

Conflict of interest policy

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Introduction

Because of the nature of our work, we have to treat conflicts of interest very seriously – whether you work in casework or not. It's our job to be independent and impartial in the way we work – in fact we're legally obliged to be that way.

That's why anyone who works here needs to tell their manager as soon as they discover any circumstances that may – or may be seen to – lead to a conflict of interest in the work they do. That applies whether or not you deal with complaints here. If you do deal with complaints, it applies at any stage that you're handling a complaint.

Also, it goes without saying that you shouldn't use the fact that you work here to your advantage.

You may be confident that there's no conflict of interest in a particular circumstance – but think about how the situation might look to someone else. Perception really counts here too. So if there's any chance that someone could perceive there's a conflict of interest – then speak to your manager. If you do that – or if an appearance of a conflict of interest comes to light in any other way – your manager will arrange for someone else to deal with the complaint or issue.

what is a conflict of interest?

It's a conflict of interest when your judgment or your actions at work are – or could be – affected by something unconnected with your role. This includes any circumstances that may – or may be seen to – affect your independence or impartiality. Here are some examples worth remembering:

- we might receive a complaint that you have a personal interest in
- you might be involved in dealing with a complaint brought by someone you know
- you might discover that a complaint we're dealing with involves a job you used to have at a financial business
- someone may make a complaint about someone you know
- you might be having (or have had) a close relationship with someone who dealt with a complaint at another firm
- we might receive a complaint about a business you recently worked for (see the next section – "potential conflicts involving companies you used to work for") or that you intend to work for (see the section "potential conflicts when you're leaving us")
- you, or someone close to you, may have a business interest, do other work or have a role outside the ombudsman service which may – or may be seen to – affect your independence and impartiality (see "other work you may be involved in")
- you may be offered a gift or offer of hospitality from one of the parties to a complaint, or any other person or organisation dealing with, or looking to deal with, the ombudsman service (see "offers of gifts and hospitality")
- you're offered a personal financial incentive for securing a contract for the ombudsman service.

This list isn't exhaustive – conflicts of interest can arise in a wide variety of ways.

potential conflicts involving companies you used to work for

For the first six months you're here (or 12 months if you're an ombudsman), you mustn't get involved in any complaints about a business you:

- worked at directly before joining the service or in the last six months or
- have declared an interest in, where that interest may be seen to affect your independence or impartiality.

The reason for this is to make sure there's no actual or perceived conflict of interest in your opinions or decisions. Depending on circumstances, we may decide to extend this if we need to. For example, your declared interest could continue, or you may have worked at a small business and there's a real risk of you dealing with someone who you worked closely with in the past. During this time, you'll be able to consider cases against other businesses as normal.

potential conflicts when you're leaving us

We may also need to look at what you're working on once you've told us you're leaving. If we feel that it's not appropriate for you to continue to be involved in a particular kind of work, or complaints involving certain companies, your manager or head of casework will let you know. On some rare occasions, we may require you to take garden leave.

potential conflicts with other work you may be involved in

When you join us, you need to tell us about any other employment or role you might have, including self-employment, appointments (as a non-executive director, for example) or business interests (including those of family members and other connected people such as business partners). You'll need to get your manager to confirm in writing that it's okay for you to carry on with this. We have to be careful that what you're doing is compatible with your role with us and isn't a conflict of interest with our work. A role may not be compatible if, for example, we think you won't be able to do it without it impacting on your work with us or you have access to information which we wouldn't want to be used elsewhere.

If things crop up while you're here and you're asked to be involved in other work, you'll need to check with us first. We can only say "yes" to it if we think your other role is compatible and there's no conflict with your role here.

potential conflicts when recruiting

We want our recruitment process to be fair and to feel fair for everyone involved. So if you're involved in making decisions in any recruitment process, please let the HR team know if you have any relationship with a candidate that could mean you'd find it difficult to treat them, or other candidates, fairly.