



Department
for Business
Innovation & Skills

British Hallmarking Council

Triennial Review

FEBRUARY 2015

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Introduction

1. This document sets out the findings of the 2014 Triennial Review of the British Hallmarking Council (BHC). It describes the purpose of Triennial Reviews, the process adopted for this review and presents findings based on the views from a range of stakeholders. The report draws on this evidence to make recommendations as to the future of the BHC.

Scope and purpose

2. The Cabinet Office has identified two principal aims for Triennial Reviews:
 - to provide robust challenge to the continuing need for individual Non Departmental Public Bodies (NDPBs) – both their functions and their form (Stage One); and
 - where it is agreed that a particular body should remain as an NDPB, to review the control and governance arrangements in place to ensure that the public body is complying with recognised principles of good corporate governance (Stage Two).
3. This section of the report covers Stage One of the review of the BHC. The programme of departmental Triennial Reviews is agreed on a rolling basis with the Cabinet Office. The Cabinet Office agreed that the Department for Business, Innovation & Skills (BIS) would carry out a Triennial Review of the BHC starting in the third quarter of Financial Year 2013 -14. All reviews are to be conducted in line with the following principles:
 - i. **Proportionate**: not overly bureaucratic; appropriate for the size and nature of the NDPB.
 - ii. **Timely**: completed quickly to minimise disruption and reduce uncertainty.
 - iii. **Challenging**: robust and rigorous, evidencing the continuing need for functions and examining and evaluating a wide range of delivery options.
 - iv. **Inclusive**: open and inclusive. Individual NDPBs must be engaged, key users and stakeholders should have the opportunity to contribute. Parliament should be informed about the commencement and conclusions.
 - v. **Transparent**: all reviews should be announced and reports should be published.
 - vi. **Value for Money**: conducted to ensure value for money for the taxpayer.

Approach to the review

Cabinet Office guidance

4. This information is taken from the Cabinet Office guidance on Triennial Reviews¹. The first Stage of the review should identify and examine the key functions of the NDPB. It should assess how the functions contribute to the core business of the NDPB and the sponsor department and consider whether the functions are still needed. Where the department concludes that a particular function is still needed, the review should then examine how this function might best be delivered.
5. When assessing how functions should be delivered, the review should examine a wide range of delivery options. This should include whether the function can be delivered by local government, the voluntary or private sectors, or mutual. It should also include an examination of different central government delivery models, including whether the function can be delivered by the sponsoring department, by a new or existing Executive Agency or by another existing central government body. It is Government policy that NDPBs should only be set up, and remain in existence, where the NDPB model can be clearly evidenced as the most appropriate and cost-effective model for delivering the function in question. Reviews must evidence that functions have been assessed against a wide range of delivery options.

The '3 Tests'

6. In many cases, some delivery options can be quickly rejected. However, for each function under consideration, the review should identify all viable delivery options and undertake a fuller assessment of these options. Where appropriate, this should include a cost and benefits analysis. If one of the delivery options is the NDPB option, this must also include an assessment against the government's 'three tests':
 - A. Is this a technical function (which needs external expertise to deliver)?
 - B. Is this a function which needs to be, and be seen to be, delivered with absolute political impartiality (such as certain regulatory or funding functions)?
 - C. Is this a function which needs to be delivered independently of Ministers to establish facts and/or figures with integrity?
7. Based on these fuller assessments, the department can then make an informed decision on how the function should be delivered in the future:

¹ http://www.civilservice.gov.uk/wp-content/uploads/2011/09/triennial-reviews-guidance-2011_tcm6-38900.pdf

- Abolish
- Move out of Central Government (e.g. to voluntary or private sector)
- Bring in-house (e.g. to an existing Executive Agency of BIS)
- Merge with another body
- Delivery by a new Executive Agency
- Continued delivery by an NDPB

The BIS approach

8. Triennial reviews are consistent with the BIS commitment to review its Partner Organisations. The reviews are run as a project, governed by the Triennial Review Group (TRG) and supported by a Project Manager from the Finance Directorate. The TRG is comprised of BIS Directors. A Challenge Panel provides robust challenge to the review and includes representation from BIS, the Cabinet Office and a Non-Executive Director, and chaired by the TRG Chairman.
9. The Minister for Universities and Science, David Willetts, announced the Triennial review of the BHC in a written Ministerial statement on 9 October 2013. The review Team were drawn from another BIS directorate in order to bring a measure of independence and consisted of:
 - Dr Sarah Webb (lead reviewer), Assistant Director, Higher Education;
 - Paul O'Neill, Senior Executive Officer, Higher Education;
 - Sarah Thompson, Higher Executive Officer, Higher Education
10. Cabinet Office guidance states that reviews should be appropriate for the size and nature of the NDPB in question and should also offer value for money. Given the small scale of the BHC which receives no funding from Government, a proportionate, but robust, review was carried out.
11. Consultation took place through structured interviews either face-to-face or over the telephone with BHC members, major stakeholders and the Assay Offices whom they regulate. The range and diversity of viewpoints canvassed included BIS and National Measurement Office (NMO) officials, the Assay Masters, Silversmiths, Goldsmiths and Members of the BHC appointed by the Secretary of State and Assay Offices. Wider consultation was not deemed necessary as the BHC is the sole expertise in hallmarking and appointed members represent business and consumer interests. The review team would like to thank all those who gave their time to providing views. A list of those who contributed is included in Annex A of this report.

Stage 1

Current structure and function of the BHC

12. The BHC is a NDPB set up by the Hallmarking Act 1973. With an independent Chairman and Secretary, its 19 members represent a broad range of interests covering the trade, consumer interest, and the four UK Assay Offices: London, Birmingham, Sheffield, and Edinburgh (at the time of writing there are currently 18 members of the Council with one member yet to be appointed by the Birmingham Assay Office). The Assay Offices were set up either by Statute or Charter and are non-profit making organisations that recover their operating costs through hallmarking fees and assay-related services. The 19 council members of the BHC are all unremunerated, other than the Chairman. The Secretary of State appoints 10 of the members. The BHC appoints 3 of the remaining 9 members with the Assay Offices appointing the other 6. The chairman is elected by the Council from members of the Council. The Secretary of State has no involvement in appointment of the chairman other than they could be selected from one of the 10 members the Secretary of State has appointed, although by convention the chairman has been chosen from the assay offices. The BHC receives no funding from Government – they have no assets (no offices/admin costs) and meet normally twice a year at Assay Office premises. The costs of the Chairman and Secretary are paid for by the UK Assay Offices.
13. The BHC is not directly engaged with the development of British Standards Institute as standards for Hallmarking, as voluntary standards will not cut across legal requirements, such as the Hallmarking Act, however the Assay Offices are involved in the BSI, STI/53, Specifications and test methods for jewellery and horology: <http://standardsdevelopment.bsigroup.com/Home/Committee/50001489> Hallmarking is only one aspect of the standards committee.
14. Similarly the BHC is not directly accredited as they do not directly conduct the testing and hallmarking, however the individual Assay Offices are accredited by UKAS. UKAS is recognised by the British government as the UK body which is responsible for assessing and accrediting the competence of organisations in the fields of testing, measurement, inspection and certification of systems, products and personnel. UKAS accredited laboratories meet the demands of **ISO/ IEC 17025: 2005** and are inspected annually and reassessed every 4 years to ensure that they conform to these rigorous standards. For clients who must demonstrate Due Diligence in their procedures, the use of a UKAS accredited laboratory is of vital importance.
15. The duties and functions of the BHC are set out in Section 13 of the Hallmarking Act and include:

