



Department of
Finance
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Candidate Information Booklet
THE NORTHERN IRELAND AUTHORITY FOR
UTILITY REGULATION
APPOINTMENT OF NON-EXECUTIVE CHAIR
AND
BOARD MEMBER
REF: IRC298505

Completed Application Forms
must be returned to HRConnect
no later than 12:00 noon
on **Friday 17th May 2024**

You are advised to download and keep a copy of this booklet for future reference - it will no longer be available online after the above date.

This information pack is designed to help you provide the relevant information when completing the application form. It can be requested in alternative formats by contacting HRConnect on 0800 1 300 330 or via email to recruitment@hrconnect.nigov.net

This Candidate Information Pack has been produced as a guide to help you provide the relevant information when completing the application form for the posts of non-executive chair and/or board Member for the Northern Ireland Authority for Utility Regulation. These documents are only a memorandum and should not be taken as constituting conditions of appointment.

The qualities required and details of how to complete the application form are set out within this pack. It is recommended that you read this information carefully before completing the application form.

The competition to appoint a non-executive Chair and Board Member is being managed by HRConnect on behalf of the Department of Finance. HRConnect will issue electronically as many competition communications as possible should you provide your e-mail address as part of your application; you should therefore check your email account (including Junk folder) to make sure that you don't miss any important communications in relation to this competition. There may, however, still be a necessity to issue some correspondence by hard copy mail.

Privacy Notice

DoF will only process the personal data you provide us for the purpose of recruiting members to the Board of the Utility Regulator under the Energy (Northern Ireland) Order 2003 legislation, and in line with the Office of the Commissioner for Public Appointments NI (CPANI) Code of Practice. For more information, please see our Privacy Notice at <https://www.finance-ni.gov.uk/dof-privacy>.

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INTRODUCTION

The Northern Ireland Authority for Utility Regulation (the Utility Regulator) is the non-ministerial government department responsible for regulating the electricity and gas industries and water and sewerage services in Northern Ireland, to protect the short- and long-term interests of consumers.

The Department of Finance is seeking to appoint new members to the Board of the Utility Regulator to replace outgoing members who are coming to the end of their term. The terms of appointment will be for seven years.

These appointments are regulated by the Office of the Commissioner for Public Appointments for Northern Ireland (CPANI) and the competition may be examined by the CPANI for compliance with the Office of the Commissioner's Code of Practice. These appointments are also subject to relevant requirements on Board appointments as outlined in the Energy (Northern Ireland) Order 2003.

The Department of Finance is committed to the principles of public appointments based on merit, with independent assessment, openness and transparency of process. The Department of Finance 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.

As women and those with disabilities are under-represented on the Board, applications from these sections of the community would be particularly welcome.

The Utility Regulator Board is currently made up of a non-executive Chairman and five non-executive members. The Chief Executive of the Utility Regulator also sits on the Board.

ROLE DESCRIPTION

Ensuring that Northern Ireland's consumers benefit from quality and value for money electric, gas, water and sewerage services are key objectives of the Utility Regulator. The Board of the Utility Regulator plays a critical role in meeting these objectives.

We are seeking to recruit members to the Utility Regulator Board to replace outgoing members who are coming to the end of their term. We are particularly interested in people with up-to-date senior level experience in the electricity, gas, or water sectors, but would also welcome applicants with from another regulated area such as telecoms, railways, finance etc. We also welcome applications from candidates who have a consumer protection background. All candidates should have an understanding of how effective regulation contributes to the delivery of government priorities.

As a Board member you will be part of an organisation whose principal statutory aim is to protect the interests of Northern Ireland's electricity, gas, and water consumers. You will be expected to actively contribute to decisions that matter to both domestic and business consumers. This includes dealing with such challenges as:

- The rise in global gas prices and their impact on consumers;
- Maintaining security of supply;
- Increasing resilience in the electricity, gas and water sectors in Northern Ireland;
- Supporting progress to net zero goals;
- Improving consumer protection, especially for vulnerable consumers;
- Developing smart and decentralised technologies into the electricity market;
- Development of the Single Electricity Market;
- Delivery of social and environmental schemes;
- Supporting the implementation of key Northern Ireland strategies such as the Energy Strategy and the Long-Term Water Strategy;
- Developing new responsibilities for the Utility Regulator, including the regulation of heat networks; and
- Investment in low carbon technologies.

The Utility Regulator is in the process of consulting on its new Corporate Plan, which will run from April 2024 to March 2025. The draft plan is titled “*Protecting Consumers on the way to Net Zero*”, and suggests four pillars to our work:

- Supporting the Just Transition to Net Zero;
- Securing our energy and water supply;
- Enabling best in class energy and water companies; and
- Providing the highest level of consumer service and protection.

To support this work, the Utility Regulator are in the process of growing and restructuring the organisation so that they are better able to meet these future challenges.

We are looking for Board Members who will actively support the Utility Regulator on this journey, whilst ensuring compliance with good governance requirements and meeting their performance targets.

The Utility Regulator’s independence is valued, and it is therefore important that Board members have no material, perceived, or potential conflicts of interest that would limit your ability to play a full part in the Board's work, or as a potential member of the all-island Single Electricity Market Committee.

Board members of public bodies must discharge their duties in a manner that is honest, fair, and unbiased. Consequently, the Utility Regulator must ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and Board members and maximises public confidence in an organisation’s delivery of public services. A conflict of interest involves a conflict between the public duty and the private interest of a public official in which the official’s private-capacity interest could improperly influence the performance of his/her official duties and responsibilities. Further guidance on conflicts of interest and integrity can be found on the CPANI website at the following link: <https://www.publicappointmentsni.org/publications>.

Specifically, as the Chair of the Utility Regulator's Board you will:

- ❖ Lead the Board;
- ❖ Establish the strategic direction of the Utility Regulator;
- ❖ Ensure the Board has effective and efficient oversight of the organisation as it carries out its statutory duties under the Energy (Northern Ireland) Order 2003 and the Water and Sewerage Services (Northern Ireland) Order 2006, and other legislation;
- ❖ Promote high standards of public accountability, including the promotion of regularity, propriety and value for money;
- ❖ Constructively challenge the Utility Regulator's executive team in their planning, target setting, and delivery and performance;
- ❖ Understand the constantly evolving, economic, commercial and regulatory environment in which the Utility Regulator operates;
- ❖ Help build a diverse, inclusive and effective organisation, that is fit for purpose in the present as well as being prepared for future challenges;
- ❖ Have good communication and interpersonal skills, and the ability to engage and collaborate with a wide variety of stakeholders including Government, and the electricity, gas, and water industries;
- ❖ Ensure that the Board meets at regular intervals throughout the year and that the minutes of meetings accurately record the decisions taken and where appropriate, the views of individual members;
- ❖ Demonstrate as the Chair, high standards of corporate governance in all areas of the Utility Regulator's business, including engendering corporate responsibility and cohesion among Board members;
- ❖ Ensure that all members of the Board, when taking up office, are fully briefed on the terms of their appointment and on their duties, rights and responsibilities, and receive appropriate induction training, including the financial management and reporting requirements of public sector bodies and on any differences which may exist between private and public sector practice;
- ❖ Be able to successfully represent the Utility Regulator including dealing with the media; and
- ❖ Appoint the Chief Executive and oversees involvement of the Board in the appointment of senior executives.

As a member of the Utility Regulator's Board you will:

- ❖ Establish the overall strategic direction of the Utility Regulator, reflective of its statutory duties and responsibilities;
- ❖ Constructively challenge the Utility Regulator's executive team in their planning, target setting and delivery of performance;
- ❖ Ensure that any statutory or administrative requirements for the use of public funds are complied with, and that the Board operates within the limits of its statutory authority;
- ❖ Ensure that the Board receives and reviews regular financial information concerning the management of the Utility Regulator; is informed in a timely manner about any concerns about the activities of the Utility Regulator;
- ❖ Demonstrate high standards of corporate governance at all times, including the using the independent audit committee, to help the Board address key financial and other risks facing the Utility Regulator; and
- ❖ Regularly attend board meetings and contribute to the Board's consideration of issues and matters that are brought before it.

It is desirable that candidates have experience of economic regulation and/or consumer protection.

Training

Induction training (and corporate governance training where necessary) will be provided to all new appointees. All Board members are supported with additional development needs or training as necessary.

Time Commitment and Remuneration

The chair is expected to devote around one day per week on average to Utility Regulator business. For board members the expected time commitment amounts to around 20 days per year. You will be expected to attend a minimum of 11 board meetings per year and in addition, to commit a similar number of days in preparation for meetings, attending Board sub-committees, sub-groups and ad hoc meetings as

required. By applying for the post it is assumed that you can meet this time commitment.

Remuneration:

- Non-Executive Chair: £37,165 plus expenses in line with Utility Regulator policies
- Non-Executive Board Member: £10,989 plus expenses in line with Utility Regulator policies

Term of Appointment: Seven years

Starting Date:

- Non-Executive Chair: 1st July 2024 or as soon as possible thereafter
- Non-Executive Board Member: 2nd September 2024 or as soon as possible thereafter

All remuneration including home to office¹ expenses are subject to deduction of income tax and national insurance.

Meetings are usually held at the Utility Regulator's offices (Queens House, Belfast).

Following appointment, travel and subsistence expenses are payable according to the Utility Regulator's travel and subsistence policy.

¹ Where applicable, the home to office expenses may be grossed up for tax purposes depending on the terms of arrangements entered into with HM Revenue and Customs.

Single Electricity Market Committee (SEMC)

The Utility Regulator may appoint one of its suitably experienced non-executive directors to the all-island SEMC in the event of any vacancies arising. SEMC is a statutory committee of both the Utility Regulator and the Commission for Energy Regulation and is responsible for regulating and developing the all-island wholesale electricity market. Appointment to this committee is made in tandem by the Department for the Economy and the Irish Minister for Environment, Climate and Communications.

The extra time commitment amounts to a further 20 days per year, with SEMC meetings held alternatively in Belfast and Dublin. Should you be appointed to this position you will be remunerated separately for that role in accordance with the terms and conditions of that appointment.

There is a separate recruitment process which must be followed if you would be prepared and available to undertake this additional role.

Code of Conduct

To ensure that public service values remain at the heart of the Utility Regulator Board, Chairs / Directors / Board Members are required, on appointment, to demonstrate high standards of corporate and personal conduct and to subscribe to the organisation's Board Interest Statement (attached at **Annex B**).

Double Paying

Applicants who already work in the public sector need to be aware that:

- they may be ineligible for consideration for this appointment if in the Department of Finance's view there is a conflict of interest, the perception of a conflict or a potential conflict, between the appointment and their existing commitments;
- they will be asked to confirm that they have permission from their employer to take up an appointment if one is offered and departments will confirm this; and

- 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 including expenses for this position if the duties are undertaken during a period of time for which they are already paid by the public sector. If in doubt, contact your employer for advice.

In the interests of minimising the potential for double paying to occur the Department of Finance reserves the right to contact your employer regarding your candidature.

Performance Assessments

There will be annual performance assessments for both roles throughout the period of employment. The Non-Executive Board Member's assessment will be undertaken by the Chair of the Board and the Chair's assessment will be undertaken by the Permanent Secretary of the Department of Finance.

Further Information

If, after reading this candidate information booklet, you would like to discuss the posts, I would encourage you to contact the Chief Executive of the Utility Regulator on 028 90 311575 or email john.french@uregni.gov.uk.

PERSON SPECIFICATION

In making these appointments to the Board of The Utility Regulator the Department of Finance is seeking to ensure the Board has the necessary skills and experience and background sought. A criteria-based selection procedure is employed in accordance with CPANI guidance.

The application form is an essential element of the process and is designed to require applicants to give specific examples of past performance to demonstrate their ability against the criteria. The mere mention of a skill or attribute is insufficient. Neither can the selection panel make assumptions from the title of a post or the nature of an organisation as to the experience, qualities and skills gained.

Please take full advantage of the opportunity to provide practical evidence and examples of how and why you consider you are suitable for this appointment. These examples as provided will inform the selection process.

Note that examples can be provided from your professional experience, voluntary and/or community sector experience or from within your personal life.

We recommend applicants to read the ‘Public Appointments Guide’ which provides an overview of Public Appointments in Northern Ireland and helpful information for those wishing to apply.

<https://www.executiveoffice-ni.gov.uk/sites/default/files/publications/execoffice/public-appointments-guide.pdf>.

Criteria 1 – 4 are essential for **both** the Board Member Position and the Chairperson position and **must** be completed by **all applicants**.

Criterion 5 is applicable to the Chair position only and must be completed in addition to criteria 1-4. Applicants can apply for both positions and should indicate this in the application form at the appropriate section.

ESSENTIAL CRITERIA: The Non-Executive Chair and Board Member

You are expected to demonstrate your ability by way of examples, to meet all of the following **four essential criteria**. With respect to satisfying Criterion 1, the selection Panel will be looking for comprehensive evidence, including roles & responsibilities and dates to demonstrate senior level experience. Responses to Criteria 2 – 4 must demonstrate evidence of the criteria.

You must demonstrate evidence of the following criteria on your application form:

(1) Experience at a senior level* in:

- a) a regulated electricity utility or generator, or gas utility with an understanding of energy markets; **or**
- b) a regulated company from another utility sector, such as water, railways or telecommunications; **or**
- c) an economic regulator that protects consumer interests**.

And

Have an understanding of how effective regulation contributes to the delivery of government priorities in the energy and water utility sectors in Northern Ireland.

With respect to satisfying criterion 1, the selection panel will be looking for comprehensive evidence, by way of example(s), including roles & responsibilities and dates to demonstrate senior level experience. This may include, for example:

- Influencing the strategy of organisations operating in:
 - (a) the electricity industry or the gas industry or

- (b) a regulated company from another utility sector (such as water, railways or telecommunications) or
 - (c) an economic regulator that protects consumer interests
- Responsibility for taking significant decisions on:
 - (a) electricity industry and markets specific issues or gas industry and markets specific issues or
 - (b) in respect of issues relating to a regulated company from another sector or an economic regulator that protects consumer interests

(2) Strategic Decision Making – experience at senior level* of evaluating information (e.g. on corporate finance) and making justifiable decisions to set the strategy for an organisation.

With respect to satisfying criterion 2, the selection panel will be looking for appropriate evidence, by way of example(s) which may include, for example:

- setting the strategic direction for an organisation
- analysing and using evidence to evaluate options before arriving at well-reasoned justifiable decisions; and
- an open and participatory approach to decision making.

