

## 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.<sup>1</sup> 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*

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

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

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

### 3. GENERAL CONDUCT

#### *Use of Public Funds<sup>2</sup>*

3.1 You have a duty to ensure the safeguarding of public funds<sup>3</sup> 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 resources<sup>4</sup> for personal gain or for political purposes. Use of such resources must be in line with the MACC's rules on their usage.

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<sup>2</sup> For more guidance on how to handle public funds, please refer to Managing Public Money <https://www.gov.uk/government/publications/managing-public-money>

<sup>3</sup> This should be taken to include all forms of receipts from fees, charges and other sources.

<sup>4</sup> This includes facilities, equipment, stationery, telephony and other services.

### *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.<sup>5</sup>

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 Activity*

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<sup>6</sup> and on conduct during the period prior to elections and referendums, whether local or national<sup>7</sup>.

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 You should inform the Chair and/or the FCO before undertaking any significant political activity. 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.

3.14 If you are an MP, member of the House of Lords, member of a devolved legislature, directly elected mayor, councillor or police and crime commissioner, you are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. You must exercise proper discretion on matters directly related to work of the MACC and recognise that certain political activities may be incompatible with your role as a Commissioner. You should not allow yourself to become embroiled in matters of political controversy.

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

### *Employment and Appointments*

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

## **4. COMMISSIONERS' INTERESTS**

4.1 When accepting your appointment to the MACC you should consider if any conflict of interest arise from your private interests or by virtue of any other roles you hold. You should consider, with advice from the FCO how these should be best managed, and agree this with the MACC.

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<sup>5</sup> 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.

<sup>6</sup> [www.cabinetoffice.gov.uk/content/public-bodies-and-appointments](http://www.cabinetoffice.gov.uk/content/public-bodies-and-appointments)

<sup>7</sup> [www.gov.uk/government/publications/election-guidance-for-civil-servants](http://www.gov.uk/government/publications/election-guidance-for-civil-servants)

4.2 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.

4.3 You must comply with the rules of the MACC on handling conflicts of interests. As a minimum, these will require you to declare publicly, using the MACC Register of Interest Form, any private, financial or non-financial interests of your own, or of close family members, 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.<sup>8</sup>

4.4 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**

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 promote an inclusive and diverse culture in the MACC and your actions should help create an environment where different perspectives and backgrounds are encouraged and valued.

5.3 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.

5.4 You must not harass, bully or act inappropriately towards or discriminate towards others. Such behaviour is not consistent with what is expected of you as a Commissioner and will not be tolerated.

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

5.6 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.

5.7 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.

5.8 You must inform the FCO of any bankruptcy, current police investigation, unspent Criminal conviction or disqualification as a company director in advance of appointment, or should any such instances occur during your appointment.

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<sup>8</sup> These are common law provisions.

## **6. RESPONSIBILITIES TOWARDS THE SECRETARIAT**

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

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

## **7. SOCIAL MEDIA**

7.1 Social media is a public forum and the same considerations, including the provisions of this Code, apply as it would to speaking in public or writing something for publication, either officially or in a personal capacity. While engaging with social media you should at all times respect confidentiality, financial, legal and personal information.

7.2 Where any personal social media accounts used by you make reference or link to your Commissioner role, you should take care to ensure that it is clear in what capacity you are acting.

## **8 RAISING CONCERNS**

8.1 You should ensure that the MACC has an open, transparent and safe working environment where Commissioners and the Secretariat feel able to speak up and raise concerns and complaints procedures are clearly communicated to them.

8.2 If you have a concern about a possible breach of this Code, a concern that you or any member of the Commission or Secretariat are being asked to act in contravention of the MACC Code of Conduct, or a concern about misconduct or wrongdoing in any other areas, then you have a responsibility to raise that internally with the Chair of the Commission or the Permanent Secretary of the FCO as appropriate.