



# **Policies and Procedures Manual**

January 2017

**Preface**

The purpose of this manual is to act as an operational guide for the members of the Commission for Standards in Public Life (the “Commission”).

It specifies the internal procedures, rules and processes that the Commission has established to govern its operation. In furtherance of transparency and good governance this manual will be published on the Commission’s website to assist the members of the public to understand how it operates.

## Contents

### **PART A: CONSTITUTIONAL GUIDELINES, ROLES, RESPONSIBILITIES AND ADMINISTRATIVE MATTERS ..... 5**

1.	CONSTITUTIONAL AND LEGISLATIVE GUIDELINES.....	6
1.1.	Establishment of the Commission for Standards in Public Life.....	6
1.2.	Functions of the Commission.....	7
1.3.	Responsibility for the Registers of Interests .....	7
2.	THE ROLE AND POWERS OF THE COMMISSION.....	8
2.1.	Role .....	8
2.2.	Powers.....	8
2.3.	Control.....	8
3.	COMPOSITION, APPOINTMENTS AND RESPONSIBILITY OF THE COMMISSION MEMBERS .....	9
3.1.	Composition .....	9
3.2.	Appointments .....	9
3.3.	Terms and Remuneration .....	9
3.4.	Responsibilities .....	9
3.5.	Chairman .....	9
3.6.	Concerns.....	9
4.	ADMINISTRATIVE MATTERS.....	10
4.1.	Agendas .....	10
4.2.	Meetings.....	10
4.3.	Minutes .....	10
4.4.	Quorum .....	10
4.5.	Decision making.....	10
4.6.	Spokesperson .....	11
4.7.	Publications.....	11
4.8.	Confidentiality .....	11
4.9.	Conflicts of Interest.....	11
4.10.	Indemnity .....	11
5.	ROLE OF THE COMMISSIONS SECRETARIAT.....	12
5.1.	Analytical/ Administrative Support.....	12
5.2.	Resources.....	12
5.3.	Personnel Issues .....	12
5.4.	Budget.....	12
5.5.	Records .....	12
6.	STANDARDS.....	13
6.1.	Nolan Principles .....	13
6.2.	Public Service Values.....	13
6.3.	Public Servant’s Code of Conduct.....	14

### **PART B: COMPLAINTS AND INVESTIGATIONS OF BREACHES OF ESTABLISHED STANDARDS IN PUBLIC LIFE .....15**

7.	COMPLAINTS AND INVESTIGATIONS .....	16
7.1.	Constitutional Mandate .....	16
7.2.	Offences Relating to the Declaration in the Register of Interests.....	16
7.3.	Making Complaints .....	16

7.4.	Power of Commission to Investigate.....	16
7.5.	Powers of Investigation.....	17
7.6.	Protection of Information .....	18
7.7.	Commission to Act in the Public Interest.....	18
7.8.	Right to be Heard.....	18
7.9.	Regulations.....	18
7.10.	The Commission’s Final Report on Compliant or Investigation.....	18
7.11.	Accessibility of the Commission.....	19
<b>PART C: APPENDICES.....</b>		<b>20</b>
8.	COMPLAINTS FORM.....	21

**Part A: Constitutional Guidelines, Roles,  
Responsibilities and Administrative Matters**

## **1. Constitutional and Legislative Guidelines**

### **1.1. Establishment of the Commission for Standards in Public Life**

The Commission for Standards in Public Life (the “Commission”) is one of the three institutions established under Part VIII of the Cayman Islands Constitutional Order 2009 created to support and enhance democracy in Cayman Islands and to promote the highest standards of integrity and competence in public life in order to ensure the prevention of corruption or conflicts of interest.

The constitutional guidelines for the Commission are found in s.117 and s.121 of the Cayman Islands Constitution Order 2009 (the “Constitution”).

