

CODE OF CONDUCT FOR MEMBERS OF THE MARSHALL AID COMMEMORATION COMMISSION

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1. INTRODUCTION

1.1 As a Commissioner, your behaviour and actions must be governed by the principles set out in this Code of Conduct. It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the Code.

2. KEY PRINCIPLES OF PUBLIC LIFE

2.1 The key principles upon which this Code of Conduct is based are the Seven Principle of Public Life.¹ These are:

Selflessness

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might, or might be perceived to, influence you in the performance of your official duties.

Objectivity

In carrying out public business, including awarding contracts and recommending individuals for rewards and benefits, you should make choices on merit.

Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate for your office.

Openness

You should be as open as possible about the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty

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

Leadership

¹ *Standards in Public Life: First Report of the Committee on Standards in Public Life*. Volume 1: Report. CM 2850-I.

You should promote and support these principles by leadership and example.

2.2 These principles should inform your actions and decisions as a Marshall Commissioner.

3. GENERAL CONDUCT

Use of Public Funds

3.1 You have a duty to ensure the safeguarding of public funds² and the proper custody of assets which have been publicly funded.

3.2 You must carry out your fiduciary obligations responsibly – that is, take appropriate measures to ensure that the MACC uses resources efficiently, economically and effectively, avoiding waste and extravagance. It will always be an improper use of public funds for public bodies to employ consultants or other companies to lobby Parliament, Government or political parties.

Allowances

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

Gifts and Hospitality

3.4 You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.

3.5 You must never canvass or seek gifts or hospitality.

3.6 You must comply with the rules set by the MACC on the acceptance of gifts and hospitality. You should inform the Executive Secretary of any offer of gifts or hospitality and ensure that, where a gift or hospitality is accepted, this is recorded in a public register in line with the rules set by the MACC.

3.7 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 MACC into disrepute.

Use of Official Resources

3.8 You must not misuse official resources³ for personal gain or for political purposes. Use of such resources must be in line with the MACC's rules on their usage.

Use of Official Information

3.9 You must not misuse information gained in the course of your service on the MACC for personal gain or for political purpose.⁴

² This should be taken to include all forms of receipts from fees, charges and other sources.

³ This includes facilities, equipment, stationery, telephony and other services.

3.10 You must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the Commission.

Political Activity⁵

3.11 In your role on the MACC, you should be, and be seen to be, politically impartial. You should not occupy a paid party political post or hold a particularly sensitive or high-profile role in a political party. You should abstain from all controversial political activity and comply with Cabinet Office rules on attendance at Party Conferences.⁶

3.12 On matters directly related to the work of the MACC, you should not make political statements or engage in any other political activity.

3.13 In your capacity as a Commissioner, you should be even-handed in all dealings with political parties.

3.14 Subject to the above, you may engage in political activity but should, at all times, remain conscious of your responsibilities as a Commissioner and exercise proper discretion. You should inform the Chair before undertaking any significant political activity.

Employment and Appointments

3.15 If you wish to take up new appointments during your term of office, you must inform the Chair.

4. COMMISSIONERS' INTERESTS

4.1 You must ensure that no conflict arises, or could reasonably be perceived to arise, between your duties as a Commissioner and your private interests – financial or otherwise.

4.2 You must comply with the rules of the MACC on handling conflicts of interests. As a minimum, these will require you to declare publicly any private interests which may, or may be perceived to, conflict with your MACC duties. 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.⁷

4.3 It is your responsibility to ensure that you are familiar with the MACC's rules on handling conflicts of interests, that you comply with these rules and that your entry in the MACC's register of interests is accurate and up-to-date.

5 RESPONSIBILITIES AS A MARSHALL COMMISSIONER

⁴ Board members who misuse information gained by virtue of their position may be liable for breach of confidence under common law or may commit a criminal offence under insider dealing legislation.

⁵ If you are an MP, Member of the House of Lords, Member of a Devolved Administration or Local Councillor, you are exempt from these requirements - although you should still exercise proper discretion on matters directly related to the work of the body and recognise that certain political activities may be incompatible with your role as a board member.

⁶ www.cabinetoffice.gov.uk/content/public-bodies-and-appointments

⁷ These are common law provisions.

5.1 You should play a full and active role in the work of the MACC. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the MACC.

5.2 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.

5.3 You must comply with any statutory or administrative requirements relating to your duties on the MACC.

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

5.5 You must not use, or attempt to use, the opportunity on the MACC to promote your personal interests or those of any connected person, firm, business or other organisation.

6. RESPONSIBILITIES TOWARDS EMPLOYEES

6.1 You will treat any staff employed by the MACC with courtesy and respect. It is expected that employees will show you the same consideration in return.

6.2 You will not ask or encourage employees to act in any way which would conflict with their own Code of Conduct.