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### Report on the activities of the Office of Internal Oversight Services

## **Audit of implementation of post-employment restrictions for staff involved in the procurement process**

### **Report of the Office of Internal Oversight Services**

#### *Summary*

Pursuant to General Assembly resolution [74/256](#) of 9 January 2020, the Office of Internal Oversight Services conducted an audit of implementation of post-employment restrictions for staff involved in the procurement process. The objective of the audit was to assess the effectiveness of measures instituted to implement employment restrictions on former United Nations staff who had participated in the Organization's procurement process.

The Secretary-General's bulletin on post-employment restrictions ([ST/SGB/2006/15](#)) imposes certain restrictions on staff members involved in the procurement process for the Organization, whether prior to their separation from service or after separation, and prohibits them from seeking or accepting employment or any form of compensation or financial benefit from any United Nations contractor or vendor.

Owing to resource constraints, however, it has proven impracticable for the Organization to implement procedures globally to identify any separated staff members who are not in compliance with the provisions of the Secretary-General's bulletin. Therefore, strong preventative controls, including training and other awareness-raising activities, are necessary to apprise staff of the provisions of the bulletin and meet its objectives. Controls implemented in that regard, however, were found to be ineffective because of inadequate implementation processes and a lack of data on staff who should be the focus of such interventions. Moreover, key terms are not defined in the bulletin to clarify the scope of its application and limit its provisions to a core group of staff based on an assessment of risks.

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\* Reissued for technical reasons on 12 October 2021.

\*\* [A/76/50](#).



The Office made five recommendations to address issues identified in the audit. The Department of Management Strategy, Policy and Compliance and the Department of Operational Support accepted the recommendations and initiated action to implement them.

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## I. Background

1. Pursuant to General Assembly resolution [74/256](#) of 9 January 2020, the Office of Internal Oversight Services (OIOS) conducted an audit of implementation of post-employment restrictions for staff involved in the procurement process.

2. In the Secretary-General's bulletin on post-employment restrictions ([ST/SGB/2006/15](#)), former staff members who have had personal, significant and substantive involvement in any of the 13 activities listed<sup>1</sup> during the last three years of service with the United Nations are prohibited from seeking or accepting employment or any form of compensation or financial benefit from any contractor or vendor for a period of one year. Former staff members are also prohibited for a period of two years following separation from service from knowingly communicating with, or appearing before, any staff member or unit of the Organization on behalf of a third party on any matters that were under their official responsibility relating to the procurement process during their last three years of service. In addition, while in service, staff members participating in the procurement process must refrain from soliciting or accepting any promise or offer of future employment from any contractor or vendor that conducts business with the Organization or seeks to do so and with whom such staff members have been personally involved in the procurement process during the previous three years of service with the Organization.

3. A formal note will be placed in the official status file of any former staff member found to be in violation of the relevant provisions of the bulletin, indicating the nature of the violation and a recommendation against any future employment by the Organization. Current staff members who are found to have violated the relevant provisions of the bulletin may be subject to disciplinary action. The bulletin also stipulates that any United Nations contractor or vendor of goods or services that offers employment, hires or otherwise compensates staff members in violation of the provisions of the bulletin may, after review by the Organization, be subject to having its registration as a qualified contractor or vendor with the United Nations barred, suspended or terminated, in accordance with United Nations procurement policies and procedures.

4. Primary responsibility for implementation of the bulletin is not clearly outlined, but OIOS identified the following offices, units and bodies that play the roles indicated:

(a) Department of Management Strategy, Policy and Compliance, which establishes policy on post-employment restrictions;

(b) Enabling and Outreach Service, Office of Supply Chain Management, Department of Operational Support, which conducts vendor registration;

(c) Procurement Division, Office of Supply Chain Management, which mitigates the risks of conflicts of interest, fraud and corrupt practices in the procurement process, including by implementing measures to raise the awareness of procurement staff of post-employment restrictions;

(d) Office of the Assistant Secretary-General for Supply Chain Management, which monitors mandatory training for staff performing procurement functions;

(e) Vendor Review Committee, which: (i) implements measures to mitigate the risk of doing business with vendors involved in unethical, fraudulent and corrupt practices; (ii) reviews cases where such concerns may arise; and (iii) provides independent advice on sanctions and remedies, as appropriate;

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<sup>1</sup> See annex II.