The Commission is an independent advisory and regulatory body with both a broad remit and specific responsibilities as outlined in s.117:

- (1) There shall be in and for the Cayman Islands a Commission for Standards in Public Life (referred to in this section as “the Commission”).*
- (2) The Commission shall consist of a Chairman and no less than two nor more than four other members, who shall be appointed by the Governor, acting after consultation with the Premier and the Leader of the Opposition, and who shall be people of the highest integrity with knowledge of practice in the private or public sector.*
- (3) At least one member of the Commission shall be a chartered or certified accountant of at least ten years’ experience.*
- (4) At least one member of the Commission shall be a legal practitioner who has practiced in the Commonwealth for at least ten years.*
- (5) A person shall not be appointed as a member of the Commission if –*
  - (a) he or she is a member of the Legislative Assembly;*
  - (b) he or she holds, or has at any time during the preceding three years held, a public office;*
  - (c) he or she has at any time during the preceding five years held office in a political party; or*
  - (d) he or she is not a Caymanian.*
- (6) The office of a member of the Commission shall become vacant –*
  - (a) at the expiration of four years from the date of his or her appointment;*
  - (b) if the member is absent from three consecutive meetings of the Commission, unless the absence is approved by the Governor;*
  - (c) if the member resigns office by writing under his or her hand addressed to the Governor;*
  - (d) if the member is removed from office by the Governor for inability to discharge the functions of his or her office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour; or*
  - (e) if the member with his or her consent is nominated for election to the Legislative Assembly or is appointed to any public office.*
- (7) If the office of a member of the Commission is vacant or a member is for any reason unable to perform the functions of his or her office, the Governor, acting in accordance with subsection (2), may appoint a person who is qualified for appointment as a member of the Commission to act as a member of the Commission, and any person so appointed shall, subject to subsection (6), continue so to act until the expiration of his or her term of office.*
- (8) In the exercise of their functions, the Commission and its members shall not be subject to the direction or control of any other person or authority.*

## 1.2. Functions of the Commission

The Commission's functions are defined in s.117(9) of the Constitution as follows:

- (a) to assist in the setting of the highest standards of integrity and competence in public life in order to ensure the prevention of corruption or conflicts of interest;*
- (b) to monitor standards of ethical conduct in the Legislative Assembly, the Cabinet, and on part of public authorities and public officers;*
- (c) to supervise the operation of registers of interest and to investigate breaches of established standards;*
- (d) to review and establish procedures for awarding public contracts;*
- (e) to review and establish procedures for appointing members to public authorities, and the terms of their appointment;*
- (f) to recommend codes of conduct to prevent any Minister, public authority or public officer employing their power for any personal benefit or advantage, and to recommend legislation to provide appropriate sanctions;*
- (g) to report to the Legislative Assembly at regular intervals, and at least every six months; and*
- (h) to exercise such other functions as may be prescribed by a law enacted by the Legislature.*

## 1.3. Responsibility for the Registers of Interests

As per s.117(9)(c) stated above, the Commission is required “to supervise the operation of registers of interest and to investigate breaches of established standards”. S.121 of the Constitution gives guidance in terms of how this is to be done:-

- (1) There shall be for the Cayman Islands a Register of Interests, which shall be maintained by the Commission for Standards in Public Life.*
- (2) It shall be the duty of any person to whom this section applies to declare to the Commission for Standards in Public Life, for entry in the Register of Interests, such interests, assets, income and liabilities of that person, or any other person connected with him or her, as may be prescribed by law.*
- (3) A person shall make a declaration under subsection (2) upon assuming the functions of his or her office and at such intervals thereafter (being no longer than twelve months) as may be prescribed by law.*
- (4) This section applies to all members of the Legislative Assembly and holders of such other offices (except that of the Governor) as may be prescribed by law.*
- (5) A law enacted by the Legislature shall make provision for giving effect to this section, including the sanctions which may be imposed for a failure to comply with subsection (2) or (3) and, notwithstanding any provision of Part IV of this Constitution, the sanctions which may be imposed may include the suspension of a member of the Legislative Assembly from sitting in it for such a period as may be prescribed in such as law.*

## 1.4 Legislative Guidelines

The Commission operates in accordance with the Standards in Public Life Law, 2014 (the “Law”) and the Standards in Public Life (Amendment) Law, 2016.

## **2. The Role and Powers of the Commission**

### **2.1. Role**

The Commission has been formally created to take responsibility for promoting and monitoring “the highest standards of integrity and competence in public life in order to ensure the prevention of corruption or conflicts of interest” (s.117(9)(a) of the Constitution). As such, it is entrusted with the specific responsibility for developing and maintaining up-to-date registers of interest for those employed in public life. In conjunction with its primary role of promoting standards in public life, the Commission has powers to monitor compliance with such standards and to investigate breaches of them. In addition, the Commission also has powers to review and strengthen procedures for awarding public contracts and making public appointments. In broad terms, the Commission acts as a watchdog, to respond to citizens’ concerns, and to promote trust in public servants and elected members.

