

*****Disclaimer: This is a selection of the questions from the 2014 OECD Survey on Managing Conflict of Interest in the Executive Branch and Whistleblower Protection containing only those that provided data for the publication Government at a Glance 2015. The rest of the questionnaire will be released in due course.*****



Managing Conflict of Interest in the Ex Branch

2014 OECD SURVEY ON MANAGING CONFLICT OF INTEREST IN THE EXECUTIVE BRANCH AND WHISTLEBLOWER PROTECTION

Purpose of the survey

The survey aims to update and build further knowledge on conflict of interest' management systems in the Executive Branch in OECD countries. The survey mainly follows the OECD Guidelines for Managing Conflict of Interest in the Public Service adopted by the OECD Council in 2003. Data gathered through the questionnaire will be the primary source for the comparative analysis of managing systems in OECD countries to be published in 2015. In addition, data presented on the forthcoming 2015 OECD publication *Government at a Glance* will be built on some of the responses to this questionnaire. The draft data will be circulated to the Public Sector Integrity Network (PIN) for comments. For comparison purposes, all your responses will need to reflect the situation of the country up to 30 September 2014. However, kindly specify in the comments box at the end of the survey if any reform or new initiatives are in process that may have an impact on your responses.

The survey was piloted by OECD countries and their suggestions were taken into account. The questionnaire consist of 44 questions, most of them multiple choice divided into the following sections:

- A. Identify relevant conflict of interest situations
- B. Procedures for identifying, managing and resolving conflict of interest situations
- C. Demonstrate leadership commitment
- D. Create a partnership with employees: awareness, anticipation and prevention
- E. Enforce the conflict of interest policy

F. Initiate a new partnership with the business and non-profit sectors

G. Pre and Post-Public Employment

H. Advisory/expert groups

I. Whistleblower protection

Kindly use the online survey

Please submit your actual responses via the online survey, with the exception of the Microsoft Excel file sent by email intended to update some of the information presented in Government at a Glance 2013 and complete the new categories.

The Secretariat has provided you with a link to the survey, via email, along with a user name and password.

Additional information may be found in the following OECD publications: Managing Conflict of Interest in the Public Service: OECD Guidelines and Country Experiences (2004); and Managing Conflict of Interest in the Public Sector: A Toolkit (2005).

Deadline: 3 November 2014

Contact:

Should you need assistance please contact Ms Jovana Blagotic: Jovana.Blagotic@oecd.org

***11. Do the policy, rules or procedures provide for special rules and procedures for “at risk” areas for potential conflict of interest situations? Please select all that apply**

- Yes for outside employment (paid or unpaid)
- Yes for “inside” information
- Yes for areas of enhanced interaction between the public and private sector, such as public procurement, tax and customs
- Yes for gifts
- Yes for hospitality
- Yes for family and community expectations
- Yes for post-public employment
- No special rules and procedures provided
- Yes, for other

***23. Before taking office, are there restrictions on private sector employees or lobbyists being hired to fill a post in government (e.g. regulatory or advisory)?**

- Yes
- No

***24. Before taking office, are there restrictions on persons, who hold positions as supplier to the government or are negotiating public sector contracts on behalf of a company, to fill a regulatory or advisory post in government?**

- Yes
- No

***26. Does the post-public employment system include the following elements? Please select all that apply**

	Yes	No
a) Public officials are legally bound not to use confidential or other “insider” information after they leave the public sector	<input type="radio"/>	<input type="radio"/>
b) Public officials who leave the public sector are restricted to lobby or engage in official dealings interact with their former subordinates or colleagues in the public sector, in order to obtain opportunities for outside employment, obtain preferential treatment or privileged access to government (cooling-off period)	<input type="radio"/>	<input type="radio"/>



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***27a) Please specify the cooling-off period**

	A cooling off period is	
	not required	Not applicable
President	<input type="radio"/>	<input type="radio"/>
Prime Minister	<input type="radio"/>	<input type="radio"/>
Ministers or Members of Cabinet/ Office	<input type="radio"/>	<input type="radio"/>
Political advisers/appointees	<input type="radio"/>	<input type="radio"/>
Senior civil servants	<input type="radio"/>	<input type="radio"/>
Civil servants	<input type="radio"/>	<input type="radio"/>
<input type="text" value="Others, please"/>	<input type="radio"/>	<input type="radio"/>

***27b) Does the public servant receive compensation?**

		* Please specify the level of compensation and the length of time that the public official is compensated (Are they subject to compensation for the entirety of the cooling-off period? During a specific timeframe? Are there variations between Public Office holders and Ministers for example?)	
	Yes	No	
President	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
Prime Minister	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
Ministers or Members of Cabinet/ Office	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
Political advisors/ appointees	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
Senior civil servants	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
Civil servants	<input type="radio"/>	<input type="radio"/>	<input type="text"/>
<input type="text" value="Others, ple"/>	<input type="radio"/>	<input type="radio"/>	<input type="text"/>

Whistleblower protection

The following questionnaire focuses on the protection of whistleblowers who disclose a wrongdoing in the context of their workplace, within the public sector. It does not extend to the protection of reporting persons outside these parameters.

***33. Does your country provides protection of employees from discriminatory or disciplinary action once they have disclosed wrongdoing?**

- Yes, in dedicated legislation
- Yes, within other regulations and provisions
- No, protection of employees in the public sector, from discriminatory or disciplinary action once they have disclosed wrongdoing, is not provided.

***36. Who is afforded whistleblower protection?**

- Public sector employees
- Private sector employees
- Public sector consultants
- Private sector consultants
- Public sector suppliers
- Private sector suppliers
- Temporary employees in the public sector
- Temporary employees in the private sector
- Former employees of the public sector
- Former employees of the private sector
- Volunteers
- Others (please specify)

***37. Are there measures in place to preclude individuals from reporting allegations in bad faith? (Please specify where the provision(s) can be found, including a reference to the relevant law and article/paragraph of that law).**

Please send the documents to Ms Jovana Blagotic (jovana.blagotic@oecd.org)



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Thank you for taking the survey.

Thank you for completing the 2014 OECD Survey on Managing Conflict of Interest in the Executive Branch and Whistleblower Protection. A copy of your responses has been included below for your records. Should you notice any errors in your responses, please contact Ms. Jovana Blagotic (jovana.blagotic@oecd.org) for guidance on how to amend your response.

Best regards,

Janos Bertok
Head of division
Public Sector Integrity Division