(f) Ethics Office, which provides clarifications to staff on specific situations that fall within the scope of the bulletin.

5. The Office of the Under-Secretary-General, Department of Management Strategy, Policy and Compliance, has informed OIOS that efforts are under way to update the bulletin on post-employment restrictions. Those steps are being taken pursuant to the request of the Secretary-General to the Department of Management Strategy, Policy and Compliance and the Department of Operational Support to identify and amend rules and policies that hamper the ability of former national staff to compete for employment in the context of the downsizing or liquidation of field missions because post-employment restrictions may further limit the ability of national staff to find employment in post-conflict economies.

## II. Audit objective, scope and methodology

6. The objective of the audit was to assess the effectiveness of measures instituted to implement post-employment restrictions on former United Nations staff who had participated in the Organization's procurement process.

7. OIOS conducted the audit from September to November 2020. The audit covered the period from 1 January 2018 to 31 August 2020 and included the following key areas: (a) policy provisions; (b) procedures to raise awareness of vendors and staff regarding post-employment restrictions; and (c) monitoring compliance with post-employment restrictions.

8. The audit methodology included: (a) interviews with key personnel; (b) a review of relevant documentation; (c) an analytical review of data; (d) benchmarking with other international organizations; and (e) discussions with focus groups comprising 54 procurement personnel, requisitioners, members of technical evaluation and local committees on contracts, contract managers and human resources staff in order to assess their awareness of the bulletin. Staff members at six United Nations entities were contacted, comprising two entities at Headquarters, one office away from Headquarters, one regional commission and two field missions.

9. The audit was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.

## III. Audit results

### A. Policy provisions

#### 1. The ongoing revision of the bulletin on post-employment restrictions needed to clarify its applicability and procedures for reporting violations

10. The main objective of the bulletin is to provide guidance to staff to comply with: (a) staff regulation 1.2 (i) on not communicating to any Government, entity, person or any other source any information known to them by reason of their official position that they know or ought to have known has not been made public, except as appropriate in the normal course of their duties or by authorization of the Secretary-General; and (b) staff regulation 1.2 (m) on disclosing and resolving conflicts of interest in favour of the interests of the Organization. Although not explicitly stated, the policy also safeguards the fairness of the procurement process and prevents vendors from gaining an unfair advantage through inappropriate disclosure by staff members and former staff members of information that is not publicly available, in exchange for future employment or any form of remuneration. To clarify the

applicability of the bulletin and procedures for reporting violations, however, the following should be reviewed.

**(a) Key terms used in the bulletin that are not clearly defined**

11. The bulletin describes “participating in the procurement process” to mean having personal, significant and substantive involvement in any of the 13 activities listed. However, it is unclear what constitutes “personal, significant, and substantive involvement”. There is no administrative instruction or further guidance to describe these terms. The bulletin, as written, leaves interpretation of those terms to the discretion of its various stakeholders.

**(b) The bulletin covers a broad range of staff**

12. The bulletin currently applies to a broad range of staff participating in the procurement process and uniformly restricts them from employment with vendors after separation, regardless of the level of risk they present to the Organization. This includes staff at every grade and from every part of the Organization, both substantive and operational, who interact with vendors, without making a distinction on the type of role they played prior to their separation and the value of the contracts in question.<sup>2</sup> Furthermore, in view of the global nature of the Organization, the policy applies worldwide, thereby exacerbating restrictions on staff.

13. In benchmarking policies on post-employment restrictions adopted by intergovernmental organizations similar to the United Nations, OIOS found that five of the six organizations that responded to its request for clarification did not impose post-employment restrictions on staff beyond barring them from taking up consultancy engagements with the organization within one year of their separation. One of the five organizations required all separating staff to sign an ethics declaration in which they affirmed that they would refrain from making any unauthorized disclosure of information received in the line of duty and would continue to behave with integrity and discretion regarding the acceptance of certain appointments or benefits. Another organization imposed post-employment restrictions that were in line with those in the Secretary-General’s bulletin. Among governmental agencies, OIOS found examples where post-employment restriction policies were only applied to employees above a defined post grade and salary level, and when they had been involved with contracts over a set threshold. In addition, employees in senior positions who retained a degree of influence with the organizations in question following their separation were subject to further prohibitions.