### **2.2. Powers**

The Commission has the power to:

- (a) summon witnesses, require the production of reports, documents, and other relevant information;
- (b) monitor standards of ethical conduct in the Legislative Assembly, the Cabinet, and on the part of public authorities and public officers; and
- (c) supervise the operation of registers of interest and to investigate breaches of established standards.

### **2.3. Control**

As in accordance with s.117(8) of the Constitution, the Commission and its members shall not be subject to the direction or control of any other person or authority.

This provision is contained in s.5(2) of the Law, which further expands the Commission’s powers as below -

- (a) shall not be subject to the direction or control of any other person or authority;*
- (b) may in cases where it considers it appropriate to do so, make use of any external services;*
- (c) shall have the same powers as those of the Grand Court to summon witnesses, require the production of reports, documents, and other relevant information;*
- (d) do all such things as are necessary or expedient for the purpose of carrying out its functions per sections 117 and 121 of the 2009 Constitution.*



### **3. Composition, Appointments and Responsibility of the Commission Members**

#### **3.1. Composition**

In accordance with the Constitution, the Commission shall consist of a Chairman and not less than two nor more than four other members. The members must be persons of the highest integrity with knowledge of practice in the private or public sector. At least one member shall be a chartered or certified accountant of at least ten years' experience and one member shall be a legal practitioner who has practiced in the Commonwealth for a minimum of ten years.

#### **3.2. Appointments**

All members of the Commission are appointed by the Governor, acting after consultation with the Premier and Leader of the Opposition.

#### **3.3. Terms and Remuneration**

In accordance with the Constitution, appointments to the Commission are for four year terms. The members are volunteer members of the public who receive a stipend of \$100 per meeting with a maximum stipend of \$500 per month. The Chairman receives an additional \$100 per meeting for a total of \$200 per meeting with a maximum stipend of \$1000 per month.

#### **3.4. Responsibilities**

The Chairman and all the other members are expected to attend each meeting and participate in the activities of the Commission. The Constitution requires that the office of a member of the Commission shall become vacant if the member of the Commission is absent from three consecutive meetings, unless those absences are approved by the Governor. Additional circumstances which can result in the vacation of office are found in s.4(3) of the Law.

#### **3.5. Chairman**

The Chairman holds additional administrative responsibilities, presides over each meeting and is required to manage the participation of all Commissioners in the activities of the Commission.

#### **3.6. Concerns**

Concerns regarding the behaviour of any member as it pertains to his or her role on the Commission must be submitted in writing to the Governor.

## **4. Administrative Matters**

### **4.1. Agendas**

There shall be a standard format for the creation of an agenda for any meeting which shall include, as applicable, the following:

- Call to order and prayer
- Confirmation of previous minutes
- Outstanding business
- New business
- Any other business
- Action list
- Items to be discussed at the next meeting
- Next meeting
- Adjournment

The agenda shall be created by the Commissions Secretariat for the approval of the Chairman a minimum of five business days prior to any meeting. Agendas shall be distributed to Commission members a minimum of three business days prior to the said meeting. In the event that the Chairman is unable to attend any meeting of the Commission, the members shall choose an Acting Chairman as the need arises.

### **4.2. Meetings**

Commission meetings will be held as needed, but generally monthly. All meetings of the Commission will be held in private. From time to time, as the need arises, the Commission will make available the option of holding public/Town Hall meetings.

### **4.3. Minutes**

The minutes of any meeting shall be recorded by staff of the Commissions Secretariat and forwarded through the Manager to the Chairman within five business days of the said meeting. All minutes shall be forwarded within three business days of the next meeting to the members of the Commission. The minutes of any meeting of the Commission shall be posted on the Commission's website within ten business days of confirmation. Any information that is sensitive and exempt under the Freedom of Information Law (2009) will be redacted prior to the posting of the said minutes.

### **4.4. Quorum**

The quorum for any meeting of the Commission is the majority of the Commission's membership at the time.

### **4.5. Decision making**

Decisions of the Commission will be made by consensus and all members of the Commission will be given an equal opportunity to speak/discuss the matter at hand. If in the event there is no

concordance, the Chairman may suggest or request modifications prior to putting the matter back to a vote. In the event that a consensus cannot be reached, decisions will be made by way of a majority vote. Members shall have the option of recording their dissenting opinions. In the event that the vote is tied due to the absence of one member the Chairman or Acting Chairman shall have a casting vote in addition to his or her original vote or the matter shall be relisted on the agenda of the next meeting.

#### **4.6. Spokesperson**

The Chairman shall act as the official spokesperson for the Commission.

#### **4.7. Publications**

##### **4.7.1. Activities of the Commission**

In accordance with s.117(9)(g) of the Constitution, the Commission will produce and present reports to the Legislative Assembly every six months, detailing its work during the previous six months. Once the reports have been tabled in the House, they will be made accessible to the general public on the Commission's website.

##### **4.7.2. Release of Reports and Correspondence**

In accordance with s.5(3) of the Law any report, statement or other communication or document of any meeting, inquiry or proceedings which the Commission may make in exercise of its functions or any Commission member may make in performance of his duties shall be privileged in that its production may not be used in any legal proceedings if the Governor certifies in writing that such production is not in the public interest.

#### **4.8. Confidentiality**

All members of the Commission take the issue of confidentiality seriously and any matters related to the Commission shall not be discussed outside of the Commission meetings.

#### **4.9. Conflicts of Interest**

If at any time a conflict of interest arises between an issue being discussed and a member of the Commission, the member declare such interest and shall excuse him/herself from that portion of the said meeting and any further discussions or follow up.

#### **4.10. Indemnity**

As in accordance with s.34 of the Standards in Public Life Law, 2014;

*34. Neither the Commission nor any member shall be liable in damages for anything done or omitted in the discharge of their respective functions under the Law unless it is shown that the act or omission was in bad faith.*

## **5. Role of the Commissions Secretariat**

### **5.1. Analytical/Administrative Support**

Administrative, research, policy, strategy and other support for the Commission is provided by the Commissions Secretariat, consisting of a Manager and Administrator/Analysts. The Secretariat shall, at all times, ensure that the decisions of the Commission are followed up and implemented.

### **5.2. Resources**

The Secretariat shall be responsible for procuring and/or making any arrangements of any resource the Commission deems as necessary including the use of office space for meetings.

### **5.3. Personnel Issues**

All personnel issues are dealt with in accordance with the Public Service Management Law (2013 Revision). In the event that the Commission has a concern regarding the conduct or performance of one of the Administrator/Analysts they shall bring this to the attention of the Manager of the Secretariat. In the event that the Commission has a concern regarding the conduct or performance of the Manager they shall first approach the Manager to discuss their concerns. The Commission may then note their concerns in writing and send them to the attention of the Governor and Chief Officer of the Portfolio of the Civil Service.

### **5.4. Budget**

The Commissions Secretariat will be responsible for managing the finances of the Commission which shall include creating an appropriate budget to meet the needs of the Commission to whom submission will be made. The Secretariat shall ensure payment of the remuneration of each member as well as to any other person or agency that provides a pre-approved service to the Commission within thirty business days.

The Commission is not liable for any non-payment of fees but should a situation be encountered in which this occurs the Commission will review the payment process of the Secretariat to make recommendations for change.

### **5.5. Records**

The Secretariat will be responsible for maintaining and keeping custody of all records and property of the Commission in accordance with the Commission's policies and with the Freedom of Information Law (2015 Revision).

## 6. Standards

### 6.1. Nolan Principles

Also known as the 7 Principles of Public Life, these Principles were originally published in the first report of the UK's Committee for Standards in Public Life in 1995 and are now viewed as a best practice standard.

In accordance with the Law, persons in public life shall observe the following principles:

❖ **Selflessness**

Persons in public life shall act solely in terms of the public interest. They shall not do so in order to gain financial or other consideration for themselves, their family or their friends.

❖ **Integrity**

Persons in public life shall not place themselves under any financial or other obligation to individuals or organisations outside the relevant civil service entity that might seek to influence them in the performance of their official duties.

❖ **Objectivity**

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, persons in public life shall make choices on merit.

❖ **Accountability**

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

❖ **Openness**

Persons in public life shall be as open as possible about all the decisions and actions that they take. They shall, as required by s.19 of the Constitution, give reasons for their decisions and restrict or withhold information only when the wider public interest clearly demands or where a Law allows for the withholding of information.

