

Responsibilities of Civil Servants on the Board of State Bodies

Briefing re Draft PAC report on DDDA

The Minister for Finance has issued protocol (D/Finance Circular 12/2010) for civil servants nominated to the boards of non-commercial State Bodies. These protocols to be invoked where a matter of serious concern arises regarding the State Body.

The Circular directs that, **where a civil servant has concerns** that a serious issue is not being addressed to his or her satisfaction by the Chairman, he or she should take the following steps:

- In the first instance, request that the area of concern be noted in the minutes and action requested to address the matter;
- Where appropriate consult with a senior member of the board and/or seek their support in addressing the matter with the Chairman;
- If, following such approaches, the Chairman will not agree to go to the Minister, the nominee should advise the Chairman that he/she plans to brief the Secretary General of the parent Department in the matter with a view to informing the Minister;
- Where it is decided to proceed directly to the Minister, the Chairman should be notified of this.

Additionally, the Circular also stipulates when information **must be conveyed directly to the relevant Minister** without delay include:

- Serious weakness in controls that have not been addressed despite being drawn to the attention of the board or the Chairman;
- Significant strategic or reputational risk to the body that is not being addressed;
- Serious concerns regarding possible illegality or fraud occurring in a body. A director may have obligations under company law (if it applies) in situations where a company is not legally compliant - this may require that further action be taken in addition to reporting matters to the Minister.

I will await the Public Account Committee Report on this matter and will consider recommendations therein to ensure the highest levels of governance in this regard is achieved in the future.

Government Accounting
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