your interview. Your personal details will not be shared with the panel.

SECTION 4 - Political Activity

Name in full	
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ALL applicants should complete the questions below.

This question is asked as it enables the monitoring of political activity of candidates for a public appointment in so far as it is already in the public domain. Neither activity nor affiliation is a criterion for appointment (except where statute dictates specific representation).

If you are successful, the information provided will be published with the announcement of your appointment.

Please indicate which of the following activities you have undertaken during the past five years by ticking the appropriate box and by providing details of your involvement. Name the party or body for which you have been active. If you have been or are an Independent or have sought or obtained office as a representative of a particular interest group, you should state this. You should tick **all** relevant categories.

A		B	
Obtained office as a Local Councillor, MP, MEP etc.	<input type="checkbox"/>	Acted as a political agent	<input type="checkbox"/>
Stood as a candidate for one of the above offices	<input type="checkbox"/>	Held office such as Chair, Treasurer, or Secretary of a local branch of a party	<input type="checkbox"/>
Spoken on behalf of a party or candidate	<input type="checkbox"/>	Canvassed on behalf of a party or helped at elections	<input type="checkbox"/>
		Undertaken any other political activity which you consider relevant	<input type="checkbox"/>
C		D	
Made a recordable donation to a political party. ¹	<input type="checkbox"/>	None of the above activities apply	<input type="checkbox"/>

Name of Party for which activity is undertaken:
Details of involvement

If completing in manuscript and there is insufficient space, please continue using a separate sheet and tick this box.

If completing electronically, please just continue typing.

Signature:	Date:
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¹ The Political Parties, Elections and Referendums Act 2000 requires the Electoral Commission to publish a register of recordable donations (donations from any individual totalling more than £5,000 in any calendar year, or more than £1,000 if made to a subsidiary accounting unit such as a constituency association, local branch, women's or youth organisation). These provisions became effective from 16 February 2001.

Section 5 – Conflict of Interest

As an appointee to a public body you may find that your/your close family's business or personal (financial) interests could become matters of public interest. It is, therefore, in the interests of both you and the FCA to declare in the box below any business or personal interests that may be perceived to be a potential conflict of interest in relation to this appointment. See the Conflict of Interest section of the Candidate Brief for details of what constitutes a conflict of interest.

Any potential conflicts of interest detailed here will not prevent you going forward to interview but may, if appropriate, be explored with you during your interview to establish how you would address the issue(s) should you be successful in your application.

If completing in manuscript and there is insufficient space, please continue on a separate sheet and tick this box.

If completing electronically, please just continue typing.

Signature:	Date:
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