

NORTHERN IRELAND POLICING BOARD

CODE OF CONDUCT

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FOREWORD

This Code sets out the standards of practice expected from all Members of the Northern Ireland Policing Board (the Board). The public expects exemplary standards of behaviour from those serving on the boards of public bodies when discharging their duties. To that end this Code forms part of individual Members' terms and conditions of appointment and underscores the Board's commitment to attaining the highest standards of business conduct.

The purpose of the Code is to:

- Establish and promulgate a common set of ethics, values and standards of integrity for all Board Members.
- Support the development of exceptional standards of professional practice.
- Promote and maintain confidence and trust in Board Members.

In carrying out their responsibilities Members, like others who serve the public, should follow the Seven Principles of Public Life as set out by the Cabinet Office. These guiding principles should inform all Members' actions and decisions when discharging their public duties.

As a Member of the Policing Board, it is your responsibility to ensure you are familiar with and comply with all relevant provisions of this Code. It should be read in conjunction with the statutory duties contained in the Police (Northern Ireland) Act 2000 and other relevant legislation.

Any queries regarding the application of this Code should be directed to the Chairperson of the Board.

1. OVERVIEW

1.1 SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

1.2 Scope

This Code is binding on all Members of the Northern Ireland Policing Board and requires that each person is familiar with it. For the purposes of this Code, the term Member(s) includes all Independent and Political Board Members, Advisors and Political Party Researchers, except where indicated otherwise.

1.3 Review of Code

This Code of Conduct was formally reviewed and updated in November 2018. The Board will undertake periodic reviews of this Code to ensure it continues to meet the Board's needs and remains appropriate.

1.4 Breach of Code

If an incident occurs where there may be a breach of the Code, or if there is an allegation of a breach, it will be referred to the Vice Chairperson of the Board in the first instance for informal resolution. If informal resolution is not appropriate or does not prove possible, the incident or allegation will be referred to the Chairperson of the Board.

Paragraph 9 of Part III of Schedule 1 to the Police (Northern Ireland) Act 2000 sets out the removal provisions relating to Board members.

2. GENERAL CONDUCT

2.1 Use of Official Funds

You have a duty to ensure impartiality, integrity and objectivity in relation to stewardship of public funds and the proper custody of assets which have been publicly funded.

You must carry out your fiduciary obligations responsibly, taking appropriate measures to ensure that the Board manages resources efficiently, economically and effectively, avoiding waste and extravagance.

2.2 Allowances

You must comply with the rules set by the Board regarding remunerations, allowances and expenses. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

Your expenses are subject to publication.

2.3 Gifts and Hospitality

You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgment or integrity or place you under an improper obligation. You must never canvass or seek gifts or hospitality.

You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring the Board into disrepute.

Where a gift or hospitality has been accepted, or even if it has been declined/returned, you should immediately notify the Board Chairperson and the Chief Executive and ensure that this is recorded in the Gifts and Hospitality Register. This disclosure requirement also relates to gifts/hospitality, which are presented to spouses, partners or other associates if it can be argued or perceived that the gift or hospitality is in fact for the benefit of the Member.

The Gifts and Hospitality Register will be periodically reviewed by the Board's Audit and Risk Management Committee.

Members may only offer hospitality, at the expense of the Board, with the prior approval of the Chairperson and the Chief Executive or in his/her absence the Vice-Chairperson and the Chief Executive. A pre-condition for any such hospitality is that it will be in the direct interests of the Board and will assist the Board in fulfilling its statutory responsibilities. As a minimum requirement, there must be one person present who is not a Member of the Board or its staff.

2.4 Use of Official Resources

You must not misuse official resources for personal gain or for political purposes. Use of such resources must be in line with the Board's policies and rules. 'Resources' in this context includes, but is not limited to, facilities, equipment, stationery, telephony and other services.

2.5 Use of Official Information

You must not misuse information gained in the course of your public service for personal gain or for political purpose. Members of the Board should be aware of the provisions of the Official Secrets Acts 1911 to 1989. Unauthorised disclosure of any information gained in the course of your appointment of Board duties or its use by you or others for personal advancement would be regarded as a grave breach of trust.

All members must comply with the requirements of Data Protection Legislation. You must not disclose any information which is official sensitive/confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the Board or its Committees.

All information, data and correspondence that you have access to, as part of your Board duties, should be treated with an appropriate level of sensitivity irrespective of any Protected Marking that may or may not be in place.

Your work with the Board will be subject to the Freedom of Information Act 2000 and Data Protection Legislation.

2.6 Public Conduct and Communications

The Chairperson is the official spokesperson of the Board. They may, if considered desirable or appropriate, designate the Vice-Chairperson, a Committee Chairperson or another Member to comment publicly on a specific subject, consistent with the Board's position on the subject in question.

In the absence of the Chairperson, the Vice Chairperson or the Chief Executive may determine what information is to be made public.