- ensuring that there are adequate facilities for the assaying and hallmarking in the United Kingdom;
- advising the Secretary of State with respect to matters concerning execution of the Act, including a matter which may be referred to the Council;
- fixing the maximum charges for the time being to be charged by the Assay Offices for assaying and hallmarking articles;
- issuing directions in regulations to the Assay Offices as to the equipment and procedures to be provided and adopted by them in the assay and hallmarking;
- taking steps appearing to be open to the Council for ensuring enforcement of the law;
- advising the Secretary of State with respect to the amendment of the law as it affects the hallmarking of articles of precious metal ; and,
- authorising an Assay Office to carry on business at a location other than its main place of business (includes reviewing every three years the system concerning applications for and monitoring of sub-Offices).

16. The BHC conducts these functions effectively and has not received any complaints or appeals against its decisions. A review of the BHC's 2013 achievements and its aims for 2014 are included in the BHC Corporate Statement published on 3 June 2014².

17. Key achievements in 2013 included but were not limited to:

- The BHC continued to support the Assay Offices and Trading Standards Departments in monitoring compliance with and enforcement of the Act and in raising awareness through the Touchstone Award, which raises awareness of hallmarking among the Trading Standards community (<http://britishhallmarkingcouncil.gov.uk/britishhallmarkingcouncil/new/touchstone-award>).
- Following amendment of the 1973 Hallmarking Act offshore hallmarking is now permissible and BHC provided guidance on the liberalisation of sponsors' marks
- The BHC Technical Committee continues to remain in close touch with overseas bodies as a process is devised for considering European Economic Areas hallmarks so that a long term list of approved national marks and countries covered by the International Hallmarking Convention are up to date and published on the BHC web site.

Is this a technical function and is it still required?

18. All persons interviewed agreed that this was a technical function which was still required. Pure precious metals are too soft to withstand normal wear and tear and

² <https://www.gov.uk/government/publications/british-hallmarking-council-2014-corporate-statement>

require a proportion of a strengthening alloy. Hallmarking is a stamp that signifies the purity of the resulting metal. Without the hallmark, a considerable excess of alloy can be introduced without changing the touch, feel or colour and it is difficult to detect without technical tests.

19. The legal provisions under the Hallmarking Act 1973 ensure that the quality or fineness of precious metals offered for sale can be trusted because the article must be independently tested and given a hallmark to show that it meets the standards of purity. These requirements enable a confident marketplace that enables trading to be carried out efficiently and fairly. The review team has seen emails from individual members of the public and jewellers to the BHC that show the consumers and businesses do place a reliance on Hallmarking as evidence of the item's value and in helping to reduce fraud. It is fair to say that prescription of precious metals also stimulates economic activity rather than presenting a regulatory burden on businesses.
20. A summary of the BHC technical activities are listed below;
- a. repository of specialist independent knowledge (through their technical and applications committees) necessary for example the applications committee vets applications for new sub-offices (such as those offshore) which also meets the requirements of encouraging growth;
 - b. provide a system independent of the assay offices for providing technical advice to government and responds to market demands e.g. inclusion of palladium as a precious metal and defining rules on mixed metals;
 - c. Actively promote enforcement of the law on hallmarking with Trading Standards through members of the BHC (assay offices) who possess the requisite knowledge to identify fakes and fraud e.g. Touchstone Award & representation at TSI events;
 - d. provide technical guidance to Trading Standards departments and the jewellery trade. Recent guidance includes use of the description "bonded gold", identifying the fineness of an article in retailers' descriptions, Mokume Gane³, use of sponsors' marks following amendments to the Hallmarking Act; use of logos;
 - e. provide directions for cancelling ancient hallmarks issued to assay offices;
 - f. consider complaints regarding refusals by the assay offices to hallmark articles.

³ Mokume Gane is a mixed metal laminate with distinctive layered patterns. The traditional components are relatively soft metals and alloys of gold, silver and copper, but modern processes have enabled the inclusion of non-traditional metals such as titanium, platinum, iron, bronze, and brass.

Is this a function which needs to be, and be seen to be, delivered with absolute political impartiality independently of Ministers?

21. All interviewees agreed that the function of the BHC should be and should be seen to be delivered with absolute political impartiality independent of Ministers. The BHC, is established by the Hallmarking Act 1973 section 13 which gives the BHC the powers including the ability to issue directions to assay offices, authorise new offices and work with bodies such as trading standards on enforcement of the Hallmarking Act . The BHC is uniquely placed to bring together the Assay Offices in a non-commercial non-political environment, enabling them to openly discuss the UK's hallmarking requirements. The political independence is essential when reviewing potential new sub-offices both within the UK and abroad.

How should the function be delivered?

22. The BHC is self-funding and does not receive any direct public funding (funding comes from the Assay Offices). There are no employees of the Council. The BHC was previously classified as a public corporation however the ONS has recently (February 2012) reclassified the BHC as a central-government body of its creation as it has always received a majority of non-market funding. The Chairman's fees of £14,000 are paid by the Assay Offices. The Secretary is appointed by the Council and her time is charged to the Council and paid for by the Assay Offices. Save for the Chairman's remuneration, and an allowance of £75 per hour paid to the three members of the sub-Offices' Application Committee, no payments are made to Council members in respect of their time, although they are reimbursed for all reasonable travelling, hotel and other out-of-pocket expenses that they incur during the proper performance of BHC-related activities. Further details of BHC expenditure are available in their published Annual Report and Accounts. The Review Team considered whether it was feasible and cost effective to bring the BHC functions back to the Department or have them delivered by another Executive Agency. However, this would result in additional cost to the tax payer as bringing the function in house or delivered by another Executive Agency would have additional costs (the BHC recognise that any money that they commit, regardless of its genesis, is public funding). Furthermore it is not clear which existing Executive Agency would be best placed to take forward this role.