❖ **Honesty**

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

❖ **Leadership**

Persons in public life shall promote and support these principles by leadership and example.

### 6.2. Public Service Values

Public officials are also mandated (in accordance with the Public Service Management Law, as revised from time to time) to comply with the Public Service Values which are as follows-

- (a) to serve diligently the government of the day, the Legislative Assembly and the public in an apolitical, impartial and courteous manner and to deliver high quality policy advice and services;*
- (b) to uphold the proper administration of justice and the principles of natural justice, and to support public participation in the democratic process;*
- (c) to strive continually for efficiency, effectiveness and value for money in all government activities;*
- (d) to adhere to the highest ethical, moral and professional standards at all times;*

- (e) to encourage creativity and innovation, and recognise the achievement of results;*
- (f) to be an employer that cares, is non-discriminatory, makes employment decisions on the basis of merit and recognises the aims and aspirations of its employees, regardless of gender or physical disabilities;*
- (g) to be an employer that encourages workplace relations that value communications, consultation, co-operation and input from employees (either individually or collectively) on matters that affect their workplace and conditions of service; and*
- (h) to provide a safe and healthy work environment.*

### **6.3. Public Servant's Code of Conduct**

Public officials are also mandated (in accordance with the Public Service Management Law, as revised from time to time) to comply with the Public Servant's Code of Conduct which are as follows-

- (1) In the course of employment, a public servant must comply with the Public Servant's Code of Conduct specified in subsection (2) and failure to do so in a significant way shall be grounds for discipline or dismissal.*
- (2) The Public Servant's Code of Conduct is as follows –*
  - (a) a public servant must behave honestly and conscientiously, and fulfil his duties with professionalism, integrity and care;*
  - (b) a public servant must be courteous and respectful to the Governor, the Speaker and Deputy Speaker, Official Members, Ministers, Members of the Legislative Assembly, other public servants and members of the public, and treat everyone with impartiality and without harassment of any kind;*
  - (c) a public servant must be politically neutral in his work and serve the government of the day in a way that ensures that he maintains the confidence of the government, while also ensuring that he is able to establish the same professional and impartial relationship with future governments;*
  - (d) a public servant, as a member of the public, has the right to be politically informed but must ensure that his participation in political matters or public debates or discussions, does not conflict with his obligation as a public servant to be politically neutral;*
  - (e) a public servant must not, at any time, engage in any activity that brings his ministry, portfolio, statutory authority, government company, the public service or the government into disrepute;*
  - (f) a public servant must obey the law and comply with all lawful and reasonable directions, including work place rules established by his chief officer or a person with delegated authority from the chief officer;*
  - (g) a public servant must disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) with his duties as a public servant, and must not use his official position for personal or familial gain;*
  - (h) a public servant must treat all official information and any dealings with the Governor, an Official Member or Minister as confidential, and, unless authorised to do so, must not give or disclose, directly or indirectly, any information about official business or anything of which he has official knowledge; and*
  - (i) a public servant must not use official resources, including electronic or technological resources, offensively or for other than very limited private purposes.*

**Part B: Complaints and Investigations of Breaches of  
Established Standards in Public Life**

## **7. Complaints and Investigations**

### **7.1. Constitutional Mandate**

In accordance with s.117(9)(c) of the Constitution the Commission is responsible for the operation of the register of interests and must investigate breaches of established standards in public life.

### **7.2. Offences Relating to the Declaration in the Register of Interests**

S.16 of the Law details offences relating to the submission of declarations for the register of interests.

16. (1) *A scheduled public officer who-*
- (a) fails, without reasonable cause, to furnish to the Commission a declaration, or further particulars which he is required to furnish in accordance with the provisions of this Law;*
  - (b) knowingly makes a declaration that is false;*
  - (c) fails, without reasonable cause, to give such information or explanation as the Commission or a tribunal established under a Law or regulations may require; or*
  - (d) fails, without reasonable cause to attend an enquiry being conducted or knowingly gives false information in such enquiry, having been required to attend or give evidence pursuant to an order given under the relevant Law or regulations establishing the tribunal,*
- commits an offence, and is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years, or to both.*

### **7.3. Making Complaints**

S.17(1) and (2) of the Law detail the format for making a complaint to the Commission and reads:

