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The United Nations Convention Against Corruption
**Safeguarding against Corruption
in Major Public Events**

**LESSON 9: Mitigating the risk of corruption in the
management of human resources**



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In this lesson, over two sessions, we will examine :

- ✓ The vulnerability of an Authority to corruption, nepotism and conflicts of interest and also how it may be at risk of recruiting incompetent, undesirable or corrupt staff;
- ✓ The human resources management policies and procedures that an Authority should adopt;
- ✓ The concept of conflict of interest, as well as procedures for reporting and addressing existing or potential conflicts of interest;
- ✓ The role of sound recruitment practices in preventing corruption;
- ✓ How codes of conduct can promote professional standards and a culture of integrity;



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- ✓ How to identify positions that are particularly vulnerable to corruption and provide support and oversight for these positions;
- ✓ The importance of training and educational opportunities for staff to develop a better understanding of their own vulnerability to corruption and of what is expected of them to prevent corruption;
- ✓ The importance of effective system for reporting incidents of corruption and for protecting those who report these incidents;
- ✓ The main characteristics of a fair and effective disciplinary process within an Authority for dealing with incidents of misconduct and corruption.

UNCAC (articles 7 and 8)

- Article 7 (public sector) of UNCAC focuses on managing human resources within the public sector and the underlying principles of efficiency, transparency and integrity.
- This includes ensuring the prevalence of objective criteria for the recruitment of public officials, as well as continuous learning opportunities and adequate and equitable remuneration and conditions of employment for staff in the civil service.
- Article 8 calls for measures to promote integrity, honesty and responsibility among its public officials (e.g. codes of conduct).



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Areas with potential impact on corruption

- ✓ Human resource management policies
- ✓ Recruitment practices
- ✓ Conflicts of interest
- ✓ Codes of conduct
- ✓ Positions that are particularly vulnerable to corruption
- ✓ Training of personnel in corruption prevention
- ✓ Effective supervision
- ✓ Reporting of incidents of corruption
- ✓ Disciplinary action



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Human resources management policies

- The Authority must develop its own policies and adopt appropriate measures and administrative systems to ensure the efficient, transparent and accountable recruitment, hiring, retention and promotion of the personnel it requires to achieve its goals.
- Deviations from these policies, on the basis of expediency or any other reason, should be avoided.
- Refer to section 2.1 of the Corruption Prevention Checklist.



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Recruitment practices

- Proper personnel recruitment, selection and vetting policies must be in place very early in the process of shaping the Authority's personnel.
- Merit, equity, and aptitude must govern all decisions relating to human resources.
- Fair and adequate selection and promotion procedures should be in place and respected.
- Refer to section 2.2 of the Corruption Prevention Checklist.



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Conflicts of interest

- UNCAC requires States parties to “endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest” in accordance with the fundamental principles of their domestic law (article 7 (4)).
- A conflict of interest involves a conflict between the public duty and the private interest of a public official, in which the official’s private-capacity interest could improperly influence the performance of their official duties and responsibilities.
- Example of conflict of interests law – Can you suggest some examples?



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Disclosure systems to prevent conflicts of interest

- The Authority should institute a compulsory disclosure system applicable to all its managers and employees to prevent or detect possible incompatibilities and conflicts of interest.
- This system should be at least as rigorous as the system generally in place for senior civil servants.
- The Authority must protect itself against the risk that confidential information may be misused to favour private interests.
- Refer to section 2.3 of the Corruption Prevention Checklist.



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Codes of conduct

- UNCAC requires the active promotion of personal standards (integrity, honesty and responsibility) and professional responsibilities (correct, impartial, honourable and proper performance of public functions) among all public officials (article 8 (1) and (2)).
- The Authority may establish its own codes of professional conduct or adopt the standards that generally apply in the public service sector.
- Refer to section 2.4 of the Corruption Prevention Checklist.



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Positions that are particularly vulnerable to corruption

- It is important to identify within and around the Authority those positions and functions that are most vulnerable to corruption.
- Practical measures can be adopted to mitigate the risk related those positions.
- Special support and oversight procedures for all individuals for people who might be vulnerable to corruption.
- The decision-making structure should be based to the extent possible on a system of multiple-level review and approvals for higher-risk matters.
- Refer to section 2.5 of the Corruption Prevention Checklist.



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Group discussion – vulnerable positions



- Find some examples of positions that may be particularly vulnerable to corruption within your own organization.
- What are some of the factors that make these positions particularly vulnerable to corruption?
- What do these factors have in common?



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Training of personnel in corruption prevention

- Special attention to training its staff in corruption prevention approaches and precautions.
- Training and educational opportunities focused on the personnel's vulnerabilities to corruption and on clear directions as to what is expected of staff.
- Refer to section 2.6 of the Corruption Prevention Checklist.



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Effective supervision

- Supervision is an essential strategy for detecting corruption.
- Supervision is also an important means of preventing corruption by reducing the opportunities for motivated individuals to engage in corrupt conduct.
- Managers at all levels must be held accountable for the actions and work of their staff.
- Managers must actively supervise their staff.



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Reporting incidents of corruption

- Article 8 (4) of the Convention requires States parties to consider “establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, when such acts come to their notice in the performance of their functions”.
- The Authority must set in place mechanisms and systems to facilitate the reporting by its staff of acts of corruption to appropriate authorities.



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Whistle-blower protection

- Whistle-blowers are persons who report, in good faith and on reasonable grounds, an infraction or an irregularity to competent authorities.
- Whistle-blower protection may already be provided in national legislation.
- Ensuring that whistle-blowers do not suffer negative consequences within or outside the organization must become an organizational priority.
- Refer to section 2.7 of the Corruption Prevention Checklist.



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Group discussion



What do you think makes it difficult for people to report incidents of corruption?

What can be done generally to facilitate this process?



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Disciplinary action

- UNCAC promotes the adoption of appropriate and effective disciplinary or other measures against public officials who violate codes of conduct or standards (article 8(6)).
- Disciplinary measures should be applied fairly and systematically whenever violations of codes of conduct or other standards are identified by the Authority.
- Information on the Authority's policies and practices concerning effective discipline should be made public.
- Refer to section 2.8 of the Corruption Prevention Checklist.

Key points to remember

- ✓ Sound and transparent human resources management policies and procedures should be adopted and implemented by the Authority.
- ✓ The Authority should adopt procedures for identifying, reporting and addressing real or potential conflicts of interest.
- ✓ Sound recruitment and hiring practices may help the Authority prevent corruption.
- ✓ Codes of conduct can help the Authority promote professional standards and a culture of integrity.
- ✓ Positions that are particularly vulnerable to corruption should be identified, supported and monitored carefully.



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- ✓ Training should be provided to help staff understanding their own vulnerability to corruption and what is expected of them.
- ✓ Effective system for reporting incidents of corruption and for protecting those who report these incidents are required.
- ✓ A fair and effective disciplinary processes for dealing with incidents of misconduct and corruption is necessary.