

# Natural England Board Code of Conduct

## 1. Introduction

- 1.1 Natural England is here to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings.

## 2. Key principles

- 2.1 The behaviour and actions of Board Members of Natural England will be governed by the principles set out in the Cabinet Office Code of Conduct for Board Members of Public Bodies. These are:
- **Selflessness:** Holders of public office should act solely in terms of the public interest.
  - **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
  - **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
  - **Accountability:** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
  - **Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
  - **Honesty:** Holders of public office should be truthful.
  - **Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## 3. General Conduct

### Use of Public Funds<sup>1</sup>

- 3.1 Board Members have a duty to ensure the safeguarding of public funds<sup>2</sup> and the proper custody of assets which have been publicly funded.
- 3.2 Board Members must carry out these obligations responsibly – that is, take appropriate measures to ensure that the body 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.

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<sup>1</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>2</sup> This should be taken to include all forms of receipts from fees, charges and other sources.

## Allowances

- 3.3 Board Members must comply with the rules set by the board and the public body regarding remuneration, allowances and expenses. It is their responsibility to ensure compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

## Gifts and Hospitality

- 3.4 Board Members must not accept any gifts or hospitality which might, or might reasonably appear to, compromise their personal judgement or integrity or place them under an improper obligation.
- 3.5 Board Members must never canvass or seek gifts or hospitality.
- 3.6 Board Members must comply with the rules set by the body on the acceptance of gifts and hospitality. They should inform the Chief Executive 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 body.
- 3.7 Board Members are responsible for their 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 their public office and the public body into disrepute.

## Use of Official Resources

- 3.8 Board Members must not misuse official resources<sup>3</sup> for personal gain or for political purposes. Deployment of such resources must be in line with the body's rules on their usage.

## Use of Official Information

- 3.9 Board Members must not misuse information gained in the course of their public service for personal gain or for political purpose.<sup>4</sup>
- 3.10 Board Members must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after Board Members have left the board.

## Political Activity

- 3.11 Board Members, in their public role, should be, and be seen to be, politically impartial. They should not occupy a paid party political post or hold a particularly sensitive or high-profile role in a political party. They should abstain from all controversial political activity and comply with the principles set out in Cabinet Office rules on attendance at party conferences<sup>5</sup> and on

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<sup>3</sup> This includes facilities, equipment, stationery, telephony and other services.

<sup>4</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>5</sup> [www.gov.uk/government/publications/civil-servants-and-party-conferences-guidance](http://www.gov.uk/government/publications/civil-servants-and-party-conferences-guidance)

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

- 3.12 On matters directly related to the work of the body, Board Members should not make political statements or engage in any other political activity.
- 3.13 Board Members should inform the Chair, Chief Executive and/or the parent/sponsor department before undertaking any significant political activity. Subject to the above, they may engage in political activity but should, at all times, remain conscious of their responsibilities and exercise proper discretion.
- 3.14 Board Members who are MPs, members of the House of Lords, members of a devolved legislature, directly elected mayors, local councillors or police and crime commissioners are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. Board Members must exercise proper discretion on matters directly related to the work of the body and recognise that certain political activities may be incompatible with their role as a Natural England Board Member. They should not allow themselves to become embroiled in matters of political controversy.
- 3.15 In their official capacity, Board Members should be even-handed in all dealings with political parties.

#### Employment and Appointments

- 3.16 If Board Members wish to take up additional employment or appointments during their term of office, they must inform the Chair and/or the relevant parent department in advance, and allow them the opportunity to comment. Care should be taken if Board Members accept additional public appointments to ensure that they are not being paid twice from the public purse for the same time.
- 3.17 On leaving office, Board Members must comply with the rules of the body on the acceptance of future employment or appointments. Each body should have its own rules on this.

#### **4. Conflicts of Interests**

- 4.1 When accepting an appointment to the public body Board Members should consider if any conflicts of interest arise from private interests or by virtue of any other roles held. They should consider, with advice from the appointing department how these should best be managed, and agree these with the organisation.
- 4.2 Board Members must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise.
- 4.3 Board Members must comply with the rules of the body on handling conflicts of interests. As a minimum, these will require them to declare publicly, usually

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<sup>6</sup> [www.gov.uk/government/publications/election-guidance-for-civil-servants](http://www.gov.uk/government/publications/election-guidance-for-civil-servants)

in the body's register of interests, any private financial or non-financial interests of their own, or of close family members, which may, or may be perceived to, conflict with their public duties.<sup>7</sup> The rules will also require Board Members to remove themselves from the discussion or determination of matters in which they have a financial interest. In matters in which they have a non-financial interest, they 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 the responsibility of Board Members to ensure that they are familiar with the body's rules on handling conflicts of interests, that they comply with these rules and that their entry in the body's public register of members' interests is accurate and up-to-date.

## **5. Responsibilities as a board member, including non-executive chairs**

- 5.1 Board Members should play a full and active role in the work of the body. They should fulfil their duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the body.
- 5.2 Board Members should promote an inclusive and diverse culture in the body and their actions should help create an environment where different perspectives and backgrounds are encouraged and valued.
- 5.3 Board Members should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of their ability. They must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.
- 5.4 Board Members must not harass, bully or act inappropriately towards or discriminate towards others. Such behaviour is not consistent with what is expected of Board Member and will not be tolerated.
- 5.5 Board Members must comply with any statutory or administrative requirements relating to their post.
- 5.6 Board Members should respect the principle of collective decision-making and corporate responsibility. This means that, once the board has made a decision, Members should support that decision.
- 5.7 Board Members must not use, or attempt to use, the opportunity of public service to promote personal interests or those of any connected person, firm, business or other organisation.
- 5.8 Board Members must inform the sponsor department of the body of any bankruptcy, current police investigation, unspent criminal conviction or

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In general, all financial interests should be declared. When considering what non-financial interests should be declared, Board Members should ask themselves whether a member of the public, acting reasonably, would consider that the interest in question might influence their words, actions or decisions.

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

disqualification as a company director in advance of appointment, or should any such instances occur during their appointment.

- 5.9 Board Members must also inform the sponsor department of the body of any change in circumstances which results in them becoming bankrupt, subject to a police investigation, convicted of a criminal offence or disqualified from being a company director.
- 5.10 The Natural England Chair has additional responsibilities in leading the board/body and in ensuring that the principles covered in the Codes of Conduct for Board Members and Staff (where applicable) are upheld.

## **6. Responsibilities towards employees**

- 6.1 Board Members will treat any staff employed by the body with courtesy and respect. It is expected that employees will show them the same consideration in return.
- 6.2 Board Members will not ask or encourage employees 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 would to speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media Board Members should at all times respect confidentiality, financial, legal and personal information.
- 7.2 Where any personal social media accounts used by Board Members make reference or link to their public role, they should take care to ensure that it is clear in what capacity they are acting.

## **8. Raising concerns**

- 8.1 Board Members should ensure that the body has an open, transparent and safe working environment where employees feel able to speak up and raise concerns, and complaints procedures are clearly communicated to them.
- 8.2 If any Board Member has a concern about a possible breach of this Code, a concern that they or any staff of the body are being asked to act in contravention of their own code of conduct, or a concern about misconduct or wrongdoing in any other areas, then they have a responsibility to raise that internally with the chair of the body or the Permanent Secretary of the sponsor department as appropriate