



<b>Title of Report:</b>	<b>Appointments to the Drainage Council for Northern Ireland</b>
<b>Committee Report Submitted To:</b>	<b>The Annual Meeting</b>
<b>Date of Meeting:</b>	<b>Monday 3 June 2024</b>
<b>For Decision or For Information</b>	<b>For Decision</b>
<b>To be discussed In Committee—YES/NO</b>	<b>No</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council operates as one effective and efficient corporate unit with a common purpose and culture
Lead Officer	Director of Corporate Services

<b>Budgetary Considerations</b>	
Cost of Proposal	Nil
Included in Current Year Estimates	<b>YES/NO</b>
Capital/Revenue	
Code	
Staffing Costs	Nil

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>YES/NO</b>
Legal Opinion Obtained	<b>YES/NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## **1.0 Purpose of Report**

- 1.1** The purpose of the report is to invite Council to nominate two Councillors to be put forward to apply for an Appointment to the Drainage Council for Northern Ireland.
- 1.2** Correspondence has been received from Gavin Irwin, DfI Public Appointments Unit, Department for Infrastructure, dated 16 May 2024 (attached Appendix A) requesting that Council submit two Councillor nominees to be considered by the Infrastructure Minister for appointment to the Drainage Council.
- 1.3** The Drainage (Northern Ireland) Order 1973 sets out provision for ten people appointed to the Drainage Council to be members of the local Councils.
- 1.4** These are not positions of responsibility as defined under the 2014 Local Government Act, which are required to be shared across the parties using d'Hondt or the Saint-Lague formula of the Single Transferrable Vote method. They are appointments to be made by the Minister after consultation with the Department and Councils, and in compliance with the Commissioner for Public Appointment Northern Ireland (CPANI) Code of Practice.
- 1.5** The new appointees will be expected to attend the Drainage Council meetings and other ad hoc meetings as required. Three to four Drainage Council meetings are held per year, depending on the volume of Drainage Council business to be considered. Meetings are held in such locations within Northern Ireland as the Council may determine. Drainage Council meetings may vary in time commitment, but meetings are generally inside normal working hours. Members of the Drainage Council can claim reasonable travel expenses incurred on Drainage Council business but receive no other remuneration for their work.
- 1.6** Enclosed are copies of the Candidate Information Booklet, the Application Form, and a guide for Public Appointments. Full details of the appointment process are set out in the Information Booklet.
- 1.7** Each nominated Councillor should complete the short application form. They will then be invited to attend an interview. Dates for interviews are listed within the Candidate Information Booklet. The interview panel will comprise Gary Quinn, Directors of Rivers Operations, Alan Strong, Chair of the Drainage Council NI and Catherine Magee (an independent member allocated by the office of the Commissioner for Public Appointments).
- 1.8** The Department is keen to improve diversity on the Boards to which we make public appointments. We would, therefore, welcome Council nominations from the following under-represented groups: women; younger people; people with disabilities; and people from ethnic minority backgrounds.

## 2.0 **Recommendation**

**It is recommended** that Council nominate two Councillors to apply to the Drainage Council for Northern Ireland from the following under-represented groups women; younger people; people with disabilities; and people from ethnic minority backgrounds.

**Appendix A** - Copy correspondence

**Appendix B** - Candidate Information Booklet

**Appendix C** - Application Form

**Appendix D** - Guide for Public Appointments

**Appendix E** – Guidance on Conflicts of Interest and Integrity and how to Raise a Complaint

David Jackson  
Chief Executive  
Causeway Coast and Glens District Council

[david.jackson@causewaycoastandglens.gov.uk](mailto:david.jackson@causewaycoastandglens.gov.uk)

Public Appointments Unit  
Department for Infrastructure  
1st Floor, James House  
2-4 Cromac Avenue  
Belfast BT7 2JA

Telephone: (028 905) 41074  
Email: [REDACTED]@[infrastructure-ni.gov.uk](mailto:infrastructure-ni.gov.uk)

16 May 2024

Dear David

### **Appointment of Councillors to the Drainage Council for Northern Ireland**

I am writing to invite you to submit two Councillor nominees to be considered by the Infrastructure Minister for appointment to the Drainage Council. Please note a similar request will be issued to all Northern Ireland Councils.

The Drainage (Northern Ireland) Order 1973 sets out provision for ten people appointed to the Drainage Council to be members of the local Councils.

You may be aware from the last round of Councillor Appointments that these are not positions of responsibility as defined under the 2014 Local Government Act, which are required to be shared across the parties using d'Hondt or the Saint-Lague formula of the Single Transferrable Vote method. They are appointments to be made by the Minister after consultation with the Department and Councils, and in compliance with the Commissioner for Public Appointment Northern Ireland (CPANI) Code of Practice.

Members of the Drainage Council Northern Ireland, including the Chair, have corporate responsibility for ensuring that it complies with all relevant statutory or administrative requirements including requirements in respect of the use of public funds. The role of the members of the Drainage Council is to ensure the impartial and uniform application of the DfI drainage and flood protection programme throughout Northern Ireland.

The new appointees will be expected to attend the Drainage Council meetings and other ad hoc meetings as required. Three to four Drainage Council meetings are held per year, depending on the volume of Drainage Council business to be considered. Meetings are held in such locations within Northern Ireland as the Council may determine. Drainage Council meetings may vary in time commitment, but meetings are generally inside normal working hours. Members of the Drainage Council can claim reasonable travel expenses incurred on Drainage Council business but receive no other remuneration for their work. To provide the Minister for Infrastructure with a choice of

nominees as required by CPANI, the Department is inviting your Council to nominate two Councillors.

The Commissioner for Public Appointments also requires that public appointees should serve no more than two terms in the same position and no more than 10 years in total. Please ensure that those who you are considering nominating will not have served more than one term on the Drainage Council. Councillors who have already served two terms, regardless of lengths, will not be eligible to be interviewed.

Seven appointments will be effective as soon as the Minister makes his choice and three appointments will commence from 1 January 2025 and will last for as long as the appointee remains a Councillor, up to a period of four years.

I enclose copies of the Candidate Information Booklet, the Application Form, and a guide for Public Appointments. Full details of the appointment process are set out in the Information Booklet.

Each nominated Councillor should complete the short application form. They will then be invited to attend an interview. Dates for interviews are listed within the Candidate Information Booklet. The interview panel will comprise Gary Quinn, Directors of Rivers Operations, Alan Strong, Chair of the Drainage Council NI and Catherine Magee (an independent member allocated by the office of the Commissioner for Public Appointments).

The interview will explore the nominee's knowledge, experience, and capacity in their contribution to their Council or Public Life, and their communication skills. Integrity, conflicts of interest and the time commitment involved in the appointment will also be discussed. The panel will draft a record of these discussions, with applicant summaries then being presented to the Minister to help him select ten appointees.

Finally, the Department is keen to improve diversity on the Boards to which we make public appointments. We would, therefore, welcome Council nominations from the following under-represented groups: women; younger people; people with disabilities; and people from ethnic minority backgrounds.

I should be grateful if you could arrange for the completed applications forms to be returned to [publicappointmentsunit@infrastructure-ni.gov.uk](mailto:publicappointmentsunit@infrastructure-ni.gov.uk) no later than **12 Noon, Friday 19 July 2024**. Applications can also be posted to;

Jennifer Macrory  
Department for Infrastructure  
1st Floor, James House  
2-4 Cromac Avenue  
Belfast BT7 2JA

If you have any queries, please do not hesitate to contact me.

Yours sincerely

**Gavin Irwin**  
**DfI Public Appointments Unit**

# Candidate Information Book

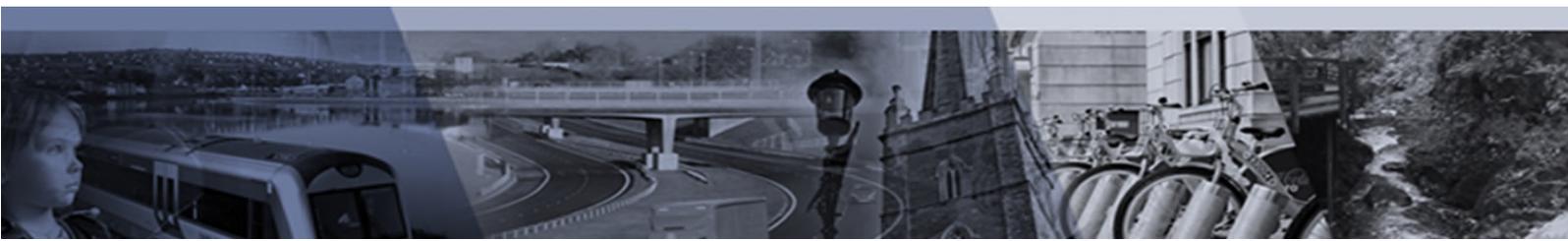
# APPOINTMENT OF TEN COUNCILLORS TO THE BOARD OF DRAINAGE COUNCIL NORTHERN IRELAND

Completed applications must be returned to DfI Public Appointments no later than 12 noon on Friday 19 July 2024

**Jennifer Macrory**  
Public Appointments Unit  
Department for Infrastructure  
1st Floor, James House  
2-4 Cromac Avenue  
Belfast BT7 2JA

**CPANI**

The Commissioner  
for Public Appointments  
Northern Ireland



The Department for Infrastructure invites applications for ten Non-Executive Councillor Members to the board of Drainage Council NI. Seven of the appointments will be effective immediately and a further three from 01 January 2025 and will be for a period of up to four years.