Invitations may be received to speak at a meeting or event. Members should consult with the Chairperson or Chief Executive prior to accepting an invitation to speak on behalf of the Board. Officials of the Board may assist with such invitations accepted in your role as a Board Member. The content of any speech or presentation must reflect the corporate position of the Board. Attendance at such events should be reported to the relevant Committee, or Board itself, for information. Members should also consult with the Chair or Chief Executive prior to accepting any requests to intervene or mediate in issues that could be considered operational policing matters as it may be perceived as a conflict of interest with the position of a Board Member and their accountability role. Whenever a Member expresses a personal or political opinion on an issue touching the Board or its statutory functions it must be made clear from the outset that the Member is not purporting to speak on behalf of the Board. The Chairperson and Vice-Chairperson shall be mindful of their representative positions on behalf of the Board in making public comments of a personal or political nature touching on the Board or its statutory functions.

In public sessions of Board meetings, questions should not be asked nor answers given where they are likely to identify individuals in a context or situation where the consequence of the individual being so identified might cause the individual to suffer a real and immediate risk of harm or disproportionately infringe any other human rights of the individual or the individual's family; or where the questions

and answers might unfairly deprive the individual of due process or a fair procedure.

2.7 Political Activity

If you engage in political activity as a Member of the Board you should, at all times, remain conscious of your responsibilities to the Board and exercise proper discretion. Members acting as members of political delegations and having contact with government or police officers must not purport to be acting in their capacity as Board Members.

2.8 Employment and Appointments

If you take up new employment or appointments during your term of office, you must inform the Chairperson of the Board.

2.9 Members' Interests

You must comply with the Board's rules on handling conflicts of interest. As a minimum, these require you to declare any private interest that may, or may be perceived, conflict with your Board duties. In general, all financial interests should be declared.

You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties and your private interests- financial or otherwise.

The rules will also require you to remove yourself from the discussion or determination of matters in which you have a financial interest. In matters in which you have a non-financial interest you should not participate in the discussion or determination of a matter where the interest might suggest a danger of bias.

The following procedures are aimed at ensuring that any potential conflicts are identified at an early stage or declared during the conduct of business and appropriate action is taken to resolve them.

2.10 Registration of Interests

The Board will maintain a Register of Interests for each Member. It is your responsibility to ensure any personal or business interests, financial or otherwise, which the public might reasonably think could influence your judgment, is declared on the Register. You must ensure that your entry in the Register is accurate and up-to-date.

You should also declare any relevant past interests or potential future interests where the public could reasonably perceive these to influence your judgment. You will be requested to notify the Chief executive of all such registerable interests. Any subsequent changes or additions to your registration should be notified immediately in writing to the Chief Executive. The Chief Executive will ask Members to confirm the accuracy of the Register of Interests every six months. The interests listed for each Member in the Register, and the fact that the public have access to this Register, will be reported once a year in the Board's Annual Report.

You may be exempted from listing an interest in the public Register of Interests if such a disclosure could compromise the security of you or your family. For Members, this exemption will be at the discretion of the Chairperson who may seek advice from the PSNI. An exemption in respect of the Chairperson will be at the discretion of the Board, with authority delegated to the Chief Executive. A record of all such exemptions will be maintained by the Board.

You must declare a personal or business interest, financial or otherwise, immediately upon becoming aware of the potential conflict or before discussion on an agenda item begins. Interests of immediate family members and persons living in the same household should also be declared. You should consider whether you need to disclose relevant interests of other connected persons or past and potential interests which might be perceived to affect your consideration of any matter.

As a general rule, you should not take part in, and normally should not be present for, discussions or decisions if you have a personal or business interest, financial

or otherwise, in the matter under consideration. In determining whether withdrawal from the proceedings is appropriate, the following test should be applied:-

Would a member of the public, knowing the facts of the situation, reasonably think that their presence could influence the judgment of the Member or other Members present?

Additionally, as the Board is required to follow International Financial Report Standards (IFRS), Board Members must facilitate compliance with the requirement, under International Accounting Standard 24 for material transactions with related parties to be disclosed in financial statements. 'Related parties' include family members or members of the same household who may be expected to influence, or be influenced by, Board Members or senior management.

Queries on any matter relating to the above should be directed to the Board's Chief Executive.

3. RESPONSIBILITIES AS A MEMBER

3.1 Responsibilities as a Member

You should play a full and active role in the work of the Board and should fulfil your duties responsibly. At all time you should act in good faith and in the best interest of the Board, in line with its strategic objectives.

You should observe the highest standards of propriety involving impartiality, integrity and objectivity in relation to stewardship of public funds and the management of the Board.

You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability. You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.

You should respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, you should support that decision.

You should uphold the principle of openness and be accountable to users of services, the community, the Chairperson of the Board and the Department of Justice for the activities of the Board, their stewardship of public funds and the extent to which key performance targets and objectives have been met

You must not use, nor attempt to use, the opportunity of public service to promote your personal interests or those any person, firm, business or other organisations with which you are connected.

3.2 Responsibilities towards Board Officials

You will treat anyone working within or for the Board, in any capacity, with courtesy and respect. It is expected that Board Officials will show you the same consideration in return.

