



NCER^{CIC}
National Consortium for Examination Results
Community Interest Company

CODE OF ETHICS FOR BOARD AND STEERING GROUP MEMBERS inc NCER ASSOCIATES

The Code of Ethics outlined below helps to further promote an ethical, professional culture within NCER. It does not supersede or replace any individual's professional body Codes of Ethics or those of employing organisations. Although NCER CIC is not a public sector body it has a unique relationship with the public sector in that it is owned by local authorities. With this in mind this code has been prepared in the context of the Committee on Standards of Public Life's *Seven Principles of Public Life*.

1. Introduction

- 1.1 If individual Board and Steering Group Members and NCER Associates have membership of a professional body then he or she must also comply with the relevant requirements of that organisation when carrying out their duties. All stakeholders should also have regard to the Committee on Standards of Public Life's *Seven Principles of Public Life*, information on which can be found at www.public-standards.gov.uk
- 1.2 The purpose of the Code of Ethics is to promote an ethical culture throughout NCER. A Code of Ethics is necessary and appropriate for the NCER service founded as it is on the trust placed in its service by its Local Authority members and customers.

2. Applicability and Enforcement

- 2.1 This Code of Ethics applies to persons involved in the management of NCER either through membership of the company's Board or Steering Group. Breaches of the Code of Ethics will be evaluated and administered as appropriate to the nature of the misconduct and the role of the person(s) involved. The fact that a particular conduct is not mentioned in this document does not prevent it from being unacceptable or discreditable and therefore, the member of the Board and Steering Group is liable to appropriate action as a result of their conduct.
- 2.2 This Code of Ethics sets the minimum standards for the performance and conduct of individuals. It is intended to clarify the standards of conduct expected by those individuals when carrying out their duties.

- 2.3 This code does not supersede or replace the requirement on individuals to comply with ethical codes issued by professional institutes of which they are members or students nor any organisational codes of ethics or conduct.
- 2.4 Neither does it supersede or override any of the internal policies of NCER. In the event of any conflict, those internal policies shall apply.
- 2.5 Each person undertaking NCER duties will be required to sign the attached statement and make any relevant declarations on an annual basis. This includes members of the Board, Steering Group and NCER Associates.
- 2.6 There are four main principles:
- Integrity
 - Objectivity
 - Confidentiality
 - Competency

3. Integrity

3.1 Principle

The integrity of individuals establishes trust and thus provides the basis for reliance on their judgement.

3.2 Rules of Conduct

Board and Steering Group members / NCER Associates

- Shall perform their work with honesty, diligence and responsibility.
- Shall observe the law and make disclosures expected by the law and the profession.
- Shall not knowingly be a party to any illegal activity, or engage in acts that are discreditable to NCER, their profession or to their employing organisation.
- Shall respect and contribute to the legitimate and ethical objectives of the organisation.

4. Objectivity

4.1 Principle

Board and Steering Group members / NCER Associates shall exhibit the highest level of professional objectivity in gathering, evaluating and communicating information about the NCER.

Board and Steering Group members / NCER Associates will make a balanced assessment of all the relevant circumstances and will not be unduly influenced by their own interests or by others in forming judgements or decisions on the future direction and operation of NCER.

4.2 **Rules of Conduct**

Board and Steering Group members / NCER Associates :

- Shall not participate in any activity or relationship that may impair or be presumed to impair their unbiased work for the NCER. This participation includes those activities or relationships that may be in conflict with the interests of the organisation.
- Shall not accept any gift, benefit or service that may impair or be presumed to impair their professional judgement.
- Shall disclose all material facts known to them that, if not disclosed, may distort the reporting of activities of NCER.

5. **Confidentiality**

5.1 Board and Steering Group members / NCER Associates will respect the value and ownership of information they receive and will not knowingly disclose information without appropriate authority unless there is a legal or professional obligation to do so.

5.2 **Rules of Conduct**

Board and Steering Group members / NCER Associates:

- Shall be prudent in the use and protection of information acquired in the course of their duties.
- Shall not use information for any personal gain or in any manner that would be contrary to the law or detrimental to the legitimate and ethical objectives of the NCER.

6. **Competency**

6.1 **Principle**

Board and Steering Group members / NCER Associates will apply the knowledge, skills and experience needed in the performance of their duties:

- Shall engage only in those services for which they have the necessary knowledge, skills and experience or where they have access to the advice of relevant professionals.
- Shall perform their services in accordance with the standards expected of them by the NCER.
- Shall continually improve their proficiency and effectiveness and quality of their services to the NCER.

7. Achieving compliance with this code

- 7.1 On an annual basis, Board and Steering Group members / NCER Associates must sign an undertaking, which confirms that they are fully conversant with their ethical responsibilities and will comply fully with these requirements when discharging their day-to-day duties. Such documents must be made available for inspection as part of the Annual Scrutiny Review.

8. Maintaining independence

- 8.1 Board and Steering Group members / NCER Associates must declare potential conflicts of interest on an annual basis or as they arise, so as to avoid individuals making business decisions in areas where their independence may be comprised.
- 8.2 The Board will receive all declarations made by individuals and will ensure that this information is kept secure. The board will chase up any outstanding declarations.

9. Securing integrity

- 9.1 The Board will ensure that processes exist within the NCER to identify whether Board and Steering Group members / NCER Associates are acting with integrity.

10. Demonstrating competence

- 10.1 All Board and Steering Group members / NCER Associates must be aware of and understand:
- The NCER aims, objectives, risk and governance arrangements;
 - The purpose, risks and issues affecting the area to which individuals are provided support in;
 - Relevant legislation and other regulatory arrangements that relate to the NCER, including the Financial Regulations, value for money arrangements, third party agreements, internal strategies, policies, procedural notes.

11. Observing confidentiality

- 11.1 A breach of confidentiality by a Board or Steering Group member / NCER Associates may result in appropriate action being taken.

12. Procedures in Relation to Breaches of the Code

- 12.1 The following procedure outlines the process which will be followed in most instances. However, NCER reserves the right to adapt and amend the process according to the circumstances of the disciplinary issue.
- 12.2 If the NCER decides that action is required then the following sanctions may apply:

- Stage 1 - First Written Warning in relation to the breach
- Stage 2 - Final Written Warning in the event of repeated breach
- Stage 3 – Removal from office

12.3. In deciding what action to impose, NCER in partnership with the independent NCER auditors will consider the nature of the offence, the extent to which its concerns may already have been brought to the officer's attention outside any formal process, the officer's record, any mitigating circumstances, the seriousness of the impact of the offence to NCER, the seriousness of any impact of the offence on service users, the likelihood of effective corrective action by the officer and any other factors that NCER considers appropriate.

Stage 1 - First Written Warning

12.4. For more serious offences the officer individual be given a first written warning, which will set out the duration of the warning, nature of the offence and the likely consequences of any further offences.

Stage 2 - Final Written Warning

12.5. For very serious offences falling short of gross misconduct or if the individual concerned has committed a further offence of a similar nature during the period covered by a previous first written warning, the employee will be given a final written warning, which will set out the duration of the warning, nature of the offence and the likely consequences of any further offences.

Stage 3 – Removal from Office

12.6. For offences of gross misconduct or gross negligence or if the person concerned has committed a further offence of a similar nature or a different action at the same level of significance during the period covered by a final written warning then the officer may be removed from office by resolution of the Board. In the case of gross misconduct or gross negligence, removal from office will ordinarily be immediate. In such cases NCER will seek a refund of any overpayment in respect of the honorarium paid to the Director's authority based on date of removal from office.

The decision as to whether an action or event constitutes gross misconduct or gross negligence will be determined by the NCER Board taking into account all relevant circumstances. In the case of the Chair this will undertaken by the Managing Director.

Warnings

12.7. A first written warning will remain in force for a period of 6 months from the date on which it was given and a final warning will remain in force for a period of 12 months unless stated otherwise.

Approved by the NCER Management Board on 20th August 2019

PR – August 2019

**National Consortium for Examination Results (NCER)
Code of Ethics and Declarations of Interest Statement**

I have read the notes attached to this statement and I acknowledge those responsibilities and will fully comply with these requirements whilst working for the NCER.

I understand that this Code of Ethics does not supersede nor override:

- the requirement placed upon me to comply with ethical codes issued by any professional institute to which I belong, where applicable.
- the requirements of ethical codes applied by my employer (when relevant)
- any other internal policies of the NCER and in the event of a conflict those internal policies shall apply.

I confirm that I have declared:

- any conflicts of interests which could adversely affect my independence and objectivity.
- any areas of the NCER in which I have held an operational role within the preceding 18 months.
- any relatives or close associates who are either employed by suppliers of good or services to NCER.
- the nature of any involvement in organisations that provide goods or services to, or have some other kind of formal arrangement with NCER.

I am aware of and understand that I must be conversant with:

- The NCER aims, objectives, risk and governance arrangements;
- The relevant legislation and other regulatory arrangements that relate to the NCER, including internal Financial Regulations, value for money arrangements, third party agreements, internal strategies, policies and procedural notes.

Signed:

NCER Director Designation

Name:

Date: