

**Code of Conduct for Members and Secretariat of the  
National Oversight & Audit Commission (NOAC)**

**For Approval by the Members of the NOAC**

## **Introduction**

The Department of Public Expenditure and Reform's Code of Practice for the Governance of State Bodies requires all State bodies to have written Codes of Business Conduct for their members and employees. Under the Code, the Chairman of NOAC is required each year to confirm to the Minister for the Environment, Community and Local Government that a Code of Business Conduct for the Commission members is in place and is being complied with.

The NOAC was established under the Local Government Reform Act 2014 and is therefore a State body so the requirement to have a Code of Business Conduct applies. This Code of Conduct has been prepared by the secretariat of the NOAC, for approval and adoption by the members of the NOAC. As the NOAC does not have employees, a separate Code for the secretariat is not required and relevant aspects of this Code apply to the secretariat.

## **Intent and Scope**

This Code sets out the ethical standards that the members and secretariat of the NOAC are expected to adhere to, while carrying out any function or duty associated with their role in relation to the NOAC.

## **Objectives**

The code of conduct adopted by the NOAC, seeks to:

- Outline an agreed set of ethical principles that govern its behaviour
- Promote and maintain confidence and trust
- Prevent the development or acceptance of unethical practice
- Satisfy the requirements of the Code of Practice for the Governance of State Bodies.

## **Guiding Principles**

The NOAC will be primarily guided by the targets and objectives laid out in its current strategic plan. However, other fundamental principles that inform and guide this Code of Conduct are;

### **1. Conflict of Interest**

- NOAC members confirm their commitment to disclosure of outside employment/business interests that may be in conflict or in potential conflict with the objectives and functions of NOAC.

- There is an obligation on members to declare any conflict of interest or potential conflict of interest, to the Chairman as soon as it comes to light.
- Members must disclose all details relating to their material connection (direct or indirect) to any local government body that is being examined by NOAC.
- NOAC members who have an actual or potential conflict of interest will not participate in discussions or decisions on matters relating to that interest.
- A member of the Commission shall not take part in the preparation of or a decision to adopt or not to adopt a NOAC report in respect of a local authority or regional assembly if s/he was, at the material time, an employee or elected member of that authority or assembly.

## **2. Participation**

- Members of the NOAC will demonstrate their commitment to the Commission by displaying a high priority of participation in Commission meetings through a high level of attendance.
- Members of the NOAC will prepare themselves for meetings by familiarising themselves with the agenda and any other relevant material, with the aim of discussing the issues to be addressed at the meeting.
- Members of the NOAC will focus on the discussions at hand and deal with all issues with equal attention and purpose.
- Members of the NOAC will work with and respect the opinions of their fellow members and leave personal prejudices out of discussions.

## **3. Support**

- Members of the NOAC shall support, in an affirmative manner, all actions taken by the NOAC, even when they may be in a minority position with respect to any such decision.

- Members of the NOAC shall represent the NOAC in a positive and supportive manner at all times and in all places.
- Members of the NOAC shall exercise the duties and responsibilities of their office or position with integrity, collegiality and care.

#### **4. Fairness**

- The NOAC was established to provide oversight of local government bodies in the performance of their functions.
- The Commission acknowledges the disparities in population, demographics, geographical landscape and revenue between the various local government bodies. It will be mindful of these disparities while carrying out its statutory functions.

#### **5. Obligations and Responsibility**

- NOAC members and its secretariat will comply with all applicable regulatory and statutory obligations.
- Any tendering and purchasing procedures will be designed to achieve and uphold compliance with applicable requirements as well as meeting prescribed levels of authority, as amended from time to time, for sanctioning any relevant expenditure.
- NOAC is committed to putting in place and maintaining controls to prevent fraud, including adequate controls to ensure compliance with proscribed procedures in relation to claiming of expenses.
- Members shall ensure that the NOAC performs its duties of governance, that they understand their legal obligations to the Commission and that they ensure those obligations are upheld.
- NOAC is obliged to publish an annual report detailing its activity throughout the previous year.
- Members of the NOAC have a duty to conform to the highest standard of business ethics at all times.

- Corporate gifts, hospitality, preferential treatment or benefits are not offered or accepted, which might affect or appear to affect the ability of either the donor or the recipient to make independent judgements that bear on the activities of the NOAC.

## **6. Information**

- Members support the secretariat of the NOAC in the provision of access to general information relating to the Commission's activities in a way that is open, transparent and enhances its accountability to the general public, while respecting the confidentiality of sensitive information held by the Commission.
- Members and the secretariat will observe appropriate prior consultation with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.
- Members and the secretariat will comply with the relevant statutory provisions (e.g. data protection legislation, FOI Acts)

## **7. Compliance**

- This Code of Conduct is to be circulated to and retained by all members of the Commission.
- NOAC members are asked to acknowledge receipt and understanding of this document.

## **8. Media**

- Members of NOAC, shall not in the context of the Commission's business and practices, make comments to the media or make themselves available for interviews by the media on behalf of the Commission, without prior approval and briefing by the Commission's Chairman.
- NOAC members shall ensure that any comment made by them to the media outside of the context of the Commission's business and practices is attributed to them in their personal capacity and not in their capacity as Commission members.

## 9. Confidentiality

- NOAC members shall maintain at all times the confidentiality of all confidential information and records of the Commission and will not make use of or reveal such information or records except in the course of the performance of their duties, or unless the documents or information become a matter of general public knowledge.
- NOAC members shall not make use of confidential information obtained through their association with the Commission to further their private interests or the private interests of their friends or relatives.
- NOAC members shall comply with any Commission policies or procedures that guide the storage, use and transmission of any information of the Commission, including the use of computer databases or email systems.
- Members shall treat Commission engagements as a 'safe haven' for the benefit of their fellow members and shall not repeat any unpublished discussions concerning the Commission's business or practices, or any discussions of a personal nature of their colleagues, in a public setting.
- Members should ensure that this confidentiality is maintained where membership has ceased.

I have read and understand the NOAC Code of Business Conduct and agree to be bound by the principles set out in it in any dealings for or on behalf of the National Oversight and Audit Commission.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_