

NORTHERN IRELAND POLICING BOARD

CONFLICT OF INTEREST POLICY

1. Introduction

1.1 An important aspect of the role of Board Members is to contribute to the good governance of the Northern Ireland Policing Board (NIPB) at a strategic level. Members must discharge their duties in a manner which is seen to be honest, fair and unbiased.

1.2 NIPB will ensure that conflicts of interest are identified and managed in a way that safeguards its integrity. This policy provides advice and guidance on recognising when a conflict of interest arises and how to act in such circumstances.

1.3 This policy promotes high standards in public life as defined in the 'Seven Principles of Public Life'¹, known as the Nolan Principles.

2. Definition and Scope

2.1 For the purposes of this policy, a conflict of interest or potential conflict of interest is considered to include any association with an organisation or individual who may ultimately benefit or potentially benefit (either financially or through gaining access to information) as a direct result of the relationship with a Board Member. The association may be either an Board Member's own involvement as a director or partner in any organisation which could be a potential customer of, or supplier to NIPB, a close personal relationship with a person in that outside organisation or company, or through association of a member of close family with that outside organisation or company.

2.2 A conflict of interest might also arise if any decision or course of action a Board Member makes, or avoids making, in the course of their duties within NIPB could create the perception of having been unduly or inappropriately

¹ The Nolan Principles – The 'Seven Principles of Public Life' by the Committee on Standards in Public Life, published 31 May 1995 <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

influenced by interests or close relationships a Board Member may have outside NIPB.

2.3 A perception of a conflict of interest can be just as significant as an actual conflict of interest. The key issue is whether there is a risk that a fair-minded outside observer, acting reasonably, would conclude that there is a real possibility of bias.

2.4 For the purposes of this policy, deciding who might fall within the definitions of “close” family or “close personal relationship” is primarily a matter for an individual’s own judgment. The Northern Ireland Audit Office defines a close relative as “a spouse or partner, child, parent, brother, sister, in-laws and personal partners of all of these” (Paragraph 2.6, Page 6 “Conflicts of Interest, A Good Practice Guide; Northern Ireland Audit Office; March 2015”). Board Members should consider how others might perceive it and whether they can clearly demonstrate, if a challenge should arise, that there is no conflict of interest caused by this association. If in doubt it is best, in order to protect a Board Member’s own interests, to err on the side of caution and declare the circumstances at the earliest opportunity in order that clarification can be sought.

3. Organisational Risks

3.1 Actual, potential or perceived conflicts of interest can lead to doubt about the integrity of a Board Member and can impact on the reputation of the NIPB. A conflict of interest that is concealed, even if unintentionally through ignorance of proper procedure, or managed poorly, creates at best a risk of allegations or perceptions of misconduct. It could potentially result in more serious consequences, such as litigation against NIPB or a Board Member being subject to an internal or external enquiry and in certain circumstances criminal investigation. A high-profile conflict of interest could ultimately result in severe reputational damage to the organisation and could result in a Board Member being removed from office.

4. Declaring a Conflict

4.1 In any circumstances where a Board Member considers that there is an actual, potential or perceived conflict, they are required to disclose the information at the earliest opportunity. In the first instance the matter should be raised with the Chair of the Board or relevant Committee, who will make a record and take appropriate action. In the event of the Board Chair considering themselves to have an actual, potential or perceived conflict, the matter should be raised with the Department of Justice.

4.2 As a general rule, if an individual is in doubt as to whether or not to declare an interest or potential interest, then it is in the individual's own best interests and that of the NIPB to declare it. In many cases the declaration at the appropriate time in the appropriate forum will provide adequate protection. Declaring an actual or potential conflict of interest does not in itself necessarily prevent the relevant arrangement or decision from going ahead. The NIPB Accounting Officer may decide that the declaration itself provides sufficient transparency and protection for both the individual and the NIPB.

4.3 NIPB actively provides several opportunities for Board Members to declare conflicts of interest. These are:

- a. At the start of each Board or Committee meeting the Chair will seek declarations of conflicts of interest which is minuted;
- b. NIPB requires all Board Members to complete a Registration of Interest form on an annual basis. A Register of Interests is maintained by NIPB.
- c. Members are also required to declare any Third Party Transactions they have been involved in which are recorded in the NIPB Annual Report.

5. Managing a Conflict

5.1 When a conflict has been identified, the Board/Committee Chair will carefully consider what action, if any, needs to be taken to adequately avoid or mitigate the associated risk(s). The seriousness of the conflict, as well as the range of

options available to handle, lessen or monitor it, will be assessed. Judgment will be exercised in individual cases.

5.2 While Board Members are best placed to identify whether they have a conflict of interest, and are responsible for declaring it, the Board and/or Committee Chair and the Accounting Officer should always be alert to situations which may create a conflict, particularly one which has not been declared.

5.3 Dependent on the nature of the conflict, the Board Chair/Committee Chair and/or Accounting Officer will consider a range of strategies should a conflict be identified. Examples of these are:

- Ensure that the identified conflict is accurately registered by the Board Member on the NIPB Register of Interest;
- Place restrictions on a Board Member's involvement in a particular matter;
- Advise a Board Member to remove themselves from the particular matter;
- Advise a Board Member to relinquish the private interest creating the conflict;
- Request that a Member resign or stand down from the organisation.

6. Further Information

6.1 NIPB Members are advised to make themselves aware of the content of the following documents:

- Conflicts of Interest, A Good Practice Guide; Northern Ireland Audit Office; March 2015.
http://www.niauditoffice.gov.uk/index/publications/recent_reports/good_practice_guide_conflicts_of_interest.htm
- Codes of Conduct for Board Members of Public Bodies (NI), Guidance; Department of Finance and Personnel; April 2014

<https://www.dfpni.gov.uk/publications/finance-director-letters-fds-2014>

- Code of Conduct for Board Members of Public Bodies; Cabinet Office; Jun 2011

<https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

Northern Ireland Policing Board

James House, Block D
2 – 4 Cromac Avenue
The Gasworks
Belfast, BT7 2JA



028 9040 8500



information@nipolicingboard.org.uk



www.nipolicingboard.org.uk



policingboard



@nipolicingboard



nipolicingboard



nipolicingboard



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**Northern Ireland Policing Board
Conflict of Interest Policy**

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