This information booklet can be made available in other formats, such as Braille, large print, audio etc.

To request this or any other information on the appointment process please contact:

- Tel: 028 9054 0994
- Text relay service 18001 028 9054 0994
- E-mail your request to: [publicappointmentsunit@infrastructure-ni.gov.uk](mailto:publicappointmentsunit@infrastructure-ni.gov.uk)
- Public Appointments Unit, Department for Infrastructure,  
1st Floor, James House  
2-4 Cromac Avenue  
Belfast BT7 2JA

### **Privacy Notice**

The Department for Infrastructure will only process the personal data you provide us for the purpose of recruiting members to the Board of Drainage Council Northern Ireland and in line with the Commissioner for Public Appointments NI Code of Practice. For more information, please see our Privacy Notice at [GDPR Privacy Notices for DfI Business areas | Department for Infrastructure \(infrastructure-ni.gov.uk\)](#)

## CONTENTS OF THIS BOOKLET

<b>Section 1</b>	Information about the Drainage Council Northern Ireland
<b>Section 2</b>	Role Profile - Councillors to the Board of Drainage Council NI
<b>Section 3</b>	Application and Selection Process
<b>Section 4</b>	Equal Opportunities Monitoring and Complaints Procedure
<b>ANNEX</b>	Probity and Conflicts of Interest Guidance

## KEY APPOINTMENT PROCESS STAGES

<b>Stage in Process</b>	<b>Timescale</b>
Closing Date for applications	19 July 2024
Interviews	5, 6 and 8 August 2024
Date of appointments	Seven of the appointments will be effective immediately and a further three from 01 January 2025

## **Section 1 – Information about DfI Rivers and the Drainage Council NI**

### **DfI Rivers Vision and Responsibilities**

1. Our vision is to manage flood risk both now and into the future, to maintain and create sustainable living places and support economic development.
2. To support this vision, Rivers aims:
  - to reduce the risk to life and the damage to property from flooding from rivers and the sea; and
  - to undertake our work in a sustainable manner.
3. In support of these aims, Rivers' objectives are to:
  - implement and inform sustainable flood risk management policies to meet society's social, environmental, and economic needs, whilst taking account of climate change;
  - implement the requirements of the Water Environment (Floods Directive) Regulation (Northern Ireland) 2009 for the assessment and management of flood risks;
  - inform new development decisions from a flood risk perspective;
  - reduce the number of properties currently at risk of flooding from rivers and the sea;
  - sustainably maintain flood defences, drainage infrastructure and the designated watercourse network;
  - discharge lead Department responsibilities for the emergency response to flooding;
  - communicate flood risk through flood mapping and community engagement;
  - deliver the Rivers element of the Living with Water Programme;
  - prepare for the further commencement of the Reservoirs Act (Northern Ireland) 2015;
  - support and develop all staff to achieve our objectives; and
  - deliver quality services for our customers and stakeholders in a fair and equitable way.
4. We also provide secretariat and administrative support to the Drainage Council for Northern Ireland, a non-Departmental Public Body which carries out a general scrutiny role on the drainage functions of the Department.
5. The DfI Rivers are not responsible for coastal erosion or water quality and pollution issues.

## **Drainage Council**

6. The Drainage Council exists to perform a general scrutiny role in relation to the Department's drainage functions and has a statutory duty to ensure uniformity of treatment on drainage issues throughout Northern Ireland.

## **Key Priorities**

7. The Key Priorities include:
- determining which watercourses and sea defences should be designated for maintenance by DfI Rivers at public expense. Recommendations for designation may be put forward either by DfI Rivers or by any other Government Department or person;
  - making informed determinations if an Environmental Impact Assessment has been undertaken for a scheme, whether proposed drainage works should be approved;
  - ensuring equality of treatment in accordance with Government policies on fairness and equality (Section 75);
  - considering the Department's proposals in relation to flood defences, drainage schemes or variations to schemes;
  - considering the Department's proposals in relation to Byelaws associated with drainage works;
  - acting in a consultative capacity on other flood protection and drainage related matters such as the Department's annual maintenance programme and in the environmental assessment of proposed drainage works; and
  - examining information presented in Environment Statements prepared by DfI and reaching a reasoned conclusion (informed decision) on the significant effects of the drainage scheme on the environment. This reasoned conclusion is included in the decision for approval of a scheme.

## **Constitution**

8. By Statute, the Council's membership of 18 consists of 10 representatives from Councils, a specialist adviser on drainage matters, an officer of the Department representing drainage, a representative of fishery interests, a representative from each of industry, tourism, agriculture

and conservation interests and a representative from the Department to represent Planning interests.

9. A Chairperson and Deputy Chairperson are elected by members at the opening meeting of each new Council term.

### **Governance Arrangements**

#### Accountability

10. Drainage Council as a corporate body, is responsible to the Minister of the sponsoring Department (DfI), who is in turn accountable to the public on the extent to which it fulfils its statutory duty and meets its objectives and general standards to public service.

#### Liability of Drainage Council Members

11. Drainage Council members have a corporate responsibility for all their actions. An individual member who has acted honestly and in good faith will not have to meet out of his/her own personal resources any personal civil liability which is incurred in the execution or purported execution of his/her Council functions, save where the person has acted recklessly.
12. For further information on the relationship between The Drainage Council and DfI Rivers please see the following link: [Memorandum of understanding between DfI and Drainage Council NI](#)

## Section 2 – Role Profile

13. Applicants for these appointments will be a local Councillor currently serving on one of the eleven local Councils of Northern Ireland.
14. Applicants will be expected to be able to demonstrate an understanding of the representative role of local councils in the context of the development of drainage and flood defence schemes.
15. Members of the Drainage Council for Northern Ireland, including the Chair, have corporate responsibility for ensuring that the Drainage Council for Northern Ireland complies with all relevant statutory or administrative requirements including requirements in respect of the use of public funds.
16. The role of the members of the Drainage Council is as follows:
  - Make informed determinations regarding designations undertaken for maintenance by DfI Rivers at public expense;
  - ensure all applications are treated impartially and equally in accordance with Government policies on fairness and equality (Section 75);
  - consider the Department's proposals in relation to flood defences, drainage schemes or variations to schemes;
  - examine information presented in Environment Statements prepared by DfI and reach a reasoned conclusion (informed decision) on the significant effects of the drainage scheme on the environment. This reasoned conclusion is included in the decision for approval of a scheme;
  - consider the Department's proposals in relation to byelaws associated with drainage works; and
  - acting in a consultative capacity on other flood protection and drainage related matters such as the Department's annual maintenance programme and in the environmental assessment of proposed drainage works.

### Training

17. Appropriate induction training will be provided to the appointee.

### **Time Commitment and Remuneration**

18. The new appointees will be expected to attend the Drainage Council meetings and other ad hoc meetings as required. Three to four Drainage Council meetings are held per year, depending on the volume of Drainage Council business to be considered. Meetings are held in such locations within Northern Ireland as the Council may determine. Drainage Council meetings may vary in time commitment, but meetings are generally inside normal working hours. Members of the Drainage Council can claim reasonable travel expenses incurred on Drainage Council business but receive no other remuneration.

### **Expenses**

19. Following appointment, reasonable travelling expenses and subsistence will be paid to attend meetings in accordance with the Drainage Council's processes. Any additional costs associated with childcare, dependents or having a disability will also be considered to enable the Member to attend evening meetings. All remuneration and expenses are subject to deduction of income tax and national insurance.
20. The appointment is not pensionable.

### **Period of Appointment**

21. Seven of the appointments will be effective immediately and a further three from 01 January 2025 and will be for a period of up to four years. If the appointee ceases to be a member of the local council, they will cease to be a member of the Drainage Council, but no such cessation shall take effect until that person's successor is appointed.
22. It is the current policy of the Department of Infrastructure that there is no appointment or re appointment without an open competition taking place. Current appointees on their first term may apply in competition for a second term, subject to evidence of an appropriate standard of performance having been achieved during the initial period in office and evidence of continued adherence to the seven principles of public life.

### **Code of Practice**

23. A Code of Practice governs the activities of the Board. To ensure that public service values remain at the heart of the Drainage Council, Members are required, on appointment, to

demonstrate high standards of corporate and personal conduct and to subscribe to the Code of Conduct for Board Members of Public Bodies.

- 24.** Councillors when appointed will be expected to demonstrate a high standard of probity and integrity and commitment to the seven principles underpinning public life.

## **Section 3 – Application and Selection Process**

- 25.** The Department for Infrastructure is committed to the principles of public appointments based on merit, with independent assessment, openness, and transparency of process. The Department is also committed to equality of opportunity and welcomes application forms from all suitably qualified applicants irrespective of religious belief, gender, race, political opinion, age, disability, marital status, sexual orientation, or whether they have dependants.
- 26.** The Department for Infrastructure is committed to improving the diversity of the Boards to which it makes appointments and wants to encourage more women, younger people, people from ethnic minorities and people with disabilities to apply for appointments. Applications from these groups would be particularly welcome.
- 27.** These appointments are regulated by the Commissioner for Public Appointments for Northern Ireland (CPA NI) and the competition may be examined by CPA NI for compliance with the Commissioner's Code of Practice.

### **Application Procedure**

- 28.** Application forms or further information about the process can be obtained from the Public Appointments Unit at the address on the cover of this document or by e-mailing a request to: [publicappointmentsunit@infrastructure-ni.gov.uk](mailto:publicappointmentsunit@infrastructure-ni.gov.uk)
- 29.** Hard copy or electronic versions of the application form are acceptable. You must not reformat the electronic application form. CVs, letters, or any other supplementary material in place of, or in addition to, completed application forms will not be accepted.
- 30.** Applications must be completed fully and clearly, using black ink or typescript minimum font size 12. It is strongly recommended that you read the guidance notes on the completion of the application form.
- 31.** All sections of the application form must be completed in full.
- 32.** Information Documents and Application Forms can be provided in alternative formats. Any applicants who require assistance should contact the Public Appointments Unit. All

reasonable adjustments will be made to accommodate the needs of applicants/candidates with a disability.

33. Application forms should be submitted by post, email or in person to arrive with the Public Appointment Unit by **Noon, Friday 19 July 2024** (see contact details on cover sheet).
34. Please check your application form before submitting to the Department, as failure to provide a fully completed application may result in your application form being excluded from the process.
35. Applications made to the Department will be acknowledged within three working days of receipt. If receipt is not acknowledged, applicants should contact the DfI Public Appointments Unit (028 9054 0994).
36. Candidates invited for interview will be eligible to claim reimbursement of reasonable travelling expenses incurred within the UK and Republic of Ireland in attending for interview. Travel claims will usually be paid at public transport rates. Any other appropriate expenses, such as particular costs associated with disabilities or childcare, can also be claimed.

### **Selection Process**

37. All Councillors who have been nominated by their Council will be invited to interview. The selection Panel will comprise Gary Quinn, Director of Rivers Operations, Alan Strong, Chair of the Drainage Council and Catherine Magee, an Independent Member from the Office of the Commissioner for Public Appointments NI.
38. At interview, Councillors will be expected to demonstrate that they have knowledge, experience, and capacity in the following:
  - Contribution to Council or Public Life - examples of the type of evidence the panel will be looking for are listed below. You will not be expected to meet each one of the examples.
    - a positive contribution to public life and the wider Local Government sector for the benefit of the general public;
    - ability to challenge or scrutinise appropriately when necessary;
    - able to align policy and delivery considerations; and

- an understanding of the role of DfI Rivers.
- Effective Communication skills – examples of the type of evidence the panel will be looking for are listed below. You will not be expected to meet each one of the examples.
  - excellent communication and interpersonal skills;
  - the ability to communicate effectively with colleagues, other senior leaders and the public;
  - ability to work collaboratively; and
  - experience in applying influencing and negotiating skills to achieve mutually acceptable outcomes.

39. Those Potential or perceived Conflicts of Interest, along with probity and integrity will be reviewed with candidates at interview.
40. The panel will also check with the applicant that they can meet the time commitment involved with the appointment role.
41. At interview, all candidates must satisfy the panel that they adequately meet all recruitment aspects of the appointment. The Minister for Infrastructure will take the final decision on who to appoint.
42. A written record will be made of the discussions and an applicant summary will be prepared by the selection panel. The applicant summary will provide the Minister with an objective analysis of each candidate's skills and experience based on the information provided by the candidate at interview.
43. The Minister may decide to create a reserve list to cover any unforeseen vacancies that arise within 12 months of the date of the Minister's decision.

### **Timetable / Time Frame**

44. The deadline for receipt in all cases is **Noon, Friday 19 July 2024**. It is the responsibility of the applicant, considering their chosen method of delivery, to ensure that sufficient time is allowed for their application to arrive with the Department on or before the deadline. **Late applications will only be considered in exceptional circumstances**. Please ensure that posted applications bear the correct amount of postage as any shortfall may lead to a delay in delivery, causing you to miss the deadline. Applicants who send their application form electronically are also required to meet the closing deadline for receipt in this office. If the timetable is varied, applicants will receive notice and an explanation of any variation which may affect them.
45. Interviews are expected to be held on **5, 6 and 8 August 2024**.

### **Disqualified Candidates**

46. Under the terms of the House of Commons Disqualifications Act 1975, and the Northern Ireland Assembly Disqualification Act 1975, existing MPs and MLAs cease to hold their elected office if they take up an appointment to a public body listed in the legislation.
47. If an individual holding a public appointment decides to stand for election as an MP or MLA, it is their responsibility to check whether the public body to which they belong or the office that they hold is listed in the appropriate Disqualification Act.
48. If the public body to which an individual belongs or the office that they hold is listed in the Disqualification Act they must immediately notify the Department of their intention to stand for election. To avoid any disqualification issues from arising later they should resign their appointment before submitting their nomination as candidate in an election. If they have not resigned their public appointment before submitting their nomination as a candidate and are subsequently elected as an MP or MLA their election will be void.

### **Conflicts of Interest and Probity**

49. The Department must ensure that any individual appointed is committed to the seven principles of conduct underpinning public life and values of public service. **These principles are: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.**

The successful candidate will be asked as part of their appointment to sign a declaration committing to the seven principles.

50. The information pack includes copies of the leaflets entitled “Probity and Conflicts of Interest – Guidance for Candidates” and an information leaflet from the Office of the Commissioner for Public Appointments (NI) about “Conflicts of Interest, Integrity and Making a Complaint”. These provide information on these issues, including some examples to help applicants evaluate whether they have a real, perceived, or potential conflict.
51. The Department must take account of any actual or perceived conflict of interest. Therefore, applicants, in their application form, must disclose information or personal connections which, if they were to be appointed, could lead to a conflict of interest, or be perceived as such. Failure to do so could lead to the appointment being terminated.
52. It is very important that all applicants provide appropriate details on their application form of any interests which might be construed as conflicting with the appointment for which they have applied. If it appears, from the information provided on the form, that a possible conflict might exist, or arise in the future, this will be fully explored with the applicant with a view to establishing whether it is sufficiently significant to prevent the individual from carrying out the duties of the post. The Panel will do this at interview stage.
53. You will also be asked on your application and at interview to declare whether you are involved, or have been involved, in activities that could call into question your own reputation and/or damage the reputation of the body to which you are applying for. In this regard, the Department may carry out probity checks with the Insolvency Service to determine if applicants are recorded on the Disqualification of Directors or Bankruptcy registers. Any potential probity issues detailed in your application form or of which the panel is aware will not prevent you from being called for interview but will be explored with you at the interview to establish how you would address the issue should you be successful in your application.

### **Other Public Appointments**

54. Departments have a duty to satisfy themselves, as far as practicable, that those they appoint to the Boards of public bodies will carry out their duties in an efficient and effective manner.

The Department for Infrastructure will, therefore, be checking with other Departments if there are any probity or performance issues associated with applicants who hold other public appointments. Similar information will be provided by this Department to other NICS Departments on request about all associated board members.

### **The Two Terms Rule**

55. In accordance with the CPANI Code, those who have served two terms in the same position on the same board cannot apply through open competition for a third term. If any applicant has served two terms in this position, his/her application will be discounted at the sift stage.

### **Double Paying**

56. Applicants who already work in the public sector need to be aware that:
- if appointed, they will be asked to obtain confirmation from their employer that any remuneration due and time worked for this position are truly additional to their existing job role and is not a duplication with salaried employment (unless allowed under the terms and conditions of employment).
  - In the interests of minimising the potential for double paying to occur the Department reserves the right to contact your employer regarding your candidature.
57. Former Civil Servants are subject to rules on the Acceptance of Outside Business Appointments, Employment or Self-Employment for a period of up to two years after leaving the NI Civil Service. Individuals in this category, who wish to apply, should check their eligibility to do so with their former Department.

### **Publicising Appointments**

58. A Press Release will be published to announce the appointments. The Commissioner for Public Appointments also requires that announcements about successful candidates should contain details of any recent political activity. Consequently, should you be appointed, you will be required to complete a political activity form. Details of any political activity, together with some of the information that you have provided in your application form, will be made public in the press announcement. This applies particularly to any other public appointments you may hold and to any significant political activity recently undertaken by you. The Press Release will include:

- Your name;
- A short description of the body to which you have been appointed;
- A brief summary of the skills and knowledge you bring to the role;
- The period of appointment;
- Any remuneration associated with the appointment;
- Details of all other public appointments held and any related remuneration received;  
and
- Details of any political activity declared in the last 5 years.

## Section 4 - Equal Opportunities Monitoring and Complaints Procedure

### Equal Opportunities Monitoring Form

59. The Department is committed to providing equality of opportunity. The Department monitors applications to ensure that equal opportunities measures are effective in its appointments processes. Applicants are therefore asked to complete the Equal Opportunities Monitoring Form attached to the application form. The information is purely for monitoring purposes. It is **not** made available to the selection panel and does **not** play a role in the decision-making process. The information will be analysed independently by staff in the Northern Ireland Statistics and Research Agency and will be treated in strict confidence.

### Complaints Procedure

60. The Department is committed to getting this appointment process right first time. However, if you are not entirely satisfied with any aspect of our service, please tell us and we will do our best to resolve the matter. Our aim is to resolve any complaint quickly and you are invited initially to bring any concerns you may have to the official named below. However, if you still feel dissatisfied after this approach, you may initiate a formal complaint in writing.

Please direct your concerns in the first instance to:

Gavin Irwin

Public Appointments Unit, Department for Infrastructure

1st Floor, James House

2-4 Cromac Avenue

Belfast BT7 2JA

Email: [gavin.irwin@infrastructure-ni.gov.uk](mailto:gavin.irwin@infrastructure-ni.gov.uk)

If you remain dissatisfied, you may then write to:

The Office of the Commissioner for Public Appointments for Northern Ireland

Dundonald House, Annexe B, Stormont Estate, Upper Newtownards Road, Belfast

BT4 3SB

Email: [info@publicappointmentsni.org](mailto:info@publicappointmentsni.org)

## **PROBITY & CONFLICTS OF INTEREST**

### **GUIDANCE FOR CANDIDATES**

*This guidance should be read in conjunction with the information contained in the leaflet “CPA NI Guidance on Conflicts of Interest, Integrity and how to raise a complaint” which provides examples of the types of issues that may give rise to conflicts of interests.*

#### **Standards of behaviour**

Ministers expect that the conduct of those they appoint to serve on the Boards of public bodies will be above reproach. Everyone who puts themselves forward for a public appointment must be able to demonstrate their commitment to the maintenance of high standards in public life.

#### **The Seven Principles Underpinning Public Life**

In 1995, the Committee on Standards in Public Life defined seven principles, which should underpin the actions of all who serve the public in any way. These are:

**Selflessness** - Holders of public office should take decisions solely in terms of the public interest. They should not do so to gain financial or other material benefits for themselves, their family, or other friends.

**Integrity** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership:** Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and

challenge poor behaviour wherever it occurs. A link is provided to the revised principles. [Seven Principles of Public Life](#)

As part of the selection process, you will be tested on your commitment to maintaining high standards in public life with particular emphasis on probity issues and conflicts of interest.

### **What is a conflict of interest?**

Public Appointments require the highest standards of propriety, involving impartiality, integrity, and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable, or political interest which might be material and relevant to the work of the body concerned should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict.

No-one should use, or give the appearance of using, their public position to further their private interests. This is an area of particular importance, as it is of considerable concern to the public and receives a lot of media attention. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

### **Surely a perceived conflict is not a problem, as long as I act impartially at all times?**

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual and the board that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a board member can be extremely damaging to the body's reputation and it is therefore essential that these are declared and explored, in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

### **What should I do if I think I have a conflict of interest?**

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, to give the Selection Panel as much information as possible.

### **If I declare a conflict, does this mean I will not be considered for appointment?**

No - each case is considered individually. If you are short-listed for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Board and how this might be handled, if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes that the conflict is too great and would call into question the probity of the Board or the appointment they can withdraw your application from the competition. The summary of the outcome of the interview process, which is put to the Ministers, will include clear written

reference to any probity issues or perceived or actual conflicts of interest connected to any candidate put forward as suitable for appointment. It will include sufficient information to ensure that the Ministers are fully aware of any of these matters and can make an informed decision.

**What happens if I do not declare a known conflict, which is then discovered by the Department after my appointment?**

Again, each case would be considered on its merits, but the Department may take the view that by concealing a conflict of interest, you would be deemed to have breached the seven principles of conduct underpinning public life and may terminate your appointment.

**What happens if I do not realise a potential conflict exists?**

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise that a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce that there is a potential conflict issue, based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

**What happens if a conflict of interest arises after an appointment is made?**

This could arise for two main reasons. The first is that the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the board becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment, it becomes clear that a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chair of the Board and the Chief Executive of the body concerned, in consultation with the Sponsoring Department, to decide whether the member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be that the conflict is such that it would be impractical for the member to continue on the board, if they would have to withdraw from a considerable amount of the body's routine business. In such, cases, the member may be asked to stand down from the body.

You may be asked to sign a declaration of commitment to the above principles as a condition of your appointment.

# DEPARTMENT FOR INFRASTRUCTURE APPLICATION FORM

Appendix C

# NON-EXECUTIVE COUNCILLORS OF THE DRAINAGE COUNCIL NORTHERN IRELAND

Completed applications must be returned to DfI Public Appointments no later than 12 noon on **Friday 19 July 2024**

Jennifer Macrory  
Public Appointments Unit  
Department for Infrastructure  
1st Floor, James House  
2 - 4 Cromac Avenue  
Belfast BT7 2JA



Candidate No: \_\_\_\_\_

**APPLICATION FORM**  
**NON-EXECUTIVE MEMBER OF DRAINAGE COUNCIL COUNCILLOR APPOINTMENTS**

The Application Form is in two parts. The closing date for the return of completed application forms is 12 Noon on Friday 19 July 2024.

**PART A: PERSONAL INFORMATION**

- Typewritten or electronic versions of the application forms are welcome and should be completed in Arial with a minimum font size of 12. Handwritten applications should be completed using black ink.
- If your application is submitted by e-mail, we will require you to sign Part A when you attend interview.
- Please do not staple, tape, or stick additional information to this form. CVs, letters, or any other supplementary material in place of or in addition to the completed application form will not be accepted.
- We would advise you to retain a copy of your application for your own information.
- Applications will not be reviewed until after the closing date.
- We will only process the personal data you provide us for the purpose of recruiting members to the Board of the Drainage Council and in line with the Commissioner for Public Appointments NI Code of Practice. For more information, please see our Privacy Notice at [www.infrastructure-ni.gov.uk/dfi-public-appointments](http://www.infrastructure-ni.gov.uk/dfi-public-appointments)

Please send all both parts of your completed application to:

**Jennifer Macrory**  
Public Appointments Unit  
Department for Infrastructure  
1st Floor, James House  
2 - 4 Cromac Avenue  
Belfast BT7 2JA

Or by email to: [publicappointmentsunit@infrastructure-ni.gov.uk](mailto:publicappointmentsunit@infrastructure-ni.gov.uk)

# 1. PERSONAL DETAILS

Title (Prof/Dr/Mr/Mrs/Ms/etc):										
Surname:										
Forename(s):										
Former surname(s) (if any):										
National Insurance Number: (if applicable)	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									
Permanent address, including postcode:										
Telephone No (including STD code):										
Mobile:										
E-mail address:										
Address for correspondence, including postcode: (if different from above)										
Telephone No of correspondence address (including STD code): (if different from above)										

We will normally contact you by email; however, if you would prefer to be contacted by a different means then please indicate this here.

By Telephone

By Mobile

By Post

## 2. OTHER INFORMATION

Have you ever been convicted of a criminal offence (other than minor motoring offences) which is not spent in accordance with the Rehabilitation of Offenders Act 1974?

Yes  No

Are you the subject of any legal, criminal, or statutory investigations or actions, or are any pending?

Yes  No

Have you ever been adjudged bankrupt or made a composition or arrangement (such as those set out in Note 1 below) with your creditors over the past 10 years?

Yes  No

Were you dismissed from any public office over the past 10 years?

Yes  No

### Note 1

- Individual Voluntary Arrangements (IVAs) and Fast-Track Voluntary Arrangements (FTVAs);
- Bankruptcy Restrictions Orders or Undertakings (BROs/BRUs);
- Debt Relief Orders (DROs); and
- Debt Relief Restrictions Orders or Undertakings (DRROs/DRRUs)

### 3. Reasonable Adjustments

Please let us know if you require any reasonable adjustments, or arrangements to enable you to attend for interview or take up an offer of appointment. The selection panel will only be advised of any adjustments they need to know about to manage the interview process.

## PART B: PUBLIC APPOINTMENTS

Candidate No: \_\_\_\_\_

1. **PUBLIC APPOINTMENTS** – please list all current public appointments, giving the name of the public body, the position held, the length of the appointment and any remuneration paid.

Public Body	Position Held	Dates		Remuneration
		From	To	

Have you ever been a member of the Drainage Council Board?

Yes

No

If you have previously served on this board, please indicate when and the positions held	Position Held	From	To

## 7. PROBITY AND CONFLICTS OF INTEREST

*Before you complete this section, it is important that you read the guidance on probity and conflicts of interest contained in your information pack.*

a) Are you prepared to abide by the seven principles of public life?

Yes           No

b) Have you, your partner, or your immediate family, any business or other interests or personal connections that might be construed as conflicting with the appointment for which you have applied?

Yes           No

c) Are there any other probity issues which might cause embarrassment if, in the future, they are raised in public or any other issues you feel the Department for Infrastructure may need to be made aware of?

Yes           No

If you answered yes to questions b) and/or c) above, please provide details below.

Any potential probity issues or conflicts of interest detailed above will not prevent you from being called for interview but will be explored with you at that time to establish how you would address the issue should you be successful in your application.

## 8. DECLARATION

I have read and understood the information provided in the Candidate Information Booklet. I declare that I am available to meet the time commitment required for this role.

I have read the 'Probity and Conflicts of Interest: Guidance for Candidates' information leaflet and I understand that, if appointed, I must raise with the Departmental Permanent Secretary and the Chief Executive of the public body, any probity or conflict of interest issues that might arise during my term of appointment and that my failure to do so could lead to my appointment being terminated.

I undertake to inform DfI Public Appointments Unit in writing of any change in my circumstances which may occur between the date of my application and any possible date of appointment.

I have read the information pack and understand my responsibilities in relation to statutory disqualifications and public appointments. I declare that the information I have given in support of my application is true and accurate to the best of my knowledge and belief and reflects my own individual experience, personal achievements and undertakings and all statements contained therein relate to me personally. I understand that if I am found to have suppressed any material fact, or to have given false answers, I will be liable to disqualification or, if appointed, to dismissal.

I understand and accept that the information I have provided will be processed by the Department for Infrastructure, in accordance with its Data Protection Registration, for the purposes of making these public appointments; and that this may involve disclosing information to other Government Departments, the Commissioner for Public Appointments for Northern Ireland, or anonymously in response to Assembly Questions and other enquiries.

I also understand and accept that, if appointed, my details will be recorded and held within the Public Appointments database and my name will also be published in the Public Appointments Annual Report.

Also, that some of the information I have provided will be included in a press release announcing my appointment and therefore placed in the public domain.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

# Public Appointments Guide

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An overview of Public Appointments in Northern Ireland and helpful information for those wishing to apply.



The  
**Executive Office**  
[www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

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# Introduction

The purpose of this Guide is to raise awareness of the public appointment opportunities that exist in Northern Ireland.

Public appointments cover many aspects of our daily lives, from the arts to agriculture, from education to the environment, from planning to public safety and from transport to tribunals. If you decide to take up a public appointment you will become involved in making decisions that help develop, shape or deliver government policy and public services.

This Guide has been designed to provide much of the information needed to understand what it means to be a member of the board of a public body. It also seeks to explain the type of bodies currently in existence and how the process of appointing people to these bodies works in practice.

The Executive is committed to increasing diversity within our public appointments, subject to the principle of appointment on merit. Ministers have set challenging timescale targets for achieving gender equality in public appointments as part of a package of measures to broaden involvement of under-represented groups in public life.

The Government believes that it is essential that people from a wide range of backgrounds apply and take up public appointments so that the boards of public bodies reflect the rich diversity of our society and better understand the needs of the communities they serve.

Appointments are made on merit and applications are welcome from all sections of society particularly those sectors which are currently under represented on our public bodies, including women, people with a disability, people from an ethnic minority background and those under the age of 30.

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**It's not who you know, it's what you can do.**

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# Contents

## Public Appointments explained:

What is a Public Body?	04
What is a Public Appointment?	05
The Role of the Board of a Public Body	06
Being a Board Member	06
Being a Board Chairperson	07
Diversity	07
Guaranteed Interview Scheme	08
Time off for Public Duties	08
Remuneration	09
Double Paying	09
Standards of Behaviour	10
Conflicts of Interest	11
Personal Liability	11
Case Studies	12 - 13

## The appointments process:

How Appointments are made	14 - 15
Independent Advice	16
Criteria for Appointment	16
Sift	16
Shortlisting	17
Other Eligibility Factors	17
Completing the Application Form	18 - 20
Monitoring	21
The Interview	22 - 23
Ministerial Choice	24
Feedback	24
The Commissioner for Public Appointments for Northern Ireland	25
Further information	26
NI Direct	26

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# Section 1

## Public Appointments Explained

### What is a Public Body?

Public bodies in Northern Ireland cover everything from arts to sport and consumer interests to more specialised areas such as historic buildings and monuments.

These bodies are organisations set up to provide advice or carry out functions on behalf of Government.

To preserve their independence public bodies operate separately or what is commonly referred to as 'at arms length' from Central Government.

Ministers are ultimately responsible for the activities of the public bodies sponsored by their Departments.

Public bodies are also sometimes known as QUANGOS - Quasi Autonomous Non Government Organisations.

The most common type of public body are Non Departmental Public Bodies (NDPBs) of which there are three main types.

**Executive NDPBs** generally operate under a specific piece of legislation, employ their own staff and manage their own budgets. They carry out a service or function on behalf of Government. Tourism Northern Ireland and the Northern Ireland Housing Executive are examples of Executive NDPBs.

**Advisory NDPBs** provide independent and expert advice to Ministers and Departments on specific issues or services, sometimes in technical or specialist areas. The Historic Monuments Council and the Charities Advisory Committee are examples of Advisory NDPBs.

**Tribunal NDPBs** have jurisdiction to operate in a specialised field of the law but do so independently of Government. The Fair Employment Tribunal and the Planning and Water Appeals Commissions are examples of Tribunal NDPBs.

The term 'public body' also covers public corporations and health and social care bodies/agencies.

**Public Corporations** are publicly owned and controlled but have substantial freedom to conduct their own affairs e.g. Northern Ireland Transport Holding Company.

**Health and Social Care Bodies/Agencies** administer and deliver health and personal social services to the public e.g. Patient and Client Council.

### What is a Public Appointment?

A public appointment is generally an appointment, made by a government Minister, to the Board of a public body. Joining as either a member or a chair, is an opportunity for individuals and communities to partner with organisations, enhancing our public services for everyone.

A public appointment allows individuals from different backgrounds to play a part in directing and managing the services that government provides.

Public appointees bring independence, balance and a fresh, external perspective to the work of the Board and, where appropriate, bring specific skills, knowledge or expertise to bear.

As a public appointee you will take part in discussions, review paperwork, work with partner organisations and oversee the preparation, approval and implementation of corporate plans.

Public bodies are, in the main, managed by a Board or Management Committee made up of a number of executive and independent non-executive directors.

The executive directors are drawn from the body itself, for example, the Chief Executive or the Finance Director.

The non-executive directors, including Chairpersons, are drawn from society and are classed as public appointments. Executive and non-executive directors are full and equal members of the Board.

The majority of appointments are filled by members of the general public. However a small number are held by people who have been nominated by organisations such as local councils, trade unions or the main churches.

Most positions are part time and whilst some are paid, many are not, although you may be able to claim travel and other relevant expenses (for example childcare). A public appointment usually lasts between one and five years and may be renewed for a second term (up to a maximum period of 10 years).

Current public appointment opportunities can be found on NI Direct.

## The Role of the Board of a Public Body

The role of the Board of a public body is to provide leadership, vision, continuity of purpose and accountability to the general public. Many public bodies are set up by legislation, which sets out the powers and duties of the body concerned.

### In addition to these responsibilities the main tasks of any Board are:

- to set the organisation's aims and objectives;

- to oversee development of strategies, plans and policies;
- to ensure effective financial control;
- to monitor how the organisation is performing; and
- to promote the organisation's role in the community it serves.

## Being a Board Member

A board member's role will vary depending on the nature of the public body to which he or she has been appointed and the capacity in which they have been appointed.

### As a general rule board members are expected to:

- set the strategic direction of the public body and provide stewardship of all public resources entrusted to it;
- attend board meetings regularly and be well prepared by reading relevant papers in advance;
- attend subcommittee meetings in areas such as audit and finance;
- attend training events and keep up to date with issues relevant to the work of the organisation;

- contribute to board discussions and decision making and share responsibility for those decisions;
- when required, represent the board at events; and
- abide at all times by the Principles of Public Life

The relevant body will provide induction which is appropriate for the particular appointment. Members are further supported with additional development needs or training as necessary.

## Being a Board Chairperson

Being the Chairperson of a Board is a challenging and exciting opportunity. The Chairperson will be expected to provide clear and strategic leadership to the Board, often acting as the Ambassador for the organisation.

A Chairperson would likely be involved in building constructive and effective relationships at a strategic level and liaising with both external and internal stakeholders.

## Diversity

The Executive is committed to a policy of attaining greater diversity in public appointments. Ministers have set challenging timescale targets for achieving gender equality in public appointments as part of a package of measures to broaden involvement of under-represented groups in public life.

Every public appointee brings their own personal qualities, skills and experience to the board. These may have been gained through current or previous employment, involvement in community or voluntary activities, leisure activities, activities undertaken at school or college, in their personal life or simply as a service user or consumer.

A traditional career path is not a prerequisite to taking up a public appointment. With such a wide variety of public appointment opportunities, there is no single type of 'right person' – on the contrary, as diverse a range of individuals as possible are required to provide the full spectrum of views, skills and experience which Boards require. Indeed it is a diverse range of viewpoints and life experiences which help to make Boards operate effectively.

Appointments are made on merit and applications are welcome from all sections of society particularly those sectors which are currently under represented on our public bodies, including women, people with a disability, people from an ethnic minority background and those under the age of 30.

## Guaranteed Interview Scheme

Some departments operate the Guaranteed Interview Scheme (GIS). The aim of the GIS is to provide applicants with a disability, who demonstrate that they meet the criteria for the post, a guaranteed invitation to interview.

To be eligible for the GIS you must be considered as disabled under the Disability Discrimination Act 1995 which defines a person with a disability as someone who

has, or has had in the past, a physical or mental impairment which has had a substantial adverse long term effect on their ability to carry out normal day to day activities.

Full details will be provided in application packs.

## Time off for Public Duties

The time commitment required varies from appointment to appointment. Between one and two days a month (including perhaps some evening meetings and public events) would not be unusual although some appointments may require a greater or lesser commitment.

You have the right to time off for certain public duties and services. Your rights vary depending on what you do and what the duty or service is.

**Under the law, you are allowed time off for public duties if you are an 'employee' and one of the following:**

- a justice of the peace
- a member of a local authority, police authority or district policing partnership, local education authority, educational governing body, health authority or primary care trust
- a member of any statutory tribunal or of the boards of prison visitors

If you qualify, you are allowed reasonable time off to go to meetings or to carry out your duties. Your employer doesn't have to pay you while you take time off for public duties, although many do.

More information can be found at [www.nidirect.gov.uk/index/information-and-services/employment/employment-terms-and-conditions/time-off-and-holidays/time-off-for-public-duties.htm](http://www.nidirect.gov.uk/index/information-and-services/employment/employment-terms-and-conditions/time-off-and-holidays/time-off-for-public-duties.htm) or by contacting:

### The Department for Economy

Employment Relations Policy and Legislation Branch  
Adelaide House  
39-49 Adelaide Street  
Belfast  
BT2 8FD

## Remuneration

Public bodies differ in terms of size, structure, responsibilities and profile. Most public appointments are part time and whilst some are paid, many are not, although you may be able to claim other expenses such as travel.

The three most common forms of remuneration are an annual fee (or honorarium), daily rate and attendance fee/allowance.

## Double Paying

Applicants who already work in the public sector need to be aware that there is a general guiding principle that an individual should not be paid twice from the public purse for the same period of time. As a result applicants who already work in the

public sector may not be entitled to claim remuneration for a public appointment if the duties are undertaken during a period of time for which they are already paid by the public sector.

## Standards of Behaviour

Ministers expect that the conduct of those they appoint to serve on the boards of public bodies will be above reproach.

Like others who serve the public, public appointees are expected to uphold the seven principles of public life set by the Committee on Standards in Public Life, the seven principles 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; and

### 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.

## Conflicts of Interest

Any interests that a potential board member might have which may be relevant to the work of the public body concerned must be declared when applying for a public appointment.

Conflicts of interest are not always a barrier to appointment, however you should expect that any real, perceived or potential conflicts will be explored by the selection panel to ensure that there is full confidence in both your position on the board and the board itself.

### A conflict of interest could arise in a number of ways, including:

- financial or other interests relevant to the work of the public body;
- relationships with other people or organisations that could lead to divided loyalties, real or perceived;

- access to privileged information or trade secrets that could give an unfair personal advantage to people with allied business interests;
- the perception that an appointment is a reward for past contributions or favours; or
- membership of some societies or organisations.

No board member should use, or give the appearance of using, their position on a public body to further their own interests or those of others.

## Personal Liability

Board members have some liability for the decisions taken by the board and for their conduct and actions as board members.

Any board member who acts honestly and in good faith will not have to meet any personal civil liability that may be incurred as a result

of carrying out his or her responsibilities as a board member. However, this indemnity does not protect a board member who acts recklessly or in bad faith.

## Case Studies

There are examples of people from all walks of life already involved in public appointments. Nisha Tandon is a Board Member of the Arts Council and Sharon O'Connor is Chairperson of the Education Authority.

### Nisha Tandon

Board Member of the Arts Council

Nisha Tandon has been a Board Member of the Arts Council since 2012. She is the Executive Director of ArtsEkta - one of the few organisations on the island of Ireland proofing ethnic arts, culture and heritage. She founded the organisation in 2006. She has also been involved with a range of other arts-related groups, for example being a Director of Cahoots Theatre Company and being involved in Belfast City Council's Festival Forum Strategy group and recently selected as a member of a UK/Ireland Advisory Panel for Voluntary Arts Ireland.

She played an important part in the development of the Indian Community Centre. Nisha is a graduate of the National School of Drama in New Delhi and is a trained Indian classical dancer.

Nisha believes strongly in the importance of increasing involvement in the arts by all those in Northern Ireland from ethnic communities, recognising the contribution they can make to the cultural diversity and richness of the entire community.

She sees the Arts Council as having a particular role to play and enjoys the opportunity being on the Board gives her to be part of that work. She sees the engagement with established ethnic communities and with new residents as something for all arts organisations, not just for those with a focus on this area, and sees the Intercultural Arts Strategy as a key part of this engagement. Nisha welcomes the breadth of vision and involvement that being on the Board gives her and her colleagues.

### Sharon O'Connor

Chairperson of the Education Authority

Sharon O'Connor was appointed as Chairperson of the Education Authority in April 2015. Throughout her life Sharon has been involved in voluntary work, motivated by trying to make a positive contribution where she can. She started out as a young mother getting involved in a committee concerned with play and education matters in her local community.

Sharon originally applied for a public appointment as part of her own continuous professional development. Responsible for the cultural economic development of Down District, she was keen to keep abreast of developments in the arts, heritage, cultural and tourism sectors and so applied for and was appointed to the Board of the Arts Council.

Sharon quickly realised that her role as a member of the Arts Council was more about contributing to the strategic development and governance of the organisation rather than the issues she was originally interested in. As a result of this insight Sharon went on to undertake a range of further professional development to enhance her skills as a Non Executive Director and also undertook a Diploma in Director Development provided by the Institute of Directors achieving Chartered Director status.

As Chairperson of the Education Authority, Sharon's job is to provide leadership to the Board ensuring that it manages governance, risk and finance and oversees the work of the Executive team. The Board also set the Strategic direction for the Authority taking direction from the Minister and his officials to progress the education agenda.

Sharon believes her career has been enhanced as a result of taking on public appointments. She encourages those considering applying "If you are interested in making a contribution to civic society I urge you to apply, ask for help from someone who has come through the public appointments process and get involved.

A rich mix of people and talents makes for a good board so if you want to contribute and are open to new experiences why not make an application?".

## Section 2

# The Appointment Process

### How Appointments are made

The aim of the public appointments process is to appoint candidates capable of carrying out the role, selected on merit, using fair, open, transparent and appropriate procedures.

The Commissioner for Public Appointments for Northern Ireland regulates Ministerial appointments to most public bodies and publishes a Code of Practice (available online at [www.publicappointmentsni.org](http://www.publicappointmentsni.org)), which provides Departments with guidance on the process to be followed when making public appointments.

The Code of Practice is underpinned by seven principles that govern how public appointments should be made. The seven principles are:

#### Merit

All public appointments will be made on the basis of merit. Only those individuals judged to best meet the requirements of the post will be recommended to Ministers for appointment to public bodies.

#### Diversity

The make-up of the Boards of Northern Ireland public bodies do not adequately reflect the make-up of the population.

The opportunity to appoint the best people is greatly increased when every potential applicant is attracted and encouraged to apply and when individual differences are truly valued.

Departments should ensure, as far as possible, that Boards are balanced in terms of skills and experience, and that opportunities to apply for positions on Boards are open to the communities they serve.

#### Equality

Departments must ensure equality of opportunity and equal treatment of all applicants at every stage of the appointment process, including adherence to anti-discrimination law. It is for Ministers and their Departments to ensure that they are fully versed in these matters.

### Openness, Transparency and Independence

The practices employed by Departments at every stage in an appointment round must be open, transparent and consistent with the recognised principles of open government. All public appointment competitions must include a demonstrable element of independent participation in the assessment of applicants.