23. The BHC considers enforcement, approval of maximum fees and appeals from Assay Offices. The Review Team concluded that privatisation would not have the same focus on consumer protection and may mean transferring these functions back to the Department. Again, this would increase the cost to taxpayers. There may be an argument that the Assay Offices could pay the Department's additional costs for these

services but this may prove difficult to implement. The BHC functions are not therefore deemed suitable for a private body.

24. There may be an option to discontinue hallmarking and the BHC and have the consumer rely instead on Consumer Protection from Unfair Trading Regulations 2008 and the Business Protection from Misleading Marketing Regulations 2008. However, currently hallmarking provides assurance that the article will retain its value and is accepted worldwide. If we were to exercise consumer protection via Consumer Law alone, the enforcement of these regulations would require the consumer to detect that the item purchased may not be of the purity/fineness/standard as described or advertised. As this is not possible without sending the item to a laboratory for testing, the enforcement authorities would need to carry out many more individual test purchases and would need to submit the items for testing should they suspect an item is sub-standard. The Review Team concluded this process would be more expensive than the current hallmarking system which requires assaying and hallmarking at the point of manufacture. Currently these costs are met by businesses submitting items for hallmarking and are in turn passed on to the purchasers i.e. the costs of hallmarking are borne by those purchasing precious metal items – not the general tax payer.
25. If we were to seek to merge the function with another body, it is not clear who that body would be or what benefits would be realised by doing this. To merge it with the NMO Sponsor Team may be an option but the NMO does not have the necessary expertise and to provide this may involve a significant increase in resourcing. The BHC currently has a wide range of statutory functions including advising the Secretary of State on hallmarking, supervising the activities of the UK Assay Offices, and ensuring the availability of adequate facilities for the assaying and hallmarking of articles of precious metal. It effectively provides a system independent of the Assay Offices for providing technical advice to government and responds to market demands e.g. inclusion of palladium as a precious metal and defining rules on mixed metals. It also provides technical guidance to Trading Standards departments and the jewellery trade. As mentioned in paragraph 20 above, recent guidance issued included use of the description “bonded gold”, identifying the fineness of an article in retailers’ descriptions, Mokume Gane, use of sponsors’ marks following amendments to the Hallmarking Act and use of logos.
26. To establish an Executive Agency to carry out the function would also result in further overheads and introduce an additional level of bureaucracy. The BHC can continue to carry out its functions effectively as an NDPB. It is self-funding, has no staff or office facilities of its own and there is no cost to the taxpayer. Any decision to abolish the BHC would also require primary legislation as the BHC has been established as a consequence of the Hallmarking Act 1973.

Stakeholder feedback

27. There was unanimous support for the continued regulation of precious metals, the Hallmarking Act, and the BHC. Stakeholders cite consumer protection as the primary rationale/benefit of mandatory hallmarking of precious metals.
28. Several stakeholders thought that BIS lacked the technical expertise to bring the function of the BHC directly in house and that any attempt to do so would result in additional costs and bureaucracy.
29. Privatisation goes against the wishes of all the major stakeholders including the Assay Offices that the BHC regulates. They think changes may lead to a return to pre-1973 Act levels of legal uncertainties and market inconsistencies.
30. Stakeholders felt it wasn't clear what other body the BHC could be merged with and disagreed with the view that the BHC role could possibly be merged. The NMO provided the right partnership and was deemed the most appropriate. They felt that the current method of delivery by NDPB had proved lean and agile. If an Executive Agency were to be introduced, this would result in another layer of bureaucracy. Many of those interviewed expressed the view that the BHC plays an effective role, it has no cost implications for the tax payer and there was no good reason to change this.
31. Typical views expressed by those interviewed include;

“The BHC is a unique Public Body because it is funded entirely by the four Assay Offices, which fund the administration costs and keep costs to a minimum”

“Ministers should be involved at stage of changes to law not running the BHC as hallmarking is totally impartial – politics has nothing to do with it – it requires a physical test of metal ”

Conclusions and recommendations

32. The review team conclusions are set out below:
- The BHC currently meets all of the Cabinet Office tests for qualification as a public body. It performs a technical function by ensuring the technical assaying of precious metals by the Assay Offices meets standards. The BHC can direct an Assay Office to apply a hallmark where the BHC believes that the assay office has acted unreasonably when refusing to do so;
 - The BHC is self-funding and has no staff or office facilities of its own. There is minimal cost to the tax payer;

- The rationale and functions including impartiality and independence of the BHC have been reviewed and are still required.

33. The technical function delivered by the BHC is still required and the Review Team recommends the BHC should remain as an NDPB.

Stage 2

34. This Stage Two report follows on from the Stage One report of the Triennial Review of the BHC which recommends that the BHC continues with its current functions and in its current form. The principles that apply to the completion of Stage One of the review (outlined in para 3) also apply to Stage Two.

Cabinet Office Guidance

35. This information is taken from the Cabinet Office guidance. Where the outcome of the first stage of the review is that the NDPB will remain, the Department, working with the Chairman and Chief Executive Officer (“the CEO”) of the NDPB concerned, should then review the control and governance arrangements in place to ensure that the public body is operating in line with recognised principles of good corporate governance. This includes requirements in openness, transparency and accountability.

36. Good corporate governance is central to the effective operation of all public bodies. As part of the review process, therefore, the governance arrangements in place should be reviewed. This should be led by the sponsoring Department, working closely with the Chairman and CEO who will have a key responsibility for ensuring that strong and robust corporate governance arrangements are in place. As a minimum, the controls, processes and safeguards in place should be assessed against the principles and policies set out below.

37. The Department and NDPB will need to identify as part of the review any areas of non-compliance with the principles and explain why an alternative approach has been adopted and how this approach contributes to good corporate governance – this is known as the “comply or explain” approach, the standard approach to corporate governance in the UK. Reasons for non-compliance might include the need for structures and systems to remain proportionate, commercial considerations or concerns about cost and value for money.

The principles of good corporate governance

38. Accountability

- Statutory Accountability - The public body complies with all applicable statutes and regulations, and other relevant statements of best practice.
- Accountability for Public Money - The Accounting Officer of the public body is personally responsible and accountable to Parliament for the use of public money by the body and for the stewardship of assets.

