



# Code of Conduct for YJB Board Members

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## 1. Introduction

- 1.1 As a public office-holder, 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. 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.

- 2.2 These principles should inform your actions and decisions as a Board member.

### **3. General conduct**

#### **Use of Public Funds**

- 3.1 You have a duty to ensure the safeguarding of public funds 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 YJB uses resources efficiently, economically and effectively, avoiding waste and extravagance. These measures are described in Sections 5.0 to 5.9 of the Framework Document between the Ministry of Justice and the YJB. 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 and Expenses**

- 3.3 You must comply with the rules set by the YJB regarding allowances and expenses. It is your responsibility to ensure compliance with all relevant Her Majesty's 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 on the acceptance of gifts and hospitality as described in Section 3.1 of the YJB Conduct Policy. In principle, this means you should not accept gifts or hospitality. You should inform the Chief Executive of any offer and ensure that, where a gift or hospitality is accepted, this is recorded in a public register.
- 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 YJB into disrepute.

#### **Use of Official Resources**

- 3.8 You must not misuse official resources for personal gain or for political purposes. Use of such resources must be in line with the YJB Conduct Policy.

#### **Security and Confidentiality**

- 3.9 The provisions of the Official Secrets Act 1989 apply to official information acquired in the course of your appointment, and will continue to apply after the appointment has ended. Your appointment will be subject to an appropriate level of security clearance.
- 3.10 Details of how you should deal with official information can be found in Section 3.4 of the YJB Conduct Policy.

#### **Political Activity**

- 3.11 In your public role, 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.
- 3.12 On matters directly related to the work of the YJB, you should not make political statements or engage in any other political activity.

- 3.13 In your official capacity, 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 Board member and exercise proper discretion. You should inform the Chair, and then the ALB Governance Division Unit in the Ministry of Justice, before undertaking any significant political activity.
- 3.15 If you are an Member of Parliament, Member of the House of Lords, Member of a Devolved Administration or Local Councillor, you are exempt from the requirements above- although you should still exercise proper discretion on matters directly related to the work of the YJB and recognise that certain political activities may be incompatible with your role as a Board member.

#### **Employment and Appointments**

- 3.16 If you wish to take up new employment or appointments during your term of office, you must inform the Chair, and then the ALB Governance Division Unit in the Ministry of Justice.
- 3.17 On leaving office, you must comply with the rules of the YJB on the acceptance of future employment or appointments, as described in Section 3.14 of the YJB Conduct Policy.

#### **4. Conflicts of Interest**

- 4.1 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.
- 4.2 You must declare publicly any private interests which may, or may be perceived to, conflict with your public duties. You should remove yourself from the discussion or determination of matters in which you have a financial interest.
- 4.3 In matters in which you have a non-financial interest, you should not participate in the discussion or determination if the interest might suggest a danger of bias. This would cover, for example, a decision to invite tenders for a contract where a firm with which a member was connected was significantly better placed than others to win it.
- 4.4 Whether or not you are able to participate in the discussion of a matter, you should declare if you have an interest. You should also disclose any interests in it on the part of close family members and anyone living in the same household.
- 4.5 In accordance with best practice, the YJB makes the register of interests available to the public on the YJB section of the GOV.UK website. You should inform the Chief Executive's office of any required updates to the register as changes occur.
- 4.6 The YJB, as an executive Non-Departmental Public Body, is required to follow generally accepted accounting practice. Under Financial Reporting Standard (FRS) 8, material transactions with related parties must be disclosed in financial statements. "Related parties" in FRS 8 include (in addition to business contacts) close members of the family of an individual, who are defined as those family members, or members of the same household, who may be expected to influence, or be influenced by, that person in their dealings with the reporting entity. You should facilitate YJB compliance with FRS 8.

## **5. Responsibilities as a Board member**

- 5.1 You should play a full and active role in the work of the YJB. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the YJB.
- 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 the statutory and administrative requirements relating to your post, as described in Sections 5.0 to 5.9 of the Framework Document between the Ministry of Justice and the YJB.
- 5.4 You should respect the principle of collective decision-making and corporate responsibility. This means that, once the Board has made a decision, you should support that decision.

## **6. Responsibilities towards employees**

- 6.1 You will treat any staff employed by the YJB 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.

## **7. Personal liability of Members**

- 7.1 Although legal proceedings by a third party against individual Members are rare, you may be personally liable if you make a fraudulent or negligent statement which results in a loss to a third party.
- 7.2 If you misuse information gained through your position, this may be considered a criminal breach of confidentiality provisions; or a breach of confidence under common law; or a criminal offence under insider dealing legislation. However, if you have acted honestly, reasonably and in good faith you will not have to meet out of your own personal resources any personal civil liability which is incurred in the execution of your board functions. This will not apply if you breach the Security and Confidentiality provision described in Sections 3.9 and 3.10.