(3) Delivering Results and Engaging People - experience of working collaboratively with internal and external stakeholders to develop and deliver improvements in organisational effectiveness.

With respect to satisfying criterion 3 the selection panel will be looking for appropriate evidence, by way of example(s) which may include, for example:

- delivering business objectives including working collaboratively and influencing other stakeholders to define and deliver strategic priorities;

- used effective communication, good interpersonal skills and an ability to promote the organisation which you represented to achieve a desired outcome; and
- creating an environment to deliver operational excellence.

(4) Corporate Governance – experience of applying the principles and practice of corporate governance and understanding of the roles of non-executive directors.

With respect to satisfying criterion 4 the selection panel will be looking for appropriate evidence, by way of example(s) which may include, for example:

- Ability to apply principles and practice of corporate governance and risk management to ensure proper accountability of an organisation;
- mechanisms for identifying, evaluating and managing risks; and
- processes for assessing performance and reporting effectiveness of risk management.

*** experience at senior level includes taking decisions affecting the corporate body or organisation within which an individual is working, or providing detailed advice at Board level on such issues.**

**** Economic regulators protect the consumer interest by promoting effective competition where this is possible or by providing a proxy for competition where it is not meaningful to introduce competition. Regulation has typically capped the prices that dominant companies can charge in order to promote efficiency and fairness, while providing them a return on their assets and investments. In doing so, regulators have delivered significant benefits to consumers.**

The Panel will interview only those applicants, for the position of the Board Member, who appear, from the information available, to have fulfilled the 4 essential criteria above.

Essential Criteria: The CHAIR POSITION ONLY

- 5. Effective Leadership and managing significant change** – experience of acting as a leader to ensure focus, direction and results in a complex and changing environment.

With respect to satisfying criterion 5 the selection panel will be looking for appropriate evidence, by way of example(s) which may include, for example:

- Providing strong leadership through the ability to effectively manage relationships, guiding, persuading and constructively challenging others;
- driving the decision-making process and exercising personal authority; and
- leading in an environment going through significant change and challenges.

The Panel will interview only those applicants for the position of Chair who appear, from the information available, to have fulfilled all 5 essential criteria above.

SELECTION PROCESS

The selection process will adhere to the following steps:

- ❖ an eligibility sift of application forms by the Panel.

Following the closing date for applications the Panel will formally assess each application form against the essential criteria, listed on page 13-16. **Only the Eligibility Section** of your application form will be forwarded to the panel for this stage in the process.

It is essential that you demonstrate in your application form how and to what extent your personal experience and skills are relevant to the post and the extent to which they satisfy the criterion specified.

Only those applicants assessed as meeting all essential criteria will be eligible to proceed to the next stage of the selection process.

The eligibility sift is expected to take place on 6th June 2024.

- ❖ interview of eligible candidates

It is anticipated that interviews will take place in **Belfast during week commencing 24th June 2024**. Candidates should make themselves available during this time. Applicants invited for interview are eligible for reimbursement of reasonable travelling expenses incurred within Europe.

The selection panel will ask questions on each of the four essential criteria for the non-executive board member and five essential criteria for the chair as listed on pages 13-16.

The selection panel will assess the information presented by you at interview against each selection criterion. A score will then be allocated against each selection criterion

and a total interview score derived accordingly. A minimum pass mark for the interview will apply.

Following interviews, the list of applicants who met the pass mark (including a short candidate summary) will be forwarded to the appointer in an unranked order to select the successful candidate(s).

Presentation of Results to the Appointer

The Appointer has chosen to be presented with the list of those judged suitable for appointment in an unranked order, i.e. the Panel members will score candidates at interview against an agreed pass mark and those found to be above the line will be recommended to the Appointer. They will not be ranked in order reflecting the scores at interview. A 'candidate summary' will provide the Appointer with an objective analysis of each candidate's skills and experience, based on the information provided by each candidate during the appointment round and the Panel's assessment of that candidate.

The Appointer will decide who should be appointed and may decide to meet the candidates recommended to them prior to making their decision.

Equal Opportunities Monitoring

The Northern Ireland Civil Service (NICS) is committed to ensuring that all eligible persons have equal opportunity for public appointments on the basis of their ability and aptitude for the role. Monitoring is carried out to help us ensure that our processes and procedures promote equality of opportunity as far as possible and therefore your help in completing and returning the monitoring form as part of your application would be appreciated. Please note the information you provide in this monitoring form will be detached from the information on the application form, held separately and will not be available to selection panels or to anyone else involved in the selection process. The information will be used for statistical purposes only and analysed independently by staff in the Northern Ireland Statistics and Research Agency (NISRA) in the strictest confidence.

Pre-appointments Checks

Before the names of suitable candidates are presented to the Appointer, a Company Director's disqualification check and a bankruptcy check will be carried out. In addition, a cross-departmental check will be carried out on the probity and performance of those candidates who currently hold or have held public appointment roles.

Successful candidates will be asked to complete a **Political Activity Questionnaire form**. The Committee on Standards in Public Life recommended that all candidates for public appointments be asked to declare any significant political activity (including office holding, public speaking and standing for election) that they may have undertaken in the previous five years. The question only asks for information that is already in the public domain.

If you are successful and are appointed, some information on your completed application form will be made public at the time of the announcement. This will include a brief summary of your career/experience; length of the appointment; details of any other Ministerial appointments held with any related remuneration received; and your response to the political activity question.

Disqualification – Statutory Disqualification

Under the terms of the NI Assembly Disqualification Act 1975, existing MPs, and MLAs cease to hold their elected office if they take up an appointment as Board member or Chair.

The onus is on the person standing for election to state that they are aware of the provisions of the Act and that, to the best of their knowledge and belief, they are not disqualified from being an MP or MLA.

If an individual holding a public appointment decides to stand for election as an MP, or MLA, they must immediately notify the department of their intentions. 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.

Disqualification – Other

- (a) Individuals who are disqualified from holding Company Directorship either through an Order or an Undertaking, who are bankrupt or who are the subject of a Bankruptcy Restrictions Order are not eligible for consideration;
- (b) According to the CPANI Code of Practice appointments for the same position are restricted to two terms. Those who have served two appointments of whatever length, on a Board are ineligible to apply for the same position. Notwithstanding the length of individual appointment terms, the maximum period in a post must not exceed 10 years. **Applications received from applicants who have already served two terms or 10 years in this position will be discounted at the sift stage.**

Vetting

The level of vetting for Board Members and Chair is a Baseline Standard. For this check you will be required to provide the following:

- a) Your passport OR
- b) A document verifying your permanent National Insurance number (e.g. P45, P60 or National Insurance card) AND your birth certificate which includes the names of your parents (long version).
- c) A specimen signature at any assessment event and have this validated against passport, driving licence, application form etc.

Other acceptable documents are listed on www.ind.homeoffice.gov.uk. We will organise a Criminal Record Check on all applicants to be carried out by AccessNI through Experian. HRConnect will provide your details to Experian who will undertake this check.

The category of AccessNI check required for this post is;

Basic Disclosure Certificate

You should not put off applying for a post because you have a conviction. We deal with all criminal record information in a confidential manner, and information relating to convictions is destroyed after a decision is made. The AccessNI code of practice can be accessed via www.nidirect.gov.uk/accessni

Those applicants who are being considered for appointment will be contacted by HRConnect, normally after interview, and will be asked to complete the AccessNI application form. This can be downloaded from the AccessNI website. Guidance notes for the completion of the form are also included on the website. Please note that a request to complete this form should not be seen as a guarantee of an offer of appointment. Failure to complete the above form and return it within the specified time will be regarded as 'no longer interested in the position' and your application will be withdrawn.

Criminal Record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

HOW TO APPLY

The competition to fill the Non-Executive Board Member posts of the Northern Ireland Authority for Utility Regulation is being managed by HRConnect on behalf of the Department of Finance.

Application forms can be completed via the online application at www.nicsrecruitment.org.uk or by hardcopy. In addition, alternative formats of the application form can be obtained by contacting HRConnect on 0800 1 300 330 or via email to recruitment@hrconnect.nigov.net. Reasonable adjustments will be made to accommodate the needs of applicants/candidates with a disability.

Completed hard copy application forms can be returned by post or hand delivered to the address below:

HRConnect

PO Box 1089

Beacon House

27 Clarendon Road

Belfast

BT1 9EX

Completed application forms should be submitted to HRConnect before the closing date of 12 noon on **Friday 17th May 2024**. You will receive an acknowledgement following receipt of your application. **Late applications will only be accepted in exceptional circumstances**. You should retain a copy of this booklet for your reference in the event that you are invited for interview. Please be aware that the Department of Finance may decide to extend the closing date for this competition. If this is the case, all applicants who have submitted an application by the original closing date/time will be informed.

To ensure equality of opportunity for all applicants:

- The space available on the application form is the same for all applicants and **must not** be altered.
- We **will not** accept CVs, letters, additional pages or any other supplementary material in place of or in addition to completed application forms.
- Applicants must complete the application form in either typescript font size 12, or legible writing using black ink.
- Applicants are limited to a maximum of 3,700 characters including spaces per criterion.
- HRConnect will not examine applications until after the closing deadline.

HOW TO COMPLETE THE APPLICATION FORM

The following notes give guidance on completing the application form:

PERSONAL DETAILS

Please give full details for your name, home address, e-mail address and contact telephone numbers.

Data Protection

Your rights under data protection legislation are outlined at page 2.

Legal entitlement to work in the UK

The Utility Regulator must ensure that anyone it appoints is not subject to immigration control.

Advice on these issues can be obtained from the following website www.ind.homeoffice.gov.uk.

Changes in Contact Details

Please ensure HRConnect is informed immediately of any changes in personal circumstances, such as name, address or email address.

COMMITMENTS AND CURRENT PUBLIC APPOINTMENTS

Please give details of current commitments and public appointments held.

The Department may check the attendance and performance of those applicants who currently hold public appointment roles. The recorded performance and attendance in other public appointment roles will not form part of the candidate assessment by the panel, but may be taken into account in selecting candidates for appointment. The Department will therefore be liaising with other departments to obtain such information at the post interview stage.

ELIGIBILITY CRITERIA

The application form asks you to give practical examples of past experience to demonstrate your ability or competence. It's not just what you may have done but also how you did it and the level of responsibility held.

You can use examples from your working life, where appropriate, or from your personal life, including any voluntary or community work you are or have been involved in.

It is not appropriate simply to list the various posts that you have held. Assumptions will not be made from the title of the post or the nature of the organisation as to the experience, qualities and skills gained.

The following model may help you to structure your examples for each criterion 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?

DISQUALIFICATION, PROBITY / INTEGRITY AND CONFLICTS

OF INTEREST

The Department must ensure that the individuals it appoints are committed to the principles and values of public service. These principles are: **selflessness, integrity, objectivity, accountability, openness, honesty and leadership**. Further information is available at <http://www.public-standards.gov.uk/>

The Department must take account of actual, or perceived, conflicts of interest. Therefore, you must disclose information or personal connections, which, if you were to be appointed, could lead to a conflict of interest or be perceived as doing so, in relation to the work of the Utility Regulator in the Gas and Electricity markets in Northern Ireland and Ireland. The Utility Regulator has its own Board Members Interest Statement which Utility Regulator Board members must comply with (see **Annex B**).

It is very important, therefore, that you provide appropriate details on you application form of any interests, past or present, which might be construed as being in conflict with the appointment, in accordance with the terms of the Utility Regulator's Board Interests Statement. 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 you with a view to establishing whether it is sufficiently significant to prevent you from carrying out the duties of the post. The Panel will do this at interview stage.

The panel will also determine, at interview stage, whether you are aware of the standards of behaviour required of public appointees and can demonstrate your understanding of the issue. You will also be asked to declare whether or not 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. The selection panel will consider fully your answers and if necessary question you further.

Conflicts of interest may not be a barrier to appointment but both real and perceived conflicts must be discussed with all candidates by the interview Panel. This is to ensure that the public can have confidence in the Board's independence and impartiality and the integrity of the potential appointee. Please refer to **Annex C** for further information on this subject.

The following document provides information on conflicts; including some examples to help you evaluate whether or not you have a potential conflict. For the avoidance of doubt, you must fully declare the nature and extent of any current or previous interests in the electricity industry and/or electricity markets.

http://www.publicappointmentsni.org/cpa_ni_guidance_on_conflicts_of_interest_integrity_and_how_to_raise_a_complaint_-_250811.pdf

Corporate Responsibilities of Board Members

To ensure that public service values remain at the heart of the Utility Regulator you will subscribe to the corporate responsibilities required of Utility Regulator Board Members (set out in **Annex A** attached).

FURTHER INFORMATION

Accessibility Requirements

Please let HRConnect know if you require any reasonable adjustments, due to disability, to enable you to attend the interview. Any information provided will be used for this purpose only and will not form any part of the selection process.

If you are subsequently successful in the selection process and are being considered for appointment, you may be required to outline any adjustments you consider necessary in order for you to take up an appointment. If you wish to discuss your disability requirements further, please contact HRConnect.

DECLARATION

You should read the declaration statement and confirm that you agree with this.

EQUAL OPPORTUNITIES MONITORING

Northern Ireland Departments are keen to encourage applicants from all sections of society and we are interested in monitoring all applicants in order to see how effective we have been. As such, we would like to ask you to complete the Equal Opportunity Monitoring Form which is attached to the application form. **Please note, the monitoring form is not regarded as part of your application and is voluntary.** It is not made available to the selection panel and does not play a role in the decision-making process. All applications for appointment are considered strictly on the basis of merit.

INTERVIEW GUIDANCE

If this is your first experience of a criteria-based interview, bear in mind that it does not require you to:

- Talk through previous jobs or appointments from start to finish;
- Provide generalised information as to your background and experience; or
- Provide information that is not specifically relevant to the criterion the question is designed to test.

A criteria-based interview does however require you to:

- Focus exclusively, in your responses, on your ability to fulfil the criteria required for effective performance in the role; and
- Provide specific examples of your experience in relation to the required criterion.

In preparation for the interview you may wish to think about having a clear structure for each of your examples, such as:

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?

The Panel will ask you to provide specific examples from your past experience in relation to each of the criteria. You should therefore come to the interview prepared to discuss in detail a range of examples which best illustrate your skills and abilities against each criterion. You may draw examples from any area of your work / life experiences.

You are strongly advised to read the ‘Public Appointments Guide’ when preparing for interview - <https://www.executiveoffice-ni.gov.uk/publications/public-appointments-guide-overview-public-appointments-northern-ireland-and-helpful-information>

Feedback

The Department of Finance is committed to ensuring that the processes used to recruit public appointments are fair and in accordance with the principles of Office of the Commissioner for Public Appointments (NI) Code of Practice. The Department of Finance is committed to providing feedback in respect of decisions taken in determining eligibility/shortlisting as well as at interview. HRConnect will forward any feedback requests to the Interview Panel, who will be responsible for providing feedback in respect of decisions taken in determining eligibility/shortlisting as well as at interview. Feedback in respect of eligibility/shortlisting will be communicated automatically to those candidates who fail to satisfy any criteria. All requests for feedback are welcome.

Complaints or Queries

Should you wish to make a complaint or a query about any stage of this process, you should first direct your concerns to:

HRConnect

PO Box 1089

Beacon House

27 Clarendon Road

Belfast

BT1 9EX

Email: recruitment@hrconnect.nigov.net

If after receiving a response you are still concerned, you can send your complaint, in writing, to the Office of the Commissioner for Public Appointments. Information on how to go about this is available in the CPA (NI) leaflet which is enclosed with this pack at **Annex D.**

Annex A

1. Background on Northern Ireland Authority for Utility Regulation (the Utility Regulator)

The Utility Regulator (UR) is the economic regulator for electricity, gas and water in Northern Ireland. The UR is the only multi-sectoral economic regulator in the UK covering both energy and water.

As an independent non-ministerial government department, UR's main duty is to promote and protect the short- and long-term interests of consumers.

UR's role is to make sure that the energy and water utility industries in Northern Ireland are regulated, and developed within ministerial policy, as set out in our statutory duties.

The UR is governed by a Board of Directors and is accountable to the Northern Ireland Assembly.

2. Corporate Responsibilities of the Utility Regulator Board

The Board has corporate responsibility for ensuring that the Utility Regulator fulfils its legislative remit and for ensuring regularity, propriety and value for money in the use of public funds. To this end, and in pursuit of its wider corporate responsibilities, the Chair in conjunction with the Board shall:

- establish the overall strategic direction of the Regulator within the legislative and policy framework determined by the Departments of: Finance; the Economy; and Infrastructure;
- oversee the delivery of planned results by monitoring performance against agreed strategic objectives and targets, and ensure that the Departments are kept informed of any changes which are likely to impact on the strategic direction of the Regulator or on the attainability of its targets, and determine the steps needed to deal with such changes;
- ensure that any statutory or administrative requirements for the use of public funds are complied with; that the Board operates within the limits of its statutory authority and any delegated authority agreed with DoF and in accordance with any other

conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account guidance issued by DoF;

- ensure that the Board receives and reviews regular financial information concerning the management of the Utility Regulator; is informed in a timely manner about any concerns relating to the activities of the Regulator; and provides positive assurance to DoF that appropriate action has been taken on such concerns;
- demonstrate and ensure high standards of corporate governance are observed at all times. This shall include using the audit committee to help the Board address key financial and other risks facing the Utility Regulator;
- establish such committees as it considers appropriate to conduct its business; and
- act as a source of advice to the Departments on major issues of energy and water and sewerage regulation.

3. Accountability

The Chief Executive of the Utility Regulator is designated as Accounting Officer and is responsible for the propriety and regularity of the use of all resources voted by Government for utility regulation issues in Northern Ireland. The Chief Executive is also responsible for ensuring that value for money is obtained from these resources and also for the detailed operation of systems and activities within the Utility Regulator. The Chief Executive may be required to give evidence to the appropriate Assembly Committee on the examination of activities arising from a report by the Comptroller and Auditor General for Northern Ireland.

4. Strategic Direction

The Utility Regulator has responsibility for regulating the electricity and gas industries and water and sewerage services in Northern Ireland. The Utility Regulator Board complement currently consists of a non-executive Chairman and five non-executive members, as well as the Chief Executive. The non-executive

chairman and members are publicly appointed and are responsible for setting the policy and strategic direction of the organisation.

The Utility Regulator has several main objectives, to:

- a) Protect the interests of electricity consumers with regard to price and quality of service by promoting effective competition and in a way that is consistent with the fulfillment of its functions as a designated regulatory authority for Northern Ireland;
- b) Promote the development and maintenance of an efficient, economic and coordinated gas industry and to protect the interests of gas consumers in a way that is consistent with its functions as a designated regulatory authority for Northern Ireland; and
- c) Protect the interest of water and sewerage consumers by promoting an efficient industry delivering high quality services.

The Utility Regulator meets these objectives by for example:

- a) Issuing and maintaining licences for gas, electricity and water companies to operate in Northern Ireland.
- b) Making sure that these companies meet relevant legislation and licence obligations.
- c) Challenging companies to keep the prices they charge electricity, gas and water customers as low as possible.
- d) Encouraging regulated companies to be more efficient and responsive to customers.
- e) Working to encourage competition in the gas, electricity, water and sewerage services markets where appropriate.
- f) Setting the standards of service that regulated companies provide to customers in Northern Ireland.
- g) Acting as an adjudicator on certain customer complaints, disputes and appeals.
- h) Scrutinising regulated tariffs or their methodology in a transparent manner.
- i) Co-operating with the European Commission and the Agency (ACER) in relation to cross border matters.

- j) Complying and implementing any legally binding decisions of the European Commission or ACER.
- k) Monitoring the level of transparency, including wholesale prices of Electricity and Gas companies.
- l) Developing a competitive, secure and sustainable market in Gas and Electricity and encouraging effective market opening.
- m) Eliminating restrictions on trade in relation to Gas and Electricity markets between Member States.
- n) Monitoring the level and effectiveness of market opening.
- o) Monitoring companies in respect of restrictive practices; time taken to make connections.
- p) Ensuring access to consumer data and that consumer protection measures are effective and enforced.
- q) Ensuring that all reasonable demands for Electricity are met.
- r) Ensuring that licence holders are able to finance their activities.
- s) Having regard to the interests of vulnerable customers.

Further information on the Utility Regulator can be found on the website at:
www.uregni.gov.uk/about/

5. Current Utility Regulator Board Membership

A list of current Utility Regulator Board Members can be accessed at:
www.uregni.gov.uk/about/the_board

Annex B



Section 6.1: Interests Statement Board

1 Purpose

- 1.1 The Northern Ireland Authority for Utility Regulation (the Authority) is a best practice regulator with a mission to deliver value and sustainability in energy and water. We must command consumer and stakeholder confidence in the rigour and expertise we apply to decisions. This sets a very high standard of achievement which will be facilitated by an Authority whose membership includes highly experienced individuals with a detailed understanding of the industries being regulated.
- 1.2 The strength of the Authority's regulatory consideration of matters within its statutory mandate is embedded in the quality of representation. There is a positive and proactive approach taken to attracting and recruiting Authority members with appropriate skills, experience and knowledge of economic regulation and the regulation of utility businesses. Members with this background can add value to the quality of discussion within the Authority.
- 1.3 As a consequence, it is recognised that some, or all, Authority members may have, or have had in the past, associations with industries they are responsible for regulating. As a result, the Authority must have appropriate, proportionate processes in place to deal with potential, perceived and actual conflicts of interest which may arise. Steps have been taken to ensure that an appropriate balance is struck between having access to these skills and experience on the one hand and maintaining the highest standard of impartiality, propriety, honesty and transparency at all times on the other.