- Ministerial Accountability - The Minister is ultimately accountable to Parliament and the public for the overall performance of the public body.

39. Roles and Responsibilities

- Role of the Sponsoring Department - The departmental board ensures that there are robust governance arrangements with the board of each arm's length body. These arrangements set out the terms of their relationship and explain how they will be put in place to promote high performance and safeguard propriety and regularity. There is a sponsor team within the department that provides appropriate oversight and scrutiny of, and support and assistance to, the public body.
- Role of the Board - The public body is led by an effective board which has collective responsibility for the overall performance and success of the body. The board provides strategic leadership, direction, support and guidance. The board – and its committees – have an appropriate balance of skills, experience, independence and knowledge. There is a clear division of roles and responsibilities between non-executive and executives. No one individual has unchallenged decision-making powers.
- Role of the Chairman - The Chairman is responsible for leadership of the board and for ensuring its overall effectiveness.
- Role of Non-Executive Board Members - As part of their role, non-executive board members provide independent and constructive challenge.

Effective Financial Management

40. The public body has taken appropriate steps to ensure that effective systems of financial management and internal control are in place. As illustrated in supporting provisions of:

- Annual reporting;
- Internal Controls;
- Audit Committee;
- External Auditors.

Communications

41. The Public Body is open, transparent, accountable and responsive. As illustrated in supporting provisions of:

- Communications with Stakeholders;
- Communications with the Public;
- Marketing and PR.

Conduct and Behaviour

42. The board and staff of the public body work to the highest personal and professional standards. They promote the values of the public body and of good governance through their conduct and behaviour. As illustrated in supporting provisions of:

- Conduct;
- Leadership.

The BIS approach

43. BIS devised a questionnaire for Stage Two which required the BHC to consider all of the above principles of good corporate governance and either demonstrate compliance or explain why an alternative approach has been adopted. Compliance was also rated on a four point RAG rating (Red, Amber/Red, Amber/Green, Green). The evidence from the questionnaire and from discussion with the BHC Chairman on 15 May 2014 comprises the basis for this Stage Two report – the assessment is summarised below and the full detail is set out in the table at Annex B.

Corporate governance for BHC

Accountability

44. The BHC complies with its statutory duty as a NDPB. Unlike many NDPBs, the BHC does not receive any public funding. Funding comes from the Assay Offices, however the Accounting Officer recognises that money committed by any public sector body, regardless of the origins of the money becomes public sector. This means that the money in the Annual Report and Accounts for the BHC is all public money expenditure. It has an extensive Publication Scheme and complies with Data Protection legislation and the requirements of the Freedom of Information Act 2000.

45. The BHC Chairman does not meet the Secretary of State on a regular basis. Due to the size and nature of the BHC, regular meetings would not be a good use of the Minister's or the Chairman's time. The NMO exercises scrutiny and oversight of the BHC via weekly telephone meetings with the BHC Chairman when objectives and issues arising are discussed. The Review Team agreed that establishing quarterly performance meetings was not appropriate to the size and nature of the BHC.

46. Appointments are made in line with the latest OCPA Code of Practice. The BHC Chairman is an executive-Chairman who performs an operational role but is not an employee. He is elected to the office of Chairman by the Council. The Council elects the chairman from among the members of the Council (and by convention this has been someone from an Assay Office), however once appointed as chairman, any previous executive role within the assay office ceases. This process of electing the chairman is laid out in Schedule 4 of the 1973 Hallmarking Act. The level of remuneration of the chairman is agreed by the BHC.

Roles and Responsibilities

47. The NMO is the relevant sponsoring body within BIS for the BHC and they provide appropriate scrutiny and support. However it is not clear what oversight the BIS Departmental Board has currently on BHC performance.
48. BHC Risk management is detailed in the BHC ‘Risk and Control Framework Effectiveness-Review Plan’ and risks are reviewed at Council meetings. However there is no formal risk register with detailed and regularly updated risk mitigations.
49. Work areas such as managing risk, delivering objectives and how the BHC operates are covered in a number of documents. However the BHC does not currently have a Framework Document in place which sets out clearly the aims, objectives and functions of the public body and the respective roles and responsibilities of the Minister, the sponsoring department and the BHC.
50. The BHC has no Chief Executive. The Chairman, appointed by BHC, is an Executive-Chairman and performs an operational role very similar to a CEO. The Chairman consults other members of the Council on their areas of relevant expertise and two sub-committees have been established to make recommendations. There is no requirement for a Remuneration committee as the BHC does not employ staff. There are no non-executive members of the Council. There are at present eighteen executive Council members, ten of which are appointed by the Secretary of State. The Review Team has considered this and is satisfied these arrangements are adequate and proportionate to the size and nature of the BHC although it is recognised that this differs from the normal appointment of NDPB chairmen by the Secretary of State. The Review Team feel that the appointment (covered by the Hallmarking Act 1973, Schedule 4) does not require Secretary of State approval as the Council is best placed to appoint the chairman and that any previous office held at an Assay Office is terminated on appointment to chairman (any member of the Council could be elected as Chairman by the Council).

Effective Financial Management

51. The BHC Annual Report and Accounts are laid before Parliament. Due to the size and nature of the BHC, it does not have an internal audit function. As the BHC has no assets or staff, the risk of fraud is low. There are controls in place governing claiming of expenses. The Review Team has considered this and is satisfied these arrangements are adequate and proportionate to the size and nature of the BHC.

Communications

52. External stakeholders are kept informed of hallmarking developments via the website. The BHC does not publish agendas and minutes of meetings although these are available on request.
53. The BHC does not receive any direct public money (although once received by the BHC, any money is public funding) and has no budget for marketing and advertising.

Conduct and Behaviour

54. A code of conduct is in place. A 'Declaration of Interests' is regularly reviewed at each Council meeting. Cabinet Office letters on political activity are issued to all Council members. Council members may not be reappointed if their behaviour is not professional and members who are appointed by the Secretary of State undergo an appraisal by the Chairman prior to their reappointment for a second or third term. The Review Team is satisfied with these arrangements.