#### Integrity

Public appointees must be people who understand, apply and are committed to the principle of integrity and will perform their duties with moral rigour and honesty without personal or corporate gain.

#### Proportionality

Whilst the Commissioner's code must be followed for every appointment, the procedures applied at each stage of an appointment should be proportionate to the size and purpose of the public body and to the posts to be filled. The proportionality principle must not be used to circumvent proper procedures or avoid good practice.

#### Respect

Throughout the public appointment process, candidates should be treated with respect; this applies from the first contact with the Department through to completion of the appointment process.

## Independent Advice

The Commissioner's fourth principle includes independence, which in practice means the use of an Independent Assessor on the selection panel.

The role of the Independent Assessor is to assist Ministers and their Departments to make effective public appointments by providing an assurance that appointments have been made on merit.

Independent Assessors are external experts who play a full and active part of the appointments process.

## Criteria for Appointment

When a public appointment competition is being held, an information pack will be available for all those considering applying. The pack will contain details of the appointment including the criteria required to perform the role and details of how to apply.

For those competitions that use an online application form, hard copies and alternative formats are available upon request.

Selection criteria may vary from appointment to appointment depending on the position being filled.

The selection criteria describe the competences required, i.e. what an appointee must be able to do in order to be effective in the role being filled.

The application form is an essential part of the process and is designed to allow applicants to use specific examples of past behaviour to show how they meet the criteria for appointment.

## The Sift

An initial sift of all submitted application forms will be carried out to identify all those applicants who (i) are eligible, i.e. not disqualified because they work for the public body or have already served two terms on the board, and (ii) who have demonstrated that they meet the selection criteria set out in the information pack.

These individuals will be called for interview.

Any applicants who are not eligible or do not demonstrate that they meet the selection criteria will not proceed beyond this stage of the process.

## Shortlisting

If, following the initial sift, the number of candidates eligible to progress to the next stage is considerably greater than the number of vacancies and a Department feels there are too many people to call for interview, a shortlist may be drawn up.

When a shortlist is required, the application forms of the candidates who passed the sift will also be assessed against any short listing criteria set out in the information pack.

Any candidates who do not demonstrate that they meet the short listing criteria will not proceed beyond this stage of the process.

Those candidates who pass both the sift and short listing will be called for interview.

## Other Eligibility Factors

Issues such as immigration control, nationality, a criminal history record check and proof of identity are not mandatory for every public appointment process and will

only be applied where a Department deems them relevant or necessary. Full details will be provided within the particular application pack.

## Completing the Application Form

Application forms are the preferred application method because they offer the best opportunity for ensuring the consistent assessment of candidates.

A Curriculum Vitae (CV) may not always provide evidence of how a candidate meets the specific criteria for appointment. Applicants need to be assessed on a 'like for like' basis and only applications completed in a similar format will make this possible. For this reason CVs are seldom asked for or accepted.

The application form will ask you to provide certain personal information about yourself and to provide evidence showing how you meet the criteria for appointment. You may also be asked to supply the names of at least two individuals who would be willing to provide a reference on your behalf.

It is recommended that you spend time to research and understand the functions of the organisation to which you are applying. Think about how your experience can contribute to the public board's needs.

If you are not from a public sector background take time to understand the governance environment of a public body. It may be useful to look at the Programme for Government ([www.northernireland.gov.uk/topics/work-executive/programme-government](http://www.northernireland.gov.uk/topics/work-executive/programme-government)), Managing Public Money ([www.finance-ni.gov.uk/articles/managing-public-money-ni-mpmni](http://www.finance-ni.gov.uk/articles/managing-public-money-ni-mpmni)) or the sponsor Department's corporate plan.

Many people are not used to writing about themselves or describing what they have achieved. Remember to follow any instructions carefully and bear in mind the following points when completing the application form:

- review the selection criteria before completing the form;
- provide at least one example for each of the criteria (more if requested);
- the same example (provided it is relevant) can be used to demonstrate how you meet two or more selection criteria;
- never combine any of the selection criteria or address a criterion by referring the reader to other parts of the application form;
- there may be several aspects to a criterion so ensure you provide evidence that shows how you meet all of it;
- use actual examples that show how you meet the criteria, describe what you personally did and the impact it had. Think in terms of outcomes and achievements;
- avoid personal attitudes and opinions or saying how you would do something;

- examples can be drawn from any aspect of your experience be it education, work, leisure, community or voluntary activity etc;
- do not assume that the reader has any prior knowledge of the subject;
- use simple and easy to understand language, avoid jargon; and
- make sure if completing a hard copy form, that your completed application form is legible and that for both electronic and hard copy applications you keep a copy.

The key is to give the reader specific information about how well you meet the criteria for appointment. Think about your knowledge, skills, experience and personal attributes and make sure you take full advantage of the space available to provide practical evidence that best demonstrates how you meet the selection criteria.

The following model may help you to structure your examples and express them in a logical manner:

**Situation:** Briefly outline the situation.

**Task:** What was your objective?  
What were you trying to achieve?

**Action:** What did you actually do?  
What was your unique contribution?

**Result:** What happened?  
What was the outcome?  
What did you learn?

Teamwork is a criterion often found in many public appointments. It may be expressed as 'making an impact with others' or 'working as part of a team'. Many public appointments involve some element of teamwork although the type and size of the team may vary from board to board.

What the criterion is seeking however, is evidence of how you operate in a team environment. This could be based on a team you have previously been in or are currently in, it could be a work team or it could be a team from a community, voluntary or sporting capacity.

You should describe the type of team it is and its purpose [situation], what it does and who else is involved [task], your individual contribution to the team [action] and how your contribution assisted the team to meet its aims [result].

The following examples demonstrate two possible approaches to this criterion. Example A is incomplete and provides little substantive evidence of the applicant's ability to work as part of a team. Example B is a more complete answer and provides direct evidence of how the applicant has made an impact in a team environment.

### Example A

Making an Impact with Others — describe a team of which you are or have been a member, and the contribution you have made to the success of that team.

“I have been a school Governor for the last two years and I also sit on several subcommittees. On a personal level I am committed to collective decision-making and responsibility.

I believe that effective working relationships with those around you are very important and that it is vital that decisions are made as a group. I have no difficulties in working with others.

I have excellent interpersonal skills and believe I am more than competent in negotiating, influencing and building consensus”.

### Example B

Making an Impact with Others – describe a team of which you are or have been a member, and the contribution you have made to the success of that team.

“I have been a member of the Board of Governors of my local school for the last two years and as well as being an ordinary Board Member, I also sit on the Finance Subcommittee.

In my role as a school governor I work as part of a team (7 people) during our Board meetings. As a school governor I have been directly involved in negotiating, influencing others and building a consensus during Board meetings and in making decisions collectively as a group. [Situation]  
Recently the Chairperson on the Board rang me before a meeting to say he wouldn't be able to attend and asked if I would stand in for him and chair the meeting. [Task]

As this was my first experience of chairing the meeting, before it began I explained to the rest of the Board of Governors what had happened and checked that they were happy for me to carry on and chair the meeting. I did this because some on the Board had been school governors longer than me and I felt that, in order for the meeting to go smoothly, it was important that everyone present was in agreement with what was being proposed.

I acted as Chair for the duration of the meeting and did my best to encourage everyone present to contribute to the board's discussions.

I worked my way down through the agenda and made sure that each item was discussed in turn. I checked that whenever any decisions were taken that agreement had been reached on the basis of a consensus around the table. I also ensured that any decisions we made were fully recorded in the minutes of the meeting.  
[Action]

At the end of the Board meeting all agenda items had been discussed and a course of action agreed for each of them. A number of issues had been put on the agenda for the meeting because they needed to be decided and these were resolved satisfactorily thus helping the school to run more smoothly  
[Result]”.

The use of the words situation, task, action and result in the example are for illustrative purposes only. Your completed application form must be submitted by the specified closing date and from the forms received the Department will decide who will go forward to the next stage of the process.

## Monitoring

In the public interest and to ensure that equal opportunity measures are effective, Government Departments in Northern Ireland monitor equality data such as gender, age, ethnic origin, community background, and any disability of all applicants for public appointments.

This information is gathered, maintained and processed for public appointment purposes only and strictly in accordance with the Data Protection Act. Monitoring information is published anonymously each year in the Public Bodies and Public Appointments Annual Report.

The information gathered through the equal opportunities monitoring form is for statistical purposes only and forms no part of the selection process. It does not form part of the sift and is not shared with the interview panel at any point.

Once the successful candidate has been selected, he/she will be asked to complete a political activity form. The political activity relates to information already in the public domain and does not ask for private information such as voting preference. The information provided will be included in the press release regarding the appointment.

## The Interview

As a general rule no one should be appointed to the Board of a public body solely on the basis of the written evidence contained in their application form.

Criteria based interviewing is currently the most common method of conducting appointment interviews. It is a means of identifying candidates who have the ability to perform the role of board member.

Candidates are required to provide evidence in the form of examples of past behaviour that demonstrate their ability. It doesn't simply focus on what you may have done but also how you did it.

Criteria based interviewing tests candidates against the specific selection criteria for a particular appointment. The application form gives you an opportunity to provide examples relevant to the specific selection criteria, these in turn provide the interview panel with information and evidence about you and gives a starting point for questions designed to obtain a deeper understanding of your abilities.

An interview panel should consist of at least three members, at least one of who should be an Independent Assessor.

Don't underestimate the importance of the interview; it is a crucial part of the appointments process and thorough preparation is essential.

### You can prepare for the interview by:

- reading and thoroughly understanding the selection criteria;
- reminding yourself of the examples you used in your application form and being prepared to expand on these at the interview;
- rehearsing how you might relate your experiences to the interview panel emphasising your own role and contribution; and
- not assuming that your qualities and experience will speak for themselves.

### During the interview:

- listen carefully to the questions, if you don't understand a question ask for clarification;
- answer with good clear examples that provide evidence of your ability and which relate to the criteria the panel is looking for; and
- don't sell yourself short, be positive and show enthusiasm.

An interview panel can only speculate about how you would actually perform as a board member. The best way to convince them that you could do well is to offer evidence of past behaviour.

If it appears from information on your application form that there might be a conflict of interest or that one might arise in the future, the interview panel will explore this with you to establish if it would prohibit you from holding the appointment.

Interview panels should also ensure that candidates demonstrate they have an understanding of and are committed to the seven principles of public life.

At the end of the interview you may have an opportunity to add anything you feel may be relevant. If you think you can improve on your previous answers or give additional relevant information do so at this point, but remember the panel will be working to a timetable so keep additional information as concise as possible.

## Ministerial Choice

After the interview process is complete the panel will draw up a list of candidates that they consider have the ability to perform the role effectively. The recommendations the panel makes will inform the Minister's ultimate decision on who should be appointed. The successful candidate or candidates (if there is more than one appointment) will, in due course, receive a letter of appointment.

A Minister may also create a reserve list, operative for one year from the date of the Minister's decision. This can be used to fill any further vacancies in the particular Board that may arise during the lifetime of the competition.

Once an appointee has confirmed acceptance of the appointment the Department is required to publicise it and usually does so by issuing a press release.

In line with the Commissioner for Public Appointments' Code of Practice, the press release will include information on the person being appointed, the length of the appointment and whether it is paid or unpaid, details of any other public appointments the person holds and any declared political activity.

## Feedback

Everyone who applies for a public appointment will be kept informed by either the Department or HRConnect (on behalf of the Department) of the progress and ultimate outcome of his or her application in a timely manner.

Unsuccessful candidates may wish to contact the Department or HRConnect and ask for feedback on their performance. Details on this will be found in the Information Pack.

## The Commissioner for Public Appointments for Northern Ireland

The Commissioner for Public Appointments for Northern Ireland (CPA NI) regulates, monitors and reports on Ministerial appointments to most public bodies in Northern Ireland.

The Commissioner is required to prescribe and publish a Code of Practice and to audit Departmental appointment processes to establish whether the Code of Practice is being observed.

The Commissioner also investigates complaints about the handling of appointment processes. Complaints should, in the first instance, be referred to the Department making the appointment.

If a complainant is dissatisfied by the Department's response, they may then ask the Commissioner to investigate the matter. However, the Commissioner does not investigate how a body is run or the actions of its members.

One of the requirements of the Commissioner's Code of Practice is that the 'CPA NI Regulated' logo (see below) must appear on all publicity material for competitions to appoint members to the boards of public bodies that fall within the Commissioner's remit.



The Commissioner is required to publish an Annual Report, available online at [www.publicappointmentsni.org](http://www.publicappointmentsni.org) or from the Commissioner's Office:

### The Commissioner for Public Appointments for Northern Ireland

Dundonald House  
Annexe B  
Stormont Estate  
Upper Newtownards Road  
Belfast  
BT4 3SB

**Telephone:**  
028 9052 4820

**E-mail:**  
[info@publicappointmentsni.org](mailto:info@publicappointmentsni.org)

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## Further Information

A Report on Public Bodies and Public Appointments in Northern Ireland is produced annually. The Annual Report sets out in detail the number of applications received and the number of appointments made by the nine Government Departments. Appointments made by the Northern Ireland Office (a UK Government Department) are not included in the Annual Report.

The Central Appointments Unit (CAU) in the Executive Office has central policy responsibility for public appointments in Northern Ireland.

CAU publishes a six-monthly list of forthcoming public appointment vacancies called 'All Aboard'. This list is compiled using information provided by the sponsoring Departments and includes telephone numbers for departmental contacts who can deal with queries about specific appointments.

CAU maintains a mailing list for those who wish to receive a copy of the biannual All Aboard. If you would like your name to be added to the CAU mailing list please contact:

### **Central Appointments Unit**

Room A5.09  
Castle Buildings  
Stormont  
Belfast BT4 3SR

### **Telephone:**

028 9052 3495

### **E-mail:**

[admin.cau@executiveoffice-ni.gov.uk](mailto:admin.cau@executiveoffice-ni.gov.uk)

Both the Annual Report on Public Appointments and All Aboard are available at [www.executiveoffice-ni.gov.uk/articles/public-appointments](http://www.executiveoffice-ni.gov.uk/articles/public-appointments)

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## nidirect

All public appointment vacancies across government are advertised on the nidirect website at [www.nidirect.gov.uk/public-appointments.htm](http://www.nidirect.gov.uk/public-appointments.htm)



# Guidance on Conflicts of Interest, Integrity and How to raise a complaint

Judena Leslie, Commissioner



## Thank you for your interest in this appointment

Public bodies have an important role to play in the lives of everyone. Among other things, they help run our health and social care services, arrange our education services and provide a wide range of social, economic, cultural and environmental services. Appointments to boards of public bodies are commonly known as public appointments.

Public appointments are made by individual Government Ministers. If you decide to apply for a public appointment the administration of your application will be handled by civil servants in the relevant Department. I regulate the selection process but I am not involved in individual competitions.

Departments must follow my 'Code of Practice for Ministerial Appointments to Public Bodies in Northern Ireland', to ensure that appointments are made on merit, after fair and open competition. The Code of Practice covers Ministerial appointments to a wide range of boards and public bodies. A full list can be found on the CPANI website at [www.publicappointmentsni.org](http://www.publicappointmentsni.org). The Code of Practice is also there.

## Making a Complaint

If you apply for a public appointment, and you feel you have not been treated correctly, you may make a complaint.

I am responsible for investigating complaints about public appointments. I will look at the process used to make an appointment and the way an application was handled.

You should first raise your concerns with the relevant Department. If, after you have received a reply, you still feel you have not been treated correctly, you should contact me using the contact details below.

Commissioner for Public Appointments for Northern Ireland  
Annexe B - Dundonald House  
Stormont Estate  
Upper Newtownards Road  
Belfast  
BT4 3SB  
Tel: 028 905 24820  
Email: [info@publicappointmentsni.org](mailto:info@publicappointmentsni.org)

## **Guidance on Conflicts of Interest and Integrity**

As part of the assessment process for a public appointment, you will be asked if you know of any possible conflicts of interest in connection with that appointment. Conflicts of interest are not always a barrier to appointment. However, all perceived, potential and real conflicts must be explored by the selection panel to ensure that the public can have confidence in the Board's independence and impartiality and in your position on that Board.

To give you an idea of what might constitute a conflict of interest here are a few examples of areas which could lead to a conflict of interest.

- You are the director of a building firm and the Board to which you are seeking appointment conducts regular procurement exercises for building materials. You could benefit personally from decisions taken by the Board.
- You are a manager in a voluntary organisation, whose funding applications are considered by the Board to which you are seeking appointment. The body for which you work could benefit financially from decisions taken by the Board.
- You have, in the past, contributed or lent significant funds to the political party to which the appointing Minister belongs. Your appointment could be viewed as a reward for past favours.

These are examples only. Please remember that identifying a conflict will not necessarily stop you being appointed. You should consider carefully your own circumstances to decide whether or not a perceived, potential or real conflict exists and be ready to discuss it with the Selection Panel at interview.

Even if you have not identified any conflicts of interest when applying for the post, you will still be asked about the issue if you are interviewed.

The Northern Ireland Audit Office (NIAO) has produced a good practice guide to conflicts of interest. This can be found on the NIAO website at [www.niauditoffice.gov.uk](http://www.niauditoffice.gov.uk).

## **Integrity**

Anyone applying for a public appointment must understand and be committed to the principle of integrity. You will be asked about this at interview.

## **Feedback**

You may request feedback on the outcome of your application from the Department running this public appointment competition. This application pack contains relevant contact details. Feedback can be delivered in writing, by e-mail or by phone. It is up to you. It should be useful, jargon-free and based on the assessment of the selection panel. Please see paragraphs 3.48 and 3.49 of the Code of Practice.