17. (1) *If any person wishes to allege that a person in public life is in breach of this Law, that person shall report the matter to the Commission in writing -*
- (a) stating the facts in support of the allegation; and*
  - (b) providing -*
    - (i) documentary evidence, where available;*
    - (ii) any other evidence; and*
    - (iii) such other particulars as may be prescribed by regulations made by Cabinet.*
- (2) *A person who knowingly makes a false or misleading statement to the Commission commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars or imprisonment for two years, or to both.*

**Please note: the commission does not provide legal advice in any capacity and generally will not become involved in cases which are before the courts in accordance with s.22(2) of the Law.**

All complaints should be filed with the Commission on a complaint form found in the appendices section of this manual.

### **7.4. Power of Commission to Investigate**

The Commission's powers to investigate are contained in s.18 of the Law:



*Where the Commission reasonably suspects that a person in public life has committed a breach of this Law it -*

- (a) may, on its own initiative; or*
- (b) shall, upon the complaint of any member of the public,*

*conduct an investigation.*

## **7.5. Powers of Investigation**

The Law confers special powers of investigation upon the Commission in s.20(1) through (4).

20. (1) *The Commission may -*

- (a) require that the person in public life and any other connected person produce, within a specified time, all books, records, accounts, reports, data, stored electronically or otherwise, or any other documents relating to the functions of any public or private body;*
- (b) require that the person in public life and any other person connected with him, within a specified time, provide any information or answer any question which the Commission considers necessary in connection with any enquiry or investigation which the Commission is empowered to conduct under this Law;*
- (c) require that the person in public life or his duly appointed agent attend at the offices of the Commission in order to verify his declaration;*
- (d) require that any facts, matters or documents relating to the allegations or breach, be verified or otherwise ascertained by oral examination of the person making the complaint; and*
- (e) cause any witness to be summoned and examined upon oath.*

(2) *Where, in the course of any enquiry the Commission is satisfied that there is a need to further expedite its investigations, it may exercise the following powers -*

*(a) require any person to furnish a statement in writing -*

- (i) enumerating all movable or immovable property belonging to or possessed by him in the Islands or elsewhere, or held in trust for him, and specifying the date on which each such property was acquired and the consideration paid therefor, and explaining whether it was acquired by way of purchase, gift, inheritance or other stated means; and*
- (ii) specifying any monies or other property acquired in the Islands or elsewhere or sent out of the Islands by him or on his behalf during a specified period;*

*(b) require any person to furnish, notwithstanding the provisions of any other Law to the contrary, all information in his possession relating to the affairs of a person in public life who is being investigated under this Law and to produce or furnish any document or true copy of any document relating to the person under investigation and which is in the possession or under the control of the person required to furnish the information; and*

*(c) require the manager of any bank or financial institution, in addition to furnishing information specified in subsection (2)(b), to furnish any information or certified copies of the accounts or the statement of accounts at the bank or financial institution of any person being investigated,*

*unless such information is subject to legal professional privilege.*

(3) *Before the entry into force of this Law, Cabinet may cause to be compiled all provisions in Laws and regulations that restrict disclosure of information that is subject to disclosure under this section so as to ensure the Laws are amended or repealed in order to make this section effective.*

*(4) A person who fails or refuses to comply with a requirement made under subsection (1) or (2) or gives false or misleading information commits an offence and is liable on summary conviction to a fine of fifty thousand dollars or to imprisonment for a term of two years, or to both.*

## **7.6. Protection of Information**

As provided for in s.24 of the Law:

*24.(1) The Commission shall not divulge to any person or authority information or any document disclosed to it under section 20 except -*

*(a) where the Commission is satisfied that there are reasonable grounds for suspecting that an offence has been committed it shall report the matter to the Royal Cayman Islands Police Service and the Director of Public Prosecutions;*

*(b) where a court has ordered the Commission to produce a particular declaration or record; or*

*(c) to a commission appointed under the Commissions of Enquiry Law (1997 Revision).*

*(2) The records of the Commission and any information revealed by a witness orally or by the production of documents shall not be disclosed except in circumstances authorised by or under this Law.*

## **7.7. Commission to Act in the Public Interest**

In accordance with s.25 of the Law the Commission may on its own initiative consider any matter with respect to the duty or obligation of a person under the Law, where in its opinion it is in the public interest to do so.

## