

Corporate Responsibilities of Board Members are to ensure:

- ⇒ High ethical standards are observed at all times.
- ⇒ A Code of Conduct exists to guide consistent ethical behaviour.
- ⇒ Internal and External accountability structures are established such as internal controls, management of the organization and reporting.
- ⇒ Financial and resource management structures are being managed efficiently, effectively and ethically.
- ⇒ All dealings with public are conducted in an open, transparent and responsible manner.
- ⇒ Resources are being used for public interest only.

The Workings of the Board

- ◆ Partnership should exist between the board and executive management.
- ◆ Sufficient oversight and guidance for the daily operations of the board.
- ◆ The board should have strong independent principles which brings an objective view to board deliberations.
- ◆ Effective decision-making is vital.
- ◆ The board should comprise of a Chairman who ensures full discussion of agenda items at meetings.
- ◆ All Board members should fully understand their specific roles and responsibilities, prepare well for meetings and actively participate.

Accountability for Public Sector Resources

Board members have a duty to ensure the safeguarding of public funds and resources, resources include assets and liabilities, human resources, information and finances.

Board members should ensure that they receive periodic reports prepared by management that outlines and explains how the corporation has performed relative to set plan and objectives, as well as to the actual results.

A Board of Directors is responsible for ensuring the establishment of a system of internal controls that is prepared to manage any compliance risks, ensure quality internal and external reporting and facilitate compliance with applicable laws, regulations and internal policies.

Conflict of Interest

The Public Bodies must:

- ⇒ Avoid both actual and apparent conflicts between their private interests and their official functions that may impact on efficient and effective performance of their duties.

If in doubt, seek the guidance of the Integrity Commission.

Gifts and Hospitality

The Public Bodies should not solicit gifts or hospitality in any circumstance and they must not attempt to improperly influence other public officers by gifts or hospitality. (See **gifts and hospitality Code of Conduct and Integrity Commission Ordinance**).

Seven Principles of Public Life:

1. **Selflessness**- Act solely in terms of the public interest
2. **Integrity**-Do not place themselves under any financial or other obligations to outside individuals or organisations
3. **Objectivity**-Make choices on merit only .
4. **Accountability**-Answerable to their decisions and actions to the public
5. **Openness**-Be open in all decisions and action that they take.
6. **Honesty**-Duty to declare any private interest.
7. **Leadership**- Promote and support these principles by leadership and example.

TURKS AND CAICOS ISLANDS



CODE OF CONDUCT: CHIEF EXECUTIVES, STATUTORY BOARDS & PUBLIC BODIES.

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Overview and enforcement of the Code:

The Code of Conduct (the Code) covers and regulates the conduct of Chief Executives, Board Members and employees of Public Bodies who are *specified persons in public life*. It also sets out the framework and the standard benchmark to guide and inform policy formulations, procedures, practices and processes of the relevant Commissions, Statutory Boards and other Public Bodies (hereafter referred to as “**the Public Bodies**”).

Public Bodies are expected to:

- ⇒ Uphold the administration of justice, and to protect the integrity of public life.
- ⇒ Be knowledgeable with the Code of Conduct, TCI Constitution, the Integrity Commission Ordinance, the Public Finance Management Ordinance and the Procurement Ordinance and abide by the overall duties to generally comply with the law.
- ⇒ Observe and uphold the **Seven Principles of Public Life** and be **guided by the Guide to identifying, avoiding and managing Conflict of Interests** respectively set out as **Appendices A and B** to the Code of Conduct.
- ⇒ Formulate a Code of Conduct specifically for their Individual Public Body that is in agreement with all TCI’s laws and Ordinances.
- ⇒ Carry out their duties with integrity, honesty and impartiality. **Failure to live up to these values can result in a breach of the code and may incur disciplinary penalties, dismissal and/or even criminal prosecution.**

Chief Executives, Statutory Boards & Public Bodies (*Specified Persons in Public Life*) have a duty to:

- ⇒ Be aware of the role of the Board and other organs of their Public Bodies.
- ⇒ Be bound by decisions legitimately taken by the boards of their public bodies and should be committed to them.
- ⇒ Provide quality advice or direction to their Public Bodies.
- ⇒ Have a sound understanding of the organization’s operation.
- ⇒ Keep their skills relevant, knowledge up to date and be familiar with relevant issues and trends.
- ⇒ Act honestly and in good faith with the highest standard of due care and diligence in the performance of their duties
- ⇒ Be aware of the role of the Minister and Ministry to which they report.
- ⇒ Exercise the care, diligence and skill that reasonably prudent persons would exercise in comparable circumstances.
- ⇒ Not delegate decisions nor act under other direction, except as permitted by law.
- ⇒ Not act for their benefit or for the benefit of any other third person,
- ⇒ Not act unstable, inconsistent or unreasonably.
- ⇒ Maximize value for money through ensuring that services are delivered in the most economic, efficient and effective way within available resources.
- ⇒ Be accountable to the House Of Assembly, users of services, individual citizens and employees for the activities of the concerned board.

Public Bodies:

- ⇒ Must provide sufficient information to the relevant ministry and government for objective performance evaluation.
- ⇒ Should be well informed about the relevant regulations which govern the entity.
- ⇒ Should make appropriate arrangements for induction and training in conjunction with the relevant ministry.
- ⇒ Must review their own performance and that of the organization for which they are responsible.
- ⇒ Should disclose any personal interest in any matter before the board and abstain from any discussion or voting in relation to such matters.
- ⇒ Should be mindful of the requirement of the Integrity Commission Ordinance to file their declarations, as well as gift reporting requirements.
- ⇒ Must act in the best interest of the organization it governs.

Member of the Board must not:

- ◆ Present any sectional interest at the expense of the interest of the organization.
- ◆ Misuse property held in a fiduciary capacity.
- ◆ Place themselves in a position where their duty as Specified person in public life and their personal interests conflict with each other.
- ◆ Misuse information gained in the course of their public service for personal gain or political purpose.
- ◆ Seek to use the opportunity of public service to promote their private interest.

Members of the Board must:

- ◆ Make the government and the general public’s interest a priority.
- ◆ Resolve any conflict of interest in favour of their public duties over their personal interests.