You will not ask nor encourage anyone working within or for the Board, in any capacity, to act in any way that would conflict with his/her own Code of Conduct. The proper channel of communication between Members and Board officials in relation to any aspect of the Board's statutory functions is through the Chief Executive, or a Board official duly nominated by the Chief Executive to communicate with Members in relation to a statutory function of the Board. Subject to the above, you must not seek to issue instructions to any Board official.

3.3 Participation of Members

As a Member of the Board, you commit to robust and honest participation; acting diligently and in good faith to the full extent of your skill and knowledge, in the best interests of the public.

You should make all reasonable endeavours to attend all Board meetings and meetings of the Committee(s) on which you serve and be well prepared by reading relevant papers in advance and contributing to decision-making.

Members attendance at Board and Committee meetings will be reviewed by the Chairperson of the Board and published on the Board's website.

You should take meaningful steps to make yourself aware of relevant information and access information as necessary to enable you to perform your duties to a high standard.

3.4 Confidentiality

You must not disclose to any person¹, other than another Member or an authorised Board official², any information, whether written or verbal or electronically recorded, generated or received in your capacity as a Member, which breaches the level of confidentiality placed on the information by the Board or which would be injurious to the interests of the Board or unfairly prejudicial to any other body or person without the authorisation of the Chairperson of the Board.

¹ 'Any person' includes family members, legal advisers, political party colleagues not represented on the Board.

² 'An authorised Board official' means a Board official duly authorised by the Chief Executive.

You must not disclose to any person, other than another Member or an authorised Board official, the contents of any document or any part thereof or an electronic record bearing any of the protective markings listed in the Board Information and Data Security Guide without the authorisation of the Chairperson of the Board.

You have a duty to safeguard all documents and equivalent electronic records furnished to you by virtue of your membership on the Board or its Committees. Any breach or loss of information must be reported to the Chief Executive within 72 hours of the incident.

Should confidential information in relation to PSNI be leaked to you in your capacity as a Member of the Board you should immediately advise the Chief Executive, who will advise the Chairperson of the Board. The Chief Executive will ensure the matter is brought to the next Board meeting to determine how the confidential information should be handled. Members may wish to seek legal advice where the matter poses implications regarding the Public Interest Disclosure Act and NICS guidance on the Public Interest Disclosure (NI) Order 1998.

Members who do not adhere to, or do not give, an undertaking on appointment that they will comply with the requirements of confidentiality will limit the ability of the Board to conduct its business and limit the information made available to them and other Members. It may also result in exclusion from attendance at confidential briefings.

Where information relating to the Board's functions is proffered to the Chairperson, and/or the Vice-Chairperson, on the basis that it is confidential and is not to be disclosed to the Board they may normally only receive that information and withhold it from the Board if it is agreed between the Chairperson and the Vice-Chairperson that it is in the best interests of the Board that the information be received and not disclosed to the Board.

3.5 Personal liability as a Member

Although any legal proceedings initiated by a third party are likely to be brought against the Board, in exceptional cases proceedings (civil or, in certain cases, criminal) may be brought against the Chairperson, Vice-Chairperson or other individual Board members. For example, a Board Member may be personally liable if he/she makes a fraudulent or negligent statement which results in loss to a third party.

A Board Member who misuses information gained by virtue of his/her position may be liable for breach of confidence under common law.

3.6 Raising a Concern

The Board is committed to fostering an environment where Members and officials feel able to raise concerns they may have and to ensuring that any concerns raised are carefully listened to and prompt action is taken.

Where an official has a concern about possible issues or irregularities within the Board, the matter should be raised with the Chief Executive and dealt with in accordance with the procedures in the Board's Whistleblowing Policy.

As a Member of the Board, if you have a concern about possible issues or irregularities within the Board, this should be raised in the first instance with the Chairperson. The Chairperson shall deal with such concerns, at all times respecting as far as possible the confidentiality of the identity of the Member who disclosed such concerns, in an appropriate manner that ensures a meaningful follow-up of matters raised.

In the event that the matter has not been resolved by the Chairperson or where the matter relates to the Chairperson, you may raise such concerns directly with the Board's Audit and Risk Management Committee.

If you find evidence of non-compliance with any statutory obligations applying to the Board, you should immediately bring this to the attention of your fellow Members with a view to having the matter rectified. The matter shall also be

brought to the attention of the Board's Audit and Risk Management Committee by the Chairperson indicating that (i) the consequences of such non-compliance and (ii) the steps that have been or will be taken to rectify the position.

Where Members consider that independent professional advice is required they may obtain such advice at a reasonable cost to the Board, subject to the approval of the Chairperson and the Board's procurement procedures.

4.0 Related Policies and Procedures

REF	TITLE
312296	Conflicts of Interest Policy Members of Board
293142	Board Gifts and Hospitality Policy
269318	Board Guidelines for Payment of Allowances
368233	Board Security/ Data Incident Reporting Policy
346102	Board IT Acceptable Use Policy
317926	Board Policy on the Use of Electronic Devices During Meetings
368571	Board Information and Data Security Guide
402303	Board Whistleblowing Policy

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