



BOUNDARY COMMISSION FOR NORTHERN IRELAND

Code of Practice for Members of the Commission

December 2004

Public Service Values

The appointed members of the Boundary Commission for Northern Ireland¹, a non-departmental public body, must at all times:-

- ◆ observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and the management of this public body; and
- ◆ be accountable to Parliament and the public more generally for their activities and for the standard of advice they provide.

Standards in Public Life

Commission members must:-

- ◆ follow the *Seven Principles of Public Life*² set out by the Committee on Standards of Public Life;
- ◆ comply with this Code, and ensure they understand their duties, rights and responsibilities, and that they are familiar with the function and role of this public body and any relevant statements of Government policy. Commission members should be conscious of their public role and exercise proper discretion. Where appropriate, new members will ensure they receive sufficient information to allow them to perform their role;
- ◆ not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations; and
- ◆ not hold any paid or unpaid posts in a political party, and not engage in political activities.

¹ For the purposes of this Code of Practice, the appointed members are the Deputy Chairman appointed by the Lord Chief Justice for Northern Ireland and the two other members, appointed by the Secretary of State for Northern Ireland.

² Annex A

Role of Commission Members

Members of the Commission have collective responsibility. They must –

- ◆ engage fully in collective consideration of the issues, taking account of the full range of relevant factors;
- ◆ ensure that the Freedom of Information Act (including prompt responses to public requests for information) is adhered to;
- ◆ respond appropriately to complaints, if necessary with reference to the Secretary of State for Northern Ireland;
- ◆ ensure that the Commission do not exceed their powers or functions.

Communications between the Commission and the Secretary of State for Northern Ireland will generally be through the Deputy Chairman except where the Commission have agreed that an individual Commission member should act on their behalf. Nevertheless, any Commission member has the right of access to the Secretary of State for Northern Ireland, on any matter which he or she believes raises important issues relating to his or her duties as a Commission member. In such cases, the agreement of the Deputy Chairman and the other Commission member should normally be sought.

Individual Commission members can normally be removed from office by the Minister who appointed them if they fail to perform the duties required of them in line with the standards expected in public office.

Role of the Deputy Chairman

The Deputy Chairman has particular responsibility for providing effective leadership. In addition, the Deputy Chairman is responsible for:-

- ◆ ensuring that the Commission meet at appropriate intervals, and that the minutes of the meetings and any reports to the Secretary of State for Northern Ireland accurately record the decisions taken and, where appropriate, the views of individual Commission members;
- ◆ representing the views of the Commission; and
- ◆ ensuring that new Commission members are briefed on appointment (and their training needs considered) and providing an assessment of their performance, on request, when members are considered for re-appointment to the Commission or for appointment to another public body.

Handling Conflicts of Interest

The purpose of these provisions is to avoid any danger of Commission members being influenced, or appearing to be influenced, by their private interest in the exercise of their public duties. All Commission members should therefore declare any personal or business interest which may, or may be perceived to influence their judgement. This should include, as a minimum, personal direct and indirect pecuniary interests, and should normally also include such interests of close family members and of persons living in the same household³. A Register to record Commissioners' interests will be maintained. A declaration of any interest should also be made at any Commission meeting if it relates specifically to a particular issue under consideration, for recording in the minutes.

Commission members should not participate in the discussion of matters in which they have an interest if:-

- ◆ their interest is direct and pecuniary; or
- ◆ their interest is covered in specific guidance issued by this public body or the Northern Ireland Office which requires them not to participate and/or withdraw from the meeting.

Personal Liability

A Commission member may be personally liable if he or she makes a fraudulent or negligent statement which results in a loss to a third party; or may commit a breach of confidence under common law or a criminal offence under insider dealing legislation, if he or she misuses information gained through their position. However, the Government has indicated that individual Commission members who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their Commission functions.

³ Indirect pecuniary interests arise from connections with bodies which have a direct pecuniary interest or from being a business partner of, or being employed by, a person with such an interest. Non-pecuniary interests include those arising from membership of clubs and other organizations. Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

Principles in Public Life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial reward or other 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 seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making 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 in their office.

Openness

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