Conclusions and Recommendations

Conclusion

55. The review team is satisfied that adequate control and governance arrangements are in place to ensure that the BHC is operating in line with recognised principles of good corporate governance. The Review Team has made four recommendations, which are summarised below:

Recommendations

RECOMMENDATION 1	The Review Team recommends that the NMO, in conjunction with BHC, should consider how the Departmental Board should receive proportionate performance information on the BHC.
RECOMMENDATION 2	The Review Team recommends that the BHC Chairman works with the NMO sponsor team to agree a Risk Register that details the risks, applies a severity assessment for each risk (based on the likelihood of the risk materialising and the impact if it does), focuses on the actions to be taken to address risks and assigns a risk owner to each risk who will be responsible for managing the risk effectively. A nominated person should be responsible for ensuring regular progress updates to risk actions.
RECOMMENDATION 3	The Review Team recommends that the NMO sponsor team works closely with the BHC Chairman to agree a Framework Document. This should follow relevant Cabinet Office and HM Treasury guidance and should be published. It should be accessible and understood by the sponsoring department and all Council members.
RECOMMENDATION 4	The Review Team recommends that taking account of cost implications, the BHC should consider whether it is appropriate to publish meeting agendas and minutes.

Annex A: Consultees

The review team would like to express their appreciation to those people who gave their time to contribute views (see list below)

Bryn Aldridge	BHC member (appointed by BIS)
Michael Allchin	Birmingham Assay Office, Assay Master
Simon Baptiste	Sheffield Assay Office, Law Clerk
Fiona Birchall	National Measurement Office, Sponsor team for BHC
Ashley Carson	Sheffield Assay Office, Assay Master
Peter Edwards	National Measurement Office, Sponsor team for BHC
Brigid Feeney	BIS, Innovation
Robert Grice	BHC member (appointed by BIS)
Kate Hartigan	Birmingham Assay Office, Chairman of the Guardians
Chris Heaton	Sheffield Assay Office, Chairman
Andrew Hinds	F. Hinds, Director and National Association of Goldsmiths, Vice Chairman
Christopher Jewitt	BHC Chairman
Derek Lassetter	BHC member (appointed by BIS)
Adrian Levett	BHC member (appointed by BIS)
Grant MacDonald	Grant MacDonald (Silversmiths) Ltd, London, Managing Director
Daniel Mansfield	British Standards Institution
Peter Mason	National Measurement Office, CEO
Dick Melly	Goldsmiths' Company, London, Clerk
Eric Melrose	BHC member (appointed by BIS)
Tom Murray	Incorporation of Goldsmiths in Edinburgh, Deacon
Helen O'Neill	PMC Studio Ltd, the distributor of Precious Metal Clay in the UK and Eire, Director
Robert Organ	Deputy Warden The Goldsmiths' Company Assay Office
John Pearce	BHC member (appointed by BIS)
David Sanders	BHC member (appointed by BIS), former senior Trading Standards
Geraldine Swanton	BHC Secretary
David Thurston	BHC member (appointed by BIS)
Scott Walter	Edinburgh Assay Office, Assay Master

Annex B: Assessment against principles of good governance

Accountability		Assessment of BHC
<p>Statutory Accountability</p>	<p>The public body complies with all applicable statutes and regulations, and other relevant statements of best practice.</p> <p><u>Supporting provisions</u> The public body must comply with all statutory and administrative requirements on the use of public funds. This includes the principles and policies set out in the HMT publication “Managing Public Money” and Cabinet Office/HM Treasury spending controls.</p> <p>The public body must operate within the limits of its statutory authority and in accordance with any delegated authorities agreed with the sponsoring department.</p> <p>The public body should operate in line with the statutory requirements and spirit of the Freedom of Information Act 2000. It should have a comprehensive Publication Scheme. It should proactively release information that is of legitimate public interest where this is consistent with the provisions of the Act.</p> <p>The public body must be compliant with Data Protection legislation.</p> <p>The public body should be subject to the Public Records Acts 1958 and 1967.</p>	<p>The BHC complies with all applicable statutes and regulations.</p> <p>It is not accountable for public money expenditure as it is solely financed by the Assay Offices.</p> <p>It operates within the limits of its statutory authority as set out in the Hallmarking Act 1973 Section 13.</p> <p>The Council Secretary is the responsible contact for handling FOI requests and has designed a handling process that ensures the BHC operates in line with statutory requirements and spirit of the Freedom of Information Act 2000. The BHC has a comprehensive publication scheme and provides publications and announcements via its website.</p> <p>The BHC processes minimal personal data (not usually sensitive) and is compliant with Data Protection legislation. The Council Secretary is the BHC Data Controller (who ensures compliance with the Act) and the BHC is a registered data handler with the Information Commissioners Office. The BHC records retention policy is that it retains indefinitely all documentation relating to BHC meetings.</p>

Accountability		Assessment of BHC
<p>Accountability for Public Money</p>	<p>The Accounting Officer of the public body is personally responsible and accountable to Parliament for the use of public money by the body and for the stewardship of assets.</p> <p><u>Supporting provisions</u> There should be a formally designated Accounting Officer for the public body. This is usually the most senior official (normally the Chief Executive).</p> <p>The role, responsibilities and accountability of the Accounting Officer should be clearly defined and understood. The Accounting Officer should have received appropriate training and induction. The public body should be compliant with the requirements set out in “Managing Public Money”, relevant Dear Accounting Officer letters and other directions. In particular, the Accounting Officer of the public body has a responsibility to provide evidence-based assurances required by the Principal Accounting Officer (PAO). The PAO requires these to satisfy him or herself that the Accounting Office responsibilities are being appropriately discharged. This includes, without reservation, appropriate access of the PAO’s internal audit service into the public body.</p> <p>The public body should establish appropriate arrangements to ensure that public funds:</p> <ul style="list-style-type: none"> - are properly safeguarded; - used economically, efficiently and effectively; - used in accordance with the statutory or other authorities that govern their use; and - deliver value for money for the Exchequer as a whole. <p>The public body’s annual accounts should be laid before Parliament. The Comptroller and Auditor General should be the external auditor for the body.</p>	<p>The point has been made several times throughout the report that the BHC is financed by the four Assay Offices and does not receive any public money. It therefore has no accountability for the use of public money. Nevertheless, the finances of the BHC are rigorously managed so that the Assay Offices do not suffer any financial detriment as a consequence of BHC spending. It safeguards the Assay Office contributions and makes sure that the funds are used economically, efficiently and effectively.</p> <p>The Council Secretary is the BHC Accounting Officer (AO) designated by the BIS Principal AO. The role and accountabilities are defined in the designation letters and the Sponsor team are satisfied the BHC AO fully understands and carries out her duties effectively, as evidenced by contributions to the Annual Report and Accounts.</p> <p>The BHC Annual Report (see Annex C) and Audited Accounts are laid before Parliament.</p> <p>The BHC Chairman has annual meetings at the beginning of the calendar year to review objectives for the year and set objectives for the following year.</p>

Accountability		Assessment of BHC
<p>Ministerial Accountability</p>	<p>The Minister is ultimately accountable to Parliament and the public for the overall performance of the public body.</p> <p><u>Supporting provisions</u> The Minister and sponsoring department should exercise appropriate scrutiny and oversight of the public body.</p> <p>Appointments to the board should be made in line with any statutory requirements and, where appropriate, with the <i>Code of Practice</i> issued by the Commissioner for Public Appointments.</p> <p>The Minister will normally appoint the Chair and all non-executive board members of the public body and be able to remove individuals whose performance or conduct is unsatisfactory.</p> <p>The Minister should be consulted on the appointment of the Chief Executive and will normally approve the terms and conditions of employment.</p> <p>The Minister should meet the Chair and/or Chief Executive on a regular basis.</p> <p>A range of appropriate controls and safeguards should be in place to ensure that the Minister is consulted on key issues and can be properly held to account. These will normally include:</p>	<p>The National Measurement Office (NMO) Regulation Directorate is the relevant sponsoring body within BIS for the BHC. While there is no formal procedure in place to ensure appropriate scrutiny and oversight, NMO exercises scrutiny and oversight of the BHC via weekly telephone meetings with the BHC Chair where objectives and arising issues are discussed.</p> <p>The BHC Chair may meet with the Secretary of State however due to the size and nature of the organisation, the NMO will generally keep the Secretary of State informed of developments.</p> <p>The Review Team considered whether quarterly performance meetings should be established but decided that this was not proportionate as the Council meets twice yearly.</p> <p>Appointments are made in line with the latest OCPA Code of Practice. NMO has a 'BHC Recruitment Procedure' setting out their role in the recruitment of Government appointed Board members and the processes involved in recruitment/ appointment. This is reviewed every three years. Following completion of the process carried out in 2013 a successful audit was carried out on behalf of OCPA.</p> <p>The BHC has no Chief Executive. The BHC Chair is an executive-Chair who is appointed by the BHC and performs an operational role similar to a Chief Executive. Terms and conditions of employment are agreed by the BHC (as laid out in Schedule 4 Section 9 to the Hallmarking Act 1973). The Review Team considered whether it was appropriate that the Minister approves the Chair terms and conditions but decided that this was not necessary</p>

Accountability		Assessment of BHC
<p>Ministerial Accountability</p>	<ul style="list-style-type: none"> - a requirement for the public body to consult the Minister on the corporate and/or operational business plan; - a requirement for the exercise of particular functions to be subject to guidance or approval from the Minister; - a general or specific power of Ministerial direction over the public body; - a requirement for the Minister to be consulted by the public body on key financial decisions. This should include proposals by the public body to: (i) acquire or dispose of land, property or other assets; (ii) form subsidiary companies or bodies corporate; and (iii) borrow money; and - a power to require the production of information from the public body which is needed to answer satisfactorily for the body's affairs. <p>There should be a requirement to inform Parliament of the activities of the public body through publication of an annual report.</p>	<p>Due to the size and nature of the BHC, the Chair does not meet the Secretary of State on a regular basis. Any matters that relate to government are handled by NMO on behalf of the Secretary of State who is kept informed of matters of significance via correspondence. NMO is content with the performance reviews of Council members which take place every three years when appointment terms are ending. A submission is also sent to the Secretary of State detailing performance reviews of Government appointed Board members.</p> <p>NMO has regular checkpoints throughout the year with the BHC to discuss objectives and progress made in meeting these. The checkpoints include any other issues raised either by NMO or the BHC. NMO provide advice to the Secretary of State on significant issues arising.</p> <p>Parliament is informed of BHC activities through publication of an annual report.</p>

Role and Responsibilities		Assessment of BHC
<p>Role of Sponsoring Department</p>	<p>The departmental board ensures that there are robust governance arrangements with the board of each arm's length body. These arrangements set out the terms of their relationship and explain how they will be put in place to promote high performance and safeguard propriety and regularity. There is a sponsor team within the department that provides appropriate oversight and scrutiny of, and support and assistance to, the public body.</p> <p><u>Supporting provisions</u> The departmental board's regular agenda should include scrutiny of the performance of the public body. The departmental board should establish appropriate systems and processes to ensure that there are effective arrangements in place for governance, risk management and internal control in the public body.</p> <p>There should be a Framework Document in place which sets out clearly the aims, objectives and functions of the public body and the respective roles and responsibilities of the Minister, the sponsoring department and the public body. This should follow relevant Cabinet Office and HM Treasury guidance. The Framework Document should be published. It should be accessible and understood by the sponsoring department, all board members and by the senior management team in the public body. It should be regularly reviewed and updated.</p> <p>There should be a dedicated sponsor team within the parent department. The role of the sponsor team should be clearly defined.</p>	<p>The NMO is the relevant sponsoring body within BIS for the BHC and they provide appropriate scrutiny and support and oversee BHC governance and risk management. Risk management is detailed in the BHC 'Risk and Control Framework Effectiveness-Review Plan' and internal control is accounted for by the BHC Secretary. Due to the size and nature of the organisation, the NMO and the BHC decided that a formal Risk Register was not considered necessary as the Effectiveness Review-Plan covers Risk and mitigation. The BHC Chair and the Secretary review this plan on an on-going basis in regards to good governance. The Review Team considered this and is recommending the BHC prepare a risk register as a useful tool to support effective management of risk.</p> <p>The BHC does not have a Framework Document in place as areas such as managing risk, delivering objectives and how the BHC operates are covered in a number of documents. These include Corporate Statement 2014 (Annex 4), Publication Scheme (Annex 1), Risk and Control Framework Effectiveness-Review Plan (Annex 5) and the Annual Report and Accounts 2012 (Annex 2). The Review Team considered this and is recommending the BHC work closely with the NMO sponsor body to prepare and agree a framework document that sets out the respective roles and responsibilities of the Minister, the sponsoring department and the BHC.</p> <p>The Corporate Statement is agreed between the BHC and NMO annually and sets direction for the coming year on behalf of the Secretary of State and provides a review of the previous year's objectives.</p> <p>Officials from NMO are invited and attend BHC meetings.</p>

Role and Responsibilities		Assessment of BHC
Role of Sponsoring Department	There should be regular and ongoing dialogue between the sponsoring department and the public body. Senior officials from the sponsoring department may as appropriate attend board and/or committee meetings. There might also be regular meetings between relevant professionals in the sponsoring department and the public body.	

Role and Responsibilities		Assessment of BHC
<p>Role of Board</p>	<p>The public body is led by an effective board which has collective responsibility for the overall performance and success of the body. The board provides strategic leadership, direction, support and guidance. The board – and its committees – have an appropriate balance of skills, experience, independence and knowledge. There is a clear division of roles and responsibilities between non-executive and executives. No one individual has unchallenged decision-making powers.</p> <p><u>Supporting provisions</u> The board of the public body should:</p> <ul style="list-style-type: none"> - meet regularly; - retain effective control over the body; and - effectively monitor the senior management team. <p>The size of the board should be appropriate.</p> <p>Board members should be drawn from a wide range of diverse backgrounds.</p> <p>The board should establish a framework of strategic control (or scheme of delegated or reserved powers). This should specify which matters are specifically reserved for the collective decision of the board. This framework must be understood by all board members and by the senior management team. It should be regularly reviewed and refreshed</p> <p>The Board should establish formal procedural and financial regulations to govern the conduct of its business.</p>	<p>The BHC does not have a management board although the Council members meet twice yearly.</p> <p>There is no Chief Executive - the Chair is accountable for the performance and day to day management of the BHC.</p> <p>The BHC Chair and Secretary carry out the day to day operational and performance management of the organisation. The Review Team did consider whether a management board should be established and decided that this was not proportionate to the size and nature of the organisation.</p> <p>The Chair consults with members of the Council on their areas of relevant expertise. The Council also has two sub-committees, the Technical committee and the Applications committee that make recommendations to the Council.</p> <p>The BHC Secretary is the Accounting Officer and is responsible for financial matters.</p> <p>The Review Team agreed there was no requirement for a remuneration committee to be established as the BHC does not employ staff.</p>

Role and Responsibilities		Assessment of BHC
Role of Board	<p>The Board should establish appropriate arrangements to ensure that it has access to all such relevant information, advice and resources as is necessary to enable it to carry out its role effectively.</p> <p>The Board should make a senior executive responsible for ensuring that appropriate advice is given to it on all financial matters.</p> <p>The Board should make a senior executive responsible for ensuring that Board procedures are followed and that all applicable statutes and regulations and other relevant statements of best practice are complied with.</p> <p>The Board should establish a remuneration committee to make recommendations on the remuneration of top executives. Information on senior salaries should be published. The board should ensure that the body's rules for recruitment and management of staff provide for appointment and advancement on merit.</p> <p>The Chief Executive should be accountable to the Board for the ultimate performance of the public body and for the implementation of the Board's policies. He or she should be responsible for the day-to-day management of the public body and should have line responsibility for all aspects of executive management.</p> <p>There should be an annual evaluation of the performance of the board and its committees – and of the Chair and individual board members.</p>	

Role and Responsibilities		Assessment of BHC
<p>Role of Chair</p>	<p>The Chair is responsible for leadership of the board and for ensuring its overall effectiveness.</p> <p><u>Supporting provisions</u> The board should be led by a non-executive Chair.</p> <p>There should be a formal, rigorous and transparent process for the appointment of the Chair. This should be compliant with the <i>Code of Practice</i> issued by the Commissioner for Public Appointments. The Chair should have a clearly defined role in the appointment of non-executive board members.</p> <p>The duties, role and responsibilities, terms of office and remuneration of the Chair should be set out clearly and formally defined in writing. Terms and conditions must be in line with Cabinet Office guidance and with any statutory requirements. The responsibilities of the Chair will normally include:</p> <ul style="list-style-type: none"> - representing the public body in discussions with Ministers; - advising the sponsoring Department and Ministers about board appointments and the performance of individual non-executive board members; - ensuring that non-executive board members have a proper knowledge and understanding of their corporate role and responsibilities. <p>The Chair should ensure that new members undergo a proper induction process and is normally responsible for undertaking an annual assessment of non-executive board members' performance;</p>	<p>Due to the size and nature of the organisation, the BHC does not have a Chief Executive. The Chair, who is appointed by members of the Council rather than the Secretary of State, is responsible for the day to day management of the BHC. The appointment of the Chair by members of the Council is set out in Hallmarking Act 1973 (schedule 4, section 9). The Review Team considered whether it was appropriate for the BHC to have a non-executive Chair and agreed this was not proportionate to the size and nature of the organisation.</p> <p>There are no non-executive members of the Council. The Chair is invited to participate in the appointment process for new Council members which is led by the NMO sponsor body. The Chair provides advice to the Secretary of State on the suitability for reappointment of existing Council members.</p>

Role and Responsibilities		Assessment of BHC
<p>Role of Chair</p>	<ul style="list-style-type: none"> - ensuring that the board, in reaching decisions, takes proper account of guidance provided by the sponsoring department or Ministers; - ensuring that the board carries out its business efficiently and effectively; - representing the views of the board to the general public; and - developing an effective working relationship with the Chief Executive and other senior staff. <p>The roles of Chair and Chief Executive should be held by different individuals.</p>	

Role and Responsibilities		Assessment of BHC
<p>Role of Non – Exec Board members</p>	<p>As part of their role, non-executive board members provide independent and constructive challenge.</p> <p><u>Supporting provisions</u> There should be a majority of non-executive members on the board.</p> <p>There should be a formal, rigorous and transparent process for the appointment of non-executive members of the board. This should be compliant with the <i>Code of Practice</i> issued by the Commissioner for Public Appointments</p> <p>The duties, role and responsibilities, terms of office and remuneration of non-executive board members should be set out clearly and formally defined in writing. Terms and conditions must be in line with Cabinet Office guidance and with any statutory requirements. The corporate responsibilities of non-executive board members (including the Chair) will normally include:</p> <ul style="list-style-type: none"> - establishing the strategic direction of the public body (within a policy and resources framework agreed with Ministers); - overseeing the development and implementation of strategies, plans and priorities; - overseeing the development and review of key performance targets, including financial targets; - ensuring that the public body complies with all statutory and administrative requirements on the use of public funds; - ensuring that the board operates within the limits of its statutory authority and any delegated authority agreed with the sponsoring department; 	<p>There are currently eighteen executive Council members including the Chair, ten of which are appointed by the Secretary of State. There are no non-executive Council members. The Review Team agreed that it was not proportionate to appoint non-executive Council members due to the size and nature of the organisation.</p>

Role and Responsibilities		Assessment of BHC
<p>Role of Non – Exec Board members</p>	<p>- ensuring that high standard of corporate governance are observed at all times. This should include ensuring that the public body operates in an open, accountable and responsive way; and</p> <p>- representing the board at meetings and events as required.</p> <p>All non-executive Board members must be properly independent of management.</p> <p>All non-executive board members must allocate sufficient time to the board to discharge their responsibilities effectively. Details of board attendance should be published (with an accompanying narrative as appropriate).</p> <p>There should be a proper induction process for new board members. This should be led by the Chair. There should be regular reviews by the Chair of individual members' training and development needs.</p>	

Effective Financial Management - The public body has taken appropriate steps to ensure that effective systems of financial management and internal control are in place.		Assessment of BHC
Annual Reporting	<p>The body must publish on a timely basis an objective, balanced and understandable annual report. The report must comply with HM Treasury guidance.</p>	<p>The BHC Annual Report and Accounts are laid before Parliament.</p>
Internal Controls	<p>The public body must have taken steps to ensure that effective systems of risk management are established as part of the systems of internal control.</p> <p>The public body must have taken steps to ensure that an effective internal audit function is established as part of the systems of internal control. This should operate to Government Internal Audit Standards and in accordance with Cabinet Office guidance</p> <p>There must be appropriate financial delegations in place. These should be understood by the sponsoring department, by board members, by the senior management team and by relevant staff across the public body. Effective systems should be in place to ensure compliance with these delegations. These should be regularly reviewed.</p> <p>There must be effective anti-fraud and anti-corruption measures in place.</p>	<p>The BHC has a risk management review plan and the Review Team has recommended a risk register be established.</p> <p>Due to the size and nature of the BHC, it does not have an internal audit function. The Council considers matters impacting on internal control and financial statements.</p> <p>The Chair and the Secretary have financial responsibility for the BHC and there is no further delegated financial authority.</p> <p>As the BHC has no assets or staff, the risk of fraud is low. However, there are clear rules in place governing claiming of expenses and expenses reimbursement is evidenced in the Annual Report and Accounts. Payment of expenses is restricted to reasonable expense incurred in the performance of BHC related activities.</p>

Effective Financial Management - The public body has taken appropriate steps to ensure that effective systems of financial management and internal control are in place.		Assessment of BHC
Internal Controls	<p>There must be clear rules in place governing the claiming of expenses. These should be published. Effective systems should be in place to ensure compliance with these rules. The public body should proactively publish information on expenses claimed by board members and senior staff.</p> <p>The annual report should include a statement on the effectiveness of the body's systems of internal control.</p>	
Audit Committee	<p>The board should establish an audit (or audit and risk) committee with responsibility for the independent review of the systems of internal control and of the external audit process.</p>	<p>The BHC does not have an internal audit committee. Annual audits are conducted by the National Audit Office (NAO). The Review Team considered this and agreed it was not proportionate for the BHC to have an internal audit.</p>
External Auditors	<p>The body should have taken steps to ensure that an objective and professional relationship is maintained with the external auditors.</p>	<p>The BHC Secretary meets with NAO and provides timely and accurate supporting information to assist with audits.</p>

Communications - The Public Body is open, transparent, accountable and responsive.		Assessment of BHC
Communications with Stakeholders	The public body should have identified its key stakeholders. It should establish clear and effective channels of communication with these stakeholders.	External stakeholders are kept informed of BHC performance and hallmarking developments via the website. The Assay Offices, as key stakeholders, are represented on the Council.
Communications with the Public	<p>The public body should make an explicit commitment to openness in all its activities. It should engage and consult with the public on issues of real public interest or concern. This might be via new media. It should publish details of senior staff and boards members together with appropriate contact details.</p> <p>The public body should consider holding open board meetings or an annual open meeting.</p> <p>The public body should proactively publish agendas and minutes of board meetings.</p> <p>The public body should proactively publish performance data.</p> <p>In accordance with transparency best practice, public bodies should consider publishing their spend data over £500. By regularly publishing such data and by opening their books for public scrutiny, public bodies can demonstrate their commitment to openness and transparency and to making themselves more accountable to the public.</p>	<p>While no explicit commitment to openness has been made, the BHC engages and consults with the public via the website and Council member's details are included in the Annual Report.</p> <p>As the Council only meets twice yearly, the Review Team agrees that holding an open Board meeting is not considered proportionate</p> <p>The BHC does not publish agendas and minutes of meetings although the Secretary will provide minutes from Council meetings on request. The Review Team considered this and is recommending that, taking account of cost implications, the BHC should consider whether it is appropriate to provide this information.</p> <p>Performance data is included in the Corporate Statement and the Annual Report.</p> <p>BHC expenditure does not include public money however, data on spend is included in the Annual Report.</p> <p>Details on how to 'How to Complain' are published on the BHC website and an appeals procedure is being drafted.</p>

Conduct and Behaviour - The board and staff of the public body work to the highest personal and professional standards. They promote the values of the public body and of good governance through their conduct and behaviour.		Assessment of BHC
Conduct	<p>A Code of Conduct must be in place setting out the standards of personal and professional behaviour expected of all board members. This should follow the Cabinet Office Code. All members should be aware of the Code. The Code should form part of the terms and conditions of appointment.</p> <p>The public body has adopted a Code of Conduct for staff. This is based on the Cabinet Office model Code. All staff should be aware of the provisions of the Code. The Code should form part of the terms and conditions of employment.</p> <p>There are clear rules and procedures in place for managing conflicts of interest. There is a publicly available Register of Interests for board members and senior staff. This is regularly updated.</p> <p>There are clear rules and guidelines in place on political activity for board members and staff. There are effective systems in place to ensure compliance with any restrictions.</p> <p>There are rules in place for board members and senior staff on the acceptance of appointments or employment after resignation or retirement. These are effectively enforced.</p>	<p>A code of Conduct is in place and all members are aware.</p> <p>A 'Declaration of Interests' is held by the BHC and is regularly reviewed at each Council meeting.</p> <p>Letters from Cabinet Office on political activity are issued to all Council members.</p> <p>There are no specific rules in place for Board members and senior staff on the acceptance of appointments or employment after resignation or retirement. The Review Team agrees such rules are disproportionate to the nature of the positions held.</p>

Conduct and Behaviour - The board and staff of the public body work to the highest personal and professional standards. They promote the values of the public body and of good governance through their conduct and behaviour.		Assessment of BHC
Leadership	Board members and senior staff should show leadership by conducting themselves in accordance with the highest standards of personal and professional behaviour and in line with the principles set out in respective Codes of Conduct.	Council members may not be reappointed if they do not conduct themselves in accordance with the highest standards of personal and professional behaviour.



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