14. The broad range of staff covered by the policy and the absence of financial thresholds for contracts or geographical boundaries could unreasonably curtail the rights of former staff members to professional opportunities, without adequate justification. Further defining those parameters would help to focus the limited resources of the Secretariat for managing risks associated with the inappropriate disclosure of information to vendors and conflicts of interest on those risks with higher impact.

**(c) Mechanisms for reporting and referring violations of the bulletin’s provisions are not clearly defined**

15. The bulletin requires staff members participating in the procurement process to report any promise or offer of future employment from any contractor or vendor to the head of their office and to the Under-Secretary-General for Internal Oversight

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<sup>2</sup> As at 31 August 2020, Umoja data showed that only 535 out of 3,167, or 17 per cent, of active vendors had contracts with not-to-exceed amounts of \$1 million or more.

Services. However, the bulletin does not stipulate how heads of offices should handle such reports. According to the Department of Management Strategy, Policy and Compliance, heads of entities can either refer cases to OIOS for investigation, in which case the Vendor Review Committee will receive the investigation report, or, if no OIOS investigation is deemed necessary, heads of entities can refer cases directly to the Vendor Review Committee. However, this may not be well known to all heads of entities. Without adequate reporting and reviews of violations of post-employment restrictions, appropriate sanctions may not be imposed.

**(d) Roles and responsibilities of those involved in the implementation of the bulletin are not defined**

16. The bulletin was not accompanied by an administrative instruction defining the roles and responsibilities of relevant entities in the Secretariat required to implement and monitor post-employment restrictions, assess associated risks and establish internal controls pertaining to this area. For example, while the Procurement Division, Office of Supply Chain Management, acknowledges its role in overseeing the ethical behaviour of procurement staff at Headquarters in their dealings with vendors, it has no mandate, tools or resources to monitor compliance with the Secretary-General's bulletin by former staff members with procurement roles once they separate from the Organization. Furthermore, it is not clear which entity is responsible for establishing internal controls pertaining to staff members participating in the procurement process outside the Procurement Division or to staff performing requisitioning, legal and other relevant functions across the Secretariat. Inadequate definition of roles and responsibilities may hinder the implementation of an effective internal control system to mitigate violations.

**Recommendation 1**

**The Department of Management Strategy, Policy and Compliance should, in revising the Secretary-General's bulletin on post-employment restrictions: (a) define its key terms and the roles and responsibilities of entities tasked to implement it; (b) consider limiting its application to a core group of staff by applying a risk-based approach; and (c) stipulate requirements for heads of entities to refer violations to appropriate bodies for suitable action.**

*Comments of the Department of Management Strategy, Policy and Compliance.* The Department of Management Strategy, Policy and Compliance accepted recommendation 1 and stated that it would implement it in the future revision of the Secretary-General's bulletin on post-employment restrictions.

*Comments of OIOS.* Recommendation 1 remains open pending issuance of the revised bulletin.

**B. Effectiveness of controls on post-employment restrictions**

**1. Procedures for informing vendors of post-employment restrictions needed further enhancement**

17. The Secretariat informs vendors of restrictions on the employment of former United Nations staff members by making direct or implied reference to the bulletin's provisions in the: (a) prerequisites for eligibility to register as a vendor; (b) supplier codes of conduct, signed during vendor registration; (c) requests for expressions of interest sent to vendors in the context of solicitation exercises; (d) general conditions

of contract that accompany vendor contracts; and (e) annual declarations of eligibility that require vendors to declare that their status has remained unchanged since the previous year. However, prerequisites for eligibility, supplier codes of conduct and requests for expressions of interest only refer to the one-year post-employment restriction following separation from service. They do not include the two-year prohibition following separation from service of a staff member representing a vendor before a current staff member, although the prerequisites for eligibility provide a weblink to the Secretary-General's bulletin. Although the general conditions of contract do not stipulate the relevant restrictions, they require vendors to provide assurances that they will refrain from offering any United Nations employee any direct or indirect benefit related to the contract in order to gain an advantage.

18. The Office of Supply Chain Management reported one case of non-compliance with post-employment restrictions in February 2019 by a former Logistics Division staff member who had appeared in person at their offices as a vendor's representative. A review of documentation pertaining to the case indicated that, although both the vendor and the former staff member seemed to be aware of the one-year post-employment recruitment restriction period, with which they had complied, they were apparently unaware of the two-year restriction on former United Nations staff members representing vendors in their interactions with current staff members. The Office of Supply Chain Management brought the matter to the attention of the former staff member, who gave assurances that they would comply with all provisions of the bulletin.

19. Vendors were not informed of sanctions for non-compliance with the provisions of the bulletin. According to the United Nations Procurement Manual, if a vendor is found to have engaged in proscribed practices, including fraud, corruption, collusion, coercion, obstruction or any other unethical practice, the Vendor Review Committee could recommend that the Office of the Under-Secretary-General in the Department of Management Strategy, Policy and Compliance censure, suspend or remove that vendor from the registered vendor list. Clearer communication of the sanctions that vendors may face for non-compliance with the provisions of the Secretary-General's bulletin on post-employment restrictions would help to reinforce their significance.

#### **Recommendation 2**

**The Department of Operational Support should, in consultation with the Office of Legal Affairs, implement measures to bring to the attention of vendors information on: (a) the one- and two-year restrictions stipulated in the Secretary-General's bulletin on post-employment restrictions; and (b) potential sanctions that may be imposed for violations of the bulletin.**

*Comments of the Department of Operational Support.* The Department of Operational Support accepted recommendation 2 and stated that it was in the process of implementing it.

*Comments of OIOS.* Recommendation 2 remains open pending receipt of evidence that information on the one- and two-year restrictions and potential sanctions for violations of the Secretary-General's bulletin on post-employment restrictions is regularly brought to the attention of vendors.

## **2. Procedures to inform staff involved in the procurement process of post-employment restrictions needed to be strengthened**

20. To improve compliance with the Organization's policy on post-employment restrictions, all staff must be made aware of the provisions of the Secretary-General's



bulletin, including their duty to report any observed violations through relevant channels. OIOS determined that there was inadequate communication of the provisions of the bulletin to staff at every stage of the employment cycle.

**(a) Hiring and induction**

21. While it may not be possible to foresee to what extent staff may be involved with contractors or vendors during the hiring process, some job profiles require significant engagement with vendors, including, for example, technical professionals in the service delivery pillar (such as those involved in engineering, transport and information technology), and procurement and contract management staff. Notification of post-employment restrictions was not reflected in job openings for those positions. Therefore, prospective staff were not given the opportunity to decide, prior to applying for a job opening, whether they wish to be bound by those restrictions. Furthermore, staff were also not informed of those restrictions during the induction process.

**(b) Nomination to procurement-related committees**

22. Membership in certain committees, such as the Award Review Board, brings United Nations staff into personal contact with vendors. Although members of other committees, such as the Headquarters Committee on Contracts, local committees on contracts and the Vendor Review Committee do not come into personal contact with vendors, they do receive information that may not be publicly available. Nonetheless, nominated members of those committees were not advised of the provisions of the Secretary-General's bulletin for their consideration.

**(c) Separation procedures**

23. The Division of Administration, Department of Operational Support, requires staff separating from the Procurement Division to confirm, by signing an annex to their separation letters, their understanding and acceptance of the bulletin's requirements and also to confirm that they will seek clarification from the appropriate office to ensure full compliance with the provisions of the bulletin. However, that practice was not applied consistently and is not required of staff separating from other divisions, such as those in the Logistics Division, who are responsible for requisitioning, developing or overseeing the preparation of statements of work and, in some instances, managing some of the highest valued contracts established by the Organization.

24. Sampled executive/administration offices at other locations, including peace operations, indicated that they did not raise the awareness of relevant staff of the provisions of the bulletin during separation procedures. This could lead to non-compliance with the bulletin by former staff members.

**Recommendation 3**

**The Department of Management Strategy, Policy and Compliance should establish guidance for entities to identify staff likely to fall within the scope of the Secretary-General's bulletin on post-employment restrictions and develop and implement measures to raise their awareness of its provisions at critical stages of their employment with the Organization.**

*Comments of the Department of Management Strategy, Policy and Compliance.* The Department of Management Strategy, Policy and Compliance accepted recommendation 3 and stated that guidance in that regard would be issued after the issuance of the revised Secretary-General's bulletin.