- 1.4 Any conflict of interest that is concealed (even if unintentionally through ignorance or poor management) creates, at best, a risk of allegations or perception of misconduct. It can potentially result in more serious consequences such as severe reputational damage, litigation against the Authority, disciplinary action against you and even result in the loss of your appointment.
- 1.5 As a result, there must never be a legitimate reason for those outside the office to suspect or allege that your decision making is influenced by outside interests or that you may be able to individually profit from, for example, advance knowledge of decisions or other information which is not yet public.
- 1.6 As an Authority member, you must take all reasonable steps to avoid suspicions or allegations arising. Failure to disclose an actual, potential or perceived conflict (even if unintentional) raises, at best, the risk of an allegation, or perception, of misconduct. This Interest Statement (the Statement) sets out procedures to protect and equip you to deal with these issues whilst still being able to exercise your responsibilities as an Authority member effectively. The checklist at appendix A can help to determine if an actual, potential or perceived conflict exists.
- 1.1 This Statement takes account of the Northern Ireland Audit Office Good Practice Guide (March 2015), Department of Finance guidance, is consistent with our mission, vision and values and the following Northern Ireland Civil Service standards.

Standards in Public Life (Chapter 1 of Managing Public Money (NI))

- Honesty
- Impartiality
- Openness
- Accountability
- Accuracy
- Fairness
- Integrity
- Transparency
- Objectivity
- Reliability

Carried out:

- In the spirit of, as well as to the letter of, the law
- In the public interest
- To high ethical standards
- Achieving value for money

Northern Ireland Civil Service Handbook Values - Standards of Conduct (Section 6)

- Integrity
- Honesty
- Objectivity
- Impartiality
- Political Impartiality

2 Definitions

Conflict of Interest

At its most basic, a conflict of interest arises when an individual has two different interests that overlap.

It involves a conflict between the public duty and the private interest of a public official in which the official's private capacity interest could improperly influence the performance of his/her official duties and responsibilities. (NIAO Good Practice Guide, March 2015)

2.1 In practice, a conflict arises where there is a real possibility that:

You may act contrary to your public duty to independently and impartially carry out a particular function as an Authority member because of an

outside interest held by you, a close relative, other relative, friend or associate.

Or

A fair minded, outside observer, acting reasonably, would conclude that there was a real possibility of bias and, therefore, that the interest could lead to you acting contrary to your public duty to independently and impartially carry out a particular function as an Authority member.

2.2 This means you don't actually have to have a conflict. A **perceived** conflict can be just as significant as an actual one even where it poses no actual risk to the conduct of public business. Nonetheless, it requires proper management in order to minimise the risk of reputational damage both to the Authority and you as an individual. The appearance of a conflict of interest, in terms of public perception, can be every bit as damaging as an **actual** conflict – both should be avoided.

2.3 In identifying whether a conflict of interest (actual or perceived) exists, there are different issues to consider including:

- The actual situation or circumstances which may give rise to different types of conflict;
- The nature of the relationship i.e. who could benefit;
- The nature and business of the Authority in general; and
- Your position as an Authority member including the nature of your work.

Examples of different situations/circumstances where conflicts of interest can arise within the public sector include:

- Direct financial gain or benefit to the individual, a relative or close friend – a conflict of interest can occur when you have the opportunity to use your position for personal financial gain;
- Using information gained in public capacity to further private interests.
- Membership of organisations/associations/clubs;

- Involvement in, or influencing, the award of a contract or grant where you have directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise your impartiality and independence in the context of the procurement procedure/grant process;
- Accepting gifts, hospitality or other benefits, for example from potential contractors/suppliers;
- Taking up employment with firms/contractors providing services to the Authority;
- Involvement in a decision that could lead to the appointment, recruitment or promotion of a relative or friend;
- Sale of land/property/assets;
- Involvement in planning decisions;
- Carrying out business on behalf of the Authority with your own company, or a company in which a relative or close friend has an interest in;
- Owning shares in, or working for, another business or organisation that has dealings with the Authority;
- Involvement in a position to influence decisions.

The above list is not exhaustive. As noted above, appendix A lists questions you can use to help determine if an actual, potential or perceived conflict of interest exists.

2.4 The interest in question need not be yours personally but can include interests of relatives, friends and associates who have a potential to influence your conduct.

Close Relative (by blood or marriage, including step relatives and any relationship arising from adoption)

Spouse, partner, parent, grandparent, child (adult /minor), grandchildren, brother, sister, in laws, cousins

Close friends or associates you would be considered to have a longstanding and/or close relationship with, socialise with regularly or have had dealings with which may create a conflict of interest

Other Relatives, Friends and Associates

Significance of the interest depends on the closeness of the relationship and degree to which the Authority's decisions or activities could directly or significantly affect them. A friend or associate should be considered as someone with whom you are on terms of mutual affection, an ally, associate, helper, sympathiser, or person with whom you have social contact. There can be no absolute and definitive definition of a friend. Common sense and individual circumstances should be considered in any decision about who is a friend and who is not.

2.5 Examples of outside interests include

Direct Financial Interests

Gains or benefits e.g. arising from ownership of shares, regulatory or procurement decisions

Indirect Financial Interests

Arising from connections with bodies or companies which have a direct financial interest or from being a business partner of, or being employed by, a body or company with such an interest

Non-Financial Interests

- Participation in appointment processes that could lead to the appointment of a relative or friend;
- Participation in the award or management of a contract connected to a relative or friend;
- Receipt of gifts and/or hospitality;
- Membership of an organisation; or
- Owing a legal duty to an organisation or having a particular disposition toward an organisation or person due to past outside experience.

2.6 Shareholdings are a crucial element in making sure your interests are declared correctly but we need to be clear what we mean by this term. It includes all other types of securities including, but not limited to, instruments such as the following. Please note that this definition includes instruments in which you have an interest even where you do not directly or indirectly own them.

Preference shares	Warrants	Options	Convertible & Exchangeable Bonds
Mortgages	Commercial Paper	Spread Betting	
Loan Stocks	Bills of Exchange	Wagering Contracts	
Bonds	Loan Participations	Fixed Odds Bets	
Notes	Futures		

3 How Do I Know What Interests I Can Have?

3.1 There are broadly two types of interest, prohibited and registrable.

Prohibited Interests

Interests that are incompatible with employment in the office

Shares & Transactions

3.2 This means shares, securities and other instruments, whether owned or not, (as defined at paragraph 2.6 above) in licenced companies or their holding companies. As a guideline, a list of licensees is available at [http://www.uregni.gov.uk /uploads/publications](http://www.uregni.gov.uk/uploads/publications). However, it is your personal

responsibility to confirm whether or not any company in which you have an interest, as defined by paragraph 2.6 above, is licenced or not.

- 3.3 If you hold such an interest on the date you are appointed, you must notify the Head of Finance and Project Management and agree the means and timescale for disposal. The Authority will meet reasonable transaction costs. No such interest may be acquired or traded with whilst you are a member of the Authority.
- 3.4 You are not generally prohibited from holding other shares but you should exercise caution and judgement in acquiring or holding shares so as to avoid a conflict arising. Shareholdings held are at your own risk.

Commercial Transactions

- 3.5 Becoming a party to, or otherwise dealing in, a contract for purchase or sale of gas, electricity or water, whether for physical delivery or otherwise, on anything but standard consumer terms is prohibited. For instance, discounts must be available to other consumers in similar circumstances. Bills relating to such transactions must be paid promptly.

Other Employment (Including Consultancy)

- 3.6 You are prohibited from engaging, or being concerned directly or indirectly (for example through a relative or friend) in, any activity, decision, appointment, consultancy practice, business or trade connected with any organisation that;
- (a) is regulated by the Authority or Commission for Regulation of Utilities (CRU);
 - (b) is concerned with, or advises upon, activities carried out or regulated by the Authority or CRU; or
 - (c) in any way diminishes or restricts your ability to perform your duties for the Authority or CRU.

3.7 More generally, you are contractually obliged to advise the Authority prior to engaging in any outside paid or unpaid work. If the Authority objects to the proposed arrangement then you may invoke the grievance procedure to resolve the matter.

Registrable Interests	Interests that are not incompatible with your appointment but which may from time to time give rise to a potential or actual conflict of interest or which a member of the public could conclude has the potential to do so.
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Former and Current Employment and/or Board Level Appointments

3.8 You must register details of the following former employments:

- (a) With a company licenced by the Authority to undertake energy or water activities in Northern Ireland; or
- (b) With a company not licensed by the Authority but which is an affiliate company of a licensed company or otherwise had a material financial interest in the Authority's decisions; or
- (c) With a company which provides goods and services to the Authority.

3.9 You are also required to register details of any current employment:

- (a) Of your relatives and, in respect of (a) and (b) above, friends or associates by such companies; and/or
- (b) Board level appointments of relatives, friends or associates by such companies.

3.10 Paragraphs 3.8/3.9 include paid or unpaid positions and significant secondments.

Pensions and Shareholdings

- 3.11 You must immediately register any membership you or your relatives have in the pension scheme (with rights either currently in payment or accrued against future payment) of any of the following companies:
- (a) A company licensed by the Authority to undertake energy or water activities in Northern Ireland;
 - (b) A company not licensed by the Authority but which is an affiliate company of a licensed company or otherwise has a material financial interest in the Authority's decisions;
 - (c) A company which provides goods and services to the Authority.
- 3.12 You should register shareholdings you, or your relatives, hold in such companies (excluding prohibited shareholdings).
- 3.13 If you have any doubts about whether a particular pension or shareholding should, or should not, be registered then it should be registered.
- 3.14 You must not be involved in any aspect of the tendering, evaluation or award of contracts in respect of companies that you, a relative, friend or associate has financial interest in or is employed by.

Commercial Transactions and Grants/Discounts

- 3.15 You must register commercial transactions or grants which you, your relatives, friends or associates are, or have been, involved in that could give rise to a conflict. The Authority may not otherwise be aware of such interests so it is your personal responsibility to ensure your register is complete and transparent. This does not include;
- Purchase of energy on standard terms as a consumer; or
 - The receipt of grants administered by the Authority's policy partners (for example, energy efficiency improvements under the Northern Ireland Sustainable Energy Programme) where these are on standard terms as a consumer.

Non-Financial Interests

- 3.16 You are required to consider whether or not you or your relatives have any non-financial interests that relate closely to the Authority's work. If so, these should be registered. These may include, but not be limited to, interests arising from membership of outside organisations with an interest in the Authority's work (such as non-governmental organisations or research bodies).

Risks

- 3.17 Remember that you hold financial interests at your own risk. For example, if a conflict relates to a shareholding, the only appropriate course of action may be to divest yourself of it even if that results in financial loss. However, you must not do this in such a way that the conflict isn't resolved by, for example, passing the interest on to a relative, friend or associate.

4 Declaring Interests

- 4.1 If you identify that you have any type of actual or perceived interest, you must declare it immediately on your register of interests. Registering an interest does not, in itself, constitute a presumption that a conflict exists. If in doubt, be over cautious and declare as it is better to be open and transparent. However where you become aware that an interest (registered or not) will amount to a conflict in relation to a particular aspect of your work, you must declare this to the Head of Finance and Project Management at the earliest opportunity.
- 4.2 All registered interests are held on a central register which will be subject to biannual review by the Chair and Chief Executive and which review will be recorded for audit purposes. However, it is your responsibility to highlight the relevance of any particular interest. You will consult with the Chair and Head of Finance and Project Management on what, if any, action is needed to avoid a conflict and manage an issue appropriately to ensure it has no bearing on

decisions made. All consultation, and any mitigating actions, will be documented for audit purposes.

4.3 The full register will be reviewed annually by the Chief Executive (as Accounting Officer) to coincide with completion of new annual registers (4.4 (a) below refers). A summary of interests, and any issues arising, will be considered by the Audit and Risk Committee at its May meeting each year and otherwise as needed.

4.4 You are required to;

- (a) Complete or update a register entry (appendix B) on appointment and thereafter annually. The Finance Team will prompt you to do this. A nil return will be required even where you have nothing to register; and
- (b) Keep what you have declared under constant review and amend your register entry as needed as it is recognised that, occasionally, a matter will arise that may touch on an interest not previously registered because it was not relevant or that an existing interest may change in nature.

4.5 In addition, you are required to declare any actual or perceived interests:

- At the **beginning of meetings**, including of the Authority and its committees, taking into consideration the meeting purpose, agenda and papers. Any interest declared and action taken to manage it (for example, that you recuse yourself from the meeting for a particular item) should be recorded in the minutes. You must make every reasonable effort to anticipate issues over which a conflict may arise and to raise the matter as soon as possible so that, for example, you do not receive any papers in connection with the interest. The Authority or committee secretary must be informed in good time;
- When initiating a **procurement competition** if you are involved in any part of the process (for example, developing a business case, specification, evaluation strategy and tender evaluation panel). This declaration must be refreshed when the identity of the tenderers (and their subcontractors) is known;
- In the **management of a contract** or **approval of invoices**;

- At the initiation (and any subsequent stage) of a **recruitment or promotion competition** where you are a panel member.

4.6 The information you provide will be processed in accordance with data protection principles as set out in the General Data Protection Regulation (GDPR) and processed only to ensure that you act in the best interests of the Authority. It will not be used for any other purpose.

5 Insider Dealing

5.1 It is an offence in law for you to deal in the shares of any company (whether or not regulated by the Authority) where you are in possession of unpublished information which, if published, would be likely to affect the price of those shares (so called “insider dealing”).

5.2 Insider dealing includes counselling or procuring the dealing in such shares. It also includes imparting information which you know, or have reasonable cause to believe, will be used for the purpose of dealing, counselling or procuring another person to deal.

5.3 Examples of information which might influence share prices include unpublished regulatory decisions, planned takeovers or disposals, reorganisation of businesses or unpublished information about profits and future business prospects.

6. Publication of Register

6.1 Registers of interests for the Authority will be available for public inspection taking account of data protection legislation. Only the individual making a declaration should be identifiable and when family, friends and associates are referenced these should not be named – only their relationship, business/activity and interaction with the Authority needs to be considered for publication.

Appendix A: Checklist for Authority Members

Question	Yes/No
Would I or anyone associated with me benefit from, or be detrimentally affected by, my decision or action?	
Could there be benefits for me in the future that could cast doubt on my objectivity?	
Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?	
Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?	
Do I or a relative, friend or associate stand to gain or lose financially in some covert or unexpected way?	
Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?	
Have I contributed in a private capacity in any way to the matter the Authority is dealing with?	
Have I made any promises or commitments in the relation to the matter?	
Have I received a substantial gift, benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?	
Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose from my proposed decision or action?	
Could this situation have an influence on any future employment opportunities outside my current official duties?	
Could there be any other benefits or factors that could cast doubt on my objectivity?	

Appendix B: Declaration of Interests (Individual)

This Declaration of Interests is part of the framework in place through which the Authority identifies and manages interests to safeguard the integrity of staff and Authority members and maximise public confidence in the discharge of our functions

We process personal information in this form only to assess interest declarations and do so in line with GDPR and Data Protection Act 2018 requirements.

Part 1: Your Details

Name	
Date Appointed to Authority	

Where situations occur in the course of your duties as an Authority member that the public, or others, could perceive as giving rise to a conflict of interest because of outside activities, you accept that you must follow the requirements of the Interests Statement of which this declaration is a part. You are required to confirm that you have read this Interests Statement and complete the box, as appropriate, below.

	I have read and understood the Authority Interests Policy (Y/N)
--	---

Do you have any outside interest(s) which could give rise to an actual, potential or perceived conflict with your duties or which could be subject to perceptions of unfair advantage? Please also consider interests of family, friends and associates in making this declaration.

Part 2: Conduct of Outside Business/Activities

Please include dates and role. Entries include those relevant to relatives, friends and associates to the extent set out in this Statement.

1.	Other Employment and Positions Currently Held [see para 3.7/3.9/3.10]

2.	Other Employment and Positions Previously Held [see paras 3.8/3.10]

3.	Prohibited Interests: this will be a temporary listing only as interests under this heading must be disposed of at the earliest opportunity [see paras 3.2-3.6]

4.	Registrable Interests not otherwise disclosed [see paras 3.11-3.16]

5.	Memberships including membership of professional or external bodies, trade or other associations [see para 3.16]

Part 4: Declaration

I confirm that the above declaration is complete and correct to the best of my knowledge and belief. The interests I have declared include both direct and indirect interests as defined by the Interest Statement and any specific financial interests are shown.

I understand that my declaration will be included in the Register of Interests.

I accept that I must complete a new Declaration of Interest immediately where there is a change of circumstances that could give rise to an actual, potential or perceived conflict of interest.

Signature		Date
Print Name		

Return this form to the Finance Team by email.

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 act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.²

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.

² Revised January 2013

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 or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order 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 or not 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.

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 real, perceived or potential 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.

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.

CPANI

The Commissioner
for Public Appointments
Northern Ireland

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, and may sometimes involve a recruitment consultant. Whoever deals with the competition, it is overseen by me as Commissioner for Public Appointments for Northern Ireland. I regulate the 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 CPA NI website. The Code of Practice is also there. www.publicappointmentsni.org

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 at the address below:

Commissioner for Public Appointments for
Northern Ireland
Dundonald House, Annexe B,
Upper Newtownards Road, Belfast, BT4 3SB
Tel: 028 905 24820 Email:
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, real, perceived and potential 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 real or apparent conflict:

- 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*
- 59 ◦ 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*

Equality, Diversity and Inclusion

The Northern Ireland Civil Service (NICS) is committed to ensuring that all eligible persons have equal opportunity for public appointments on the basis of their ability and aptitude for the role. Monitoring is carried out to help us ensure that our processes and procedures promote equality of opportunity as far as possible.

This section provides an explanation of the definition of disability.

Disability

The Disability Discrimination Act 1995 (the DDA) provides protection for disabled persons against discrimination on the grounds of disability.

The DDA defines disability as a “physical or mental impairment, which has a substantial and long term adverse effect on a person’s ability to carry out normal day-to-day activities.”

This definition is interpreted as follows:-

- **Physical Impairment:** this includes, for instance, a weakening of part of the body (eyes, ears, limbs, internal organs etc.) caused through illness by accident or from birth. Examples would be blindness, deafness, paralysis of a leg or heart disease.
- **Mental Impairment:** this includes mental ill health and what is commonly known as learning disability, and social functioning.
- **Substantial:** put simply, this means the effect of the physical or mental impairment on ability to carry out normal day to day activities is more than minor or trivial. It does not have to be a severe effect.
- **Long-term adverse effect:** the effect has to have lasted or be likely to last overall for at least 12 months and the effect must be a detrimental one. A person with a life expectancy of less than 12 months is of course covered if the effect is likely to last for the whole of that time.
- **A normal day to day activity:** this is something which is carried out by most people on a fairly regular and frequent basis such as washing, eating, catching

a bus or turning on a television. It does not mean something so individual as playing a musical instrument to a professional standard or doing everything involved in a particular job.

What sort of effect must there be?

The person must be affected in at least one of the respects listed in the DDA: mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or otherwise move everyday objects; speech; hearing or eyesight; memory or ability to concentrate, learn or understand; ability to take part in normal social interaction and form social relationships; or perception of risk of physical danger.

What happens if the effects are reduced by medication or other treatment?

Broadly speaking, the effects that matter are those that would be present if there was no medication or treatment taking place. The exception is people who wear spectacles or contact lenses when what matters is the effect that remain while the spectacles or contact lenses are being used.

Are there any types of condition covered by special provisions in the DDA?

Yes, because some people with particular conditions might not otherwise be counted as disabled. These are provisions covering:

- Recurring or fluctuating conditions such as arthritis, where the effects can sometimes be less than substantial, which are treated as continuing to have a substantial adverse effect so long as that effect is likely to recur;
- Conditions which progressively deteriorate, such as motor neuron disease, which count as having a substantial effect from the first time they have any effect at all on ability to carry out normal day to day activities even if it is not substantial, so long as there is eventually likely to be a substantial adverse effect; and
- People with cancer, HIV, or multiple sclerosis are deemed to be disabled people from the point of diagnosis, regardless of whether or not they have any symptoms.

Are any conditions not covered?

Yes, the following conditions specifically do not count as impairments:

- Addiction to or dependency on alcohol, nicotine or any other substance (unless resulting from the substance being medically prescribed);
- Seasonal allergic rhinitis (e.g. hay fever) unless it aggravates the effect of another condition;
- Tendency to set fires, or steal, or physically or sexually abuse other persons;
- Exhibitionism and voyeurism; and
- Severe disfigurements consisting of tattoos, non-medical body piercing or attachments to such piercing are not treated as having substantial adverse effects.

What if someone has recovered from a disability?

Much of the DDA also applies to people who have had a disability in the past (for example, someone who was disabled by mental ill health) but have now fully recovered. People who were registered disabled under the Disabled Persons (Employment) Act (NI) 1945 both on 12 January 1995 and 2 December 1996 will be regarded as having had a disability in the past if they do not in any case fall within the definition of the DDA.

Section 75 of the Northern Ireland Act 1998 requires public authorities in carrying out their functions in NI to have due regard to the need to promote equality of opportunity between persons with a disability and persons without.

As with other forms of personal data, the obtaining, use, storage and disclosure of monitoring information is covered by the Data Protection Act 1998 (DPA). Access to this data is restricted and misuse of monitoring information is viewed as a disciplinary offence.