*Comments of OIOS.* Recommendation 3 remains open pending receipt of established guidance on steps that should be taken to identify and raise the awareness of staff likely to fall within the scope of the bulletin on post-employment restrictions at critical stages of their employment.

### 3. **There is a need to ensure that all staff participating in the procurement process complete mandatory training**

25. In line with the Secretary-General's bulletin on United Nations mandatory learning programmes ([ST/SGB/2018/4](#)), procurement practitioners are required to complete seven mandatory courses, including "Ethics and integrity in procurement" and "Overview of the Procurement Manual", which contain a case study and information on post-employment restrictions after separation from the Organization. According to Umoja data, 596 staff performed designated procurement roles in Umoja during the audit period. At the time of the audit, 498, or 84 per cent, of those staff members had completed the "Ethics and integrity in procurement" training course, while 489, or 82 per cent, had completed the "Overview of the Procurement Manual" training course. Out of 67 staff in the Procurement Division, 64 (96 per cent) and 44 (66 per cent) of staff members had completed the two courses, respectively. In its audit report 2019/111, OIOS recommended that the Department of Operational Support, in consultation with the Department of Management Strategy, Policy and Compliance, establish a monitoring mechanism to oversee the completion of mandatory training by staff conducting procurement activities in the Secretariat. Implementation of that recommendation is still in progress.

26. Although the bulletin on mandatory learning programmes contains a note that staff members who are involved in the acquisition and contract management process are strongly encouraged to complete the mandatory learning for staff members working in procurement, those staff are not easily identified because entities are not instructed to: (a) identify staff who should complete the courses; and (b) monitor completion rates since the requirement was not mandatory.

27. While 42 of the 54 participants in the OIOS focus groups stated that they were aware of the bulletin's existence, few, apart from staff working in procurement, understood which activities fell within the scope of the bulletin or had detailed knowledge of the restrictions, their duration or the sanctions stipulated in the bulletin for non-compliance. None of the participants, other than those working in procurement, had taken the two procurement training courses that addressed post-employment restrictions. A lack of awareness among staff, in general, of the provisions of the Secretary-General's bulletin on post-employment restrictions may impede compliance with post-employment restrictions.

#### **Recommendation 4**

**The Department of Management Strategy, Policy and Compliance should, in consultation with the Ethics Office: (a) include information on the revised Secretary-General's bulletin on post-employment restrictions in mandatory learning programmes, such as the ethics and integrity course; and (b) require all staff to complete the updated training.**

*Comments of the Department of Management Strategy, Policy and Compliance.* The Department of Management Strategy, Policy and Compliance accepted recommendation 4 and stated that it would consult and liaise with the Ethics Office on the possibility of revising the course.

*Comments of OIOS.* Recommendation 4 remains open pending receipt of evidence that information on the revised bulletin on post-employment restrictions has been included in relevant mandatory learning programmes and that all staff are required to complete the updated training courses.

**4. In addition to the resources it already provides, the Ethics Office could provide a fact sheet on post-employment restrictions on its website**

28. The Ethics Office provides briefings, tools and training on ethics and integrity for United Nations staff members at all levels and publishes information on its website to raise awareness among staff members of those issues. Specifically, the Ethics Office has included information on post-employment restrictions in: (a) an ethics induction checklist for senior managers; (b) presentations to staff in two field missions; (c) a guide for United Nations staff members entitled *Putting Ethics to Work*; and (d) a conflict of interest fact sheet that is referred to during town hall meetings and visits to missions. The Ethics Office has also provided input for a guidebook for senior leaders that is currently under development by the Office of Human Resources. These initiatives adequately cover ethical standards in procurement and help to raise awareness among staff on their obligation to adhere to the bulletin's provisions following their separation from service.

29. The Secretary-General's bulletin on post-employment restrictions provides that staff members may seek clarification from the Ethics Office as to whether their specific situation falls under its scope. It should be noted, however, that the Ethics Office only provides advice to active staff members and does not assist former staff members with clarifications as it has no mandate to do so and is already subject to resources constraints. It is therefore important to increase awareness among staff regarding post-employment restrictions prior to their separation so that relevant advice can still be sought from the Ethics Office. The Ethics Office has agreed to provide separating staff members with a brochure to remind them of the bulletin's provisions once the new Secretary-General's bulletin on post-employment restrictions is issued.

**C. Monitoring compliance with post-employment restrictions**

**1. Inadequate resources and a lack of data on staff who participate in the procurement process impede the effective monitoring of compliance with post-employment restrictions**

30. The Department of Management Strategy, Policy and Compliance and the Department of Operational Support report that they have inadequate capacity and resources to detect cases of violations of the provisions of the bulletin by vendors or by active or separated staff members, other than those violations referred to them. According to the Office of Supply Chain Management, only one violation by a former staff member was reported between 2016 and 2020. This indicates either that violations are rare or that, in general, United Nations staff members have limited knowledge of the provisions of the bulletin and of appropriate mechanisms for reporting potential violations. It is, moreover, impracticable to monitor the employment status of former United Nations staff members globally to confirm their compliance with post-employment restrictions. To ensure that they remain aware of and comply with the requirements set out in the bulletin, the Organization must therefore enhance its awareness-raising activities for its staff on an ongoing basis and ensure that they participate in mandatory training courses that cover post-employment restrictions.

31. It is, however, difficult to identify all staff that fall within the scope of the bulletin because of the wide range of activities undertaken in connection with the procurement process using a variety of information technology systems. Some activities are captured in the supplier relationship module in Umoja, while others are captured through the United Nations Global Marketplace, a procurement portal commonly used by United Nations system organizations. In addition, the Office of Supply Chain Management is piloting an e-tendering solution in the Procurement Division in New York, which will be rolled out across the Secretariat over the next 15 months. Once the solution is fully deployed, it will be used to process requests for proposals, quotations and invitations to bid and, over time, its scope will be expanded to include other parts of the process. The Office of Supply Chain Management is also continuing its efforts to develop a centralized information system to support the collection of data on key performance indicators in the end-to-end acquisition process, in line with the mandate of the Secretary-General to enhance the Organization's integrated supply chain.

32. Collectively, these information technology systems have the potential to provide information on staff involved in the procurement process, the vendors that they interact with and the dates of such interactions. The Office of Supply Chain Management has, however, not yet determined the most efficient way of obtaining such information.

#### **Recommendation 5**

**The Department of Operational Support should, in consultation with the Department of Management Strategy, Policy and Compliance, explore the possibility of using existing information technology systems to identify staff who fall under provisions of the bulletin on post-employment restrictions and provide them with relevant guidance and support to comply with the bulletin.**

*Comments of the Department of Operational Support.* The Department of Operational Support accepted recommendation 5, stating that, following updates to the bulletin and the issuance of guidance, as indicated in recommendation 3, it would, in consultation with the Department of Management Strategy, Policy and Compliance, explore the possibility of using existing information technology systems, as recommended.

*Comments of OIOS.* Recommendation 5 remains open pending receipt of evidence of measures introduced to identify staff members who fall within the scope of the bulletin on post-employment restrictions to provide them with relevant guidance and support to comply with the bulletin.

(Signed) Fatoumata **Ndiaye**  
Under-Secretary-General for Internal Oversight Services  
June 2021

## Annex I

### Comments received from the Department of Management Strategy, Policy and Compliance and the Department of Operational Support on the recommendations of the Office of Internal Oversight Services

<i>Recommendation</i>	<i>Critical<sup>a</sup>/important<sup>b</sup></i>	<i>Accepted?</i>	<i>Title of responsible individual</i>	<i>Implementation date</i>	<i>Comments</i>
<p><b>Recommendation 1</b></p> <p>The Department of Management Strategy, Policy and Compliance should, in revising the Secretary-General's bulletin on post-employment restrictions: (a) define its key terms and the roles and responsibilities of entities tasked to implement it; (b) consider limiting its application to a core group of staff by applying a risk-based approach; and (c) stipulate requirements for heads of entities to refer violations to appropriate bodies for suitable action.</p>	Important	Yes	Assistant Secretary-General/Controller, Office of Programme Planning, Finance and Budget, Department of Management Strategy, Policy and Compliance	30 June 2022	The Department of Management Strategy, Policy and Compliance accepts the audit recommendation and will implement it in the future revision of the Secretary-General's bulletin on post-employment restrictions.
<p><b>Recommendation 2</b></p> <p>The Department of Operational Support should, in consultation with the Office of Legal Affairs, implement measures to bring to the attention of vendors information on: (a) the one- and two-year restrictions stipulated in the Secretary-General's bulletin on post-employment restrictions; and (b) potential sanctions that may be imposed for violations of the bulletin.</p>	Important	Yes	Chief, Enabling and Outreach Service, Office of Supply Chain Management, Department of Operational Support	31 December 2022	The Department of Operational Support accepts the recommendation. The recommendation is in the process of implementation.

<i>Recommendation</i>	<i>Critical<sup>a</sup>/important<sup>b</sup></i>	<i>Accepted?</i>	<i>Title of responsible individual</i>	<i>Implementation date</i>	<i>Comments</i>
<p><b>Recommendation 3</b></p> <p>The Department of Management Strategy, Policy and Compliance should establish guidance for entities to identify staff likely to fall within the scope of the Secretary-General's bulletin on post-employment restrictions and develop and implement measures to raise their awareness of its provisions at critical stages of their employment with the Organization.</p>	Important	Yes	Assistant Secretary-General/Controller, Office of Programme Planning, Finance and Budget, Department of Management Strategy, Policy and Compliance	31 December 2022	The Department of Management Strategy, Policy and Compliance accepts the audit recommendation. A guidance will be issued after the issuance of the revised Secretary-General's bulletin to assist entities to identify staff likely to be affected by the bulletin. The guidance will also include measures to raise awareness of the affected staff of the provisions of the bulletin for entities to implement.
<p><b>Recommendation 4</b></p> <p>The Department of Management Strategy, Policy and Compliance should, in consultation with the Ethics Office: (a) include information on the provisions of the revised Secretary-General's bulletin on post-employment restrictions in mandatory learning programmes, such as the ethics and integrity course; and (b) require all staff to complete the updated training.</p>	Important	Yes	Chief of Section, Organization Development, Office of Human Resources, Department of Management Strategy, Policy and Compliance	30 June 2022	The Department of Management Strategy, Policy and Compliance accepts the audit recommendation to include information on the post-employment restrictions in mandatory learning programmes such as the ethics and integrity course. The Department will consult and liaise with the Ethics Office on the possibility of revising the course.
<p><b>Recommendation 5</b></p> <p>The Department of Operational Support should, in consultation with the Department of Management Strategy, Policy and Compliance, explore the possibility of using existing information technology systems to identify staff that fall under provisions of the bulletin on post-</p>	Important	Yes	Director, Procurement Division, Office of Supply Chain Management, Department of Operational Support	31 December 2023	Following the updates of the Secretary-General's bulletin and issuance of guidance, as indicated in recommendation 3, the Department of Operational Support, in consultation with the Department of Management Strategy, Policy and Compliance, will explore the possibility of using existing information technology systems as recommended.

<i>Recommendation</i>	<i>Critical<sup>a</sup>/important<sup>b</sup></i>	<i>Accepted?</i>	<i>Title of responsible individual</i>	<i>Implementation date</i>	<i>Comments</i>
employment restrictions and provide them with relevant guidance and support to comply with the bulletin.					

<sup>a</sup> Critical recommendations address those risk issues that require immediate management attention. Failure to take action could have a critical or significant adverse impact on the Organization.

<sup>b</sup> Important recommendations address those risk issues that require timely management attention. Failure to take action could have a high or moderate adverse impact on the Organization.

## Annex II

### **List of activities in the procurement process covered by Secretary-General's bulletin on post-employment restrictions (ST/SGB/2006/15)**

The Secretary-General's bulletin applies to all staff members participating in the procurement process who have personal, significant and substantive involvement in any of the following activities:

- (a) Drafting, reviewing or approving specifications or statements of work;
  - (b) Preparing or developing solicitations;
  - (c) Identifying potential contractors or vendors;
  - (d) Managing the contractor or vendor database or the registration of new contractors or vendors;
  - (e) Evaluating bids or proposals or selecting a source;
  - (f) Negotiating price or terms and conditions of the contract;
  - (g) Reviewing and approving the award of the contract;
  - (h) Signing the contract;
  - (i) Certifying, approving and making payments under the contract;
  - (j) Managing the contract;
  - (k) Reviewing contractor or vendor performance;
  - (l) Handling contractor's or vendor's protests or disputes; and
  - (m) Auditing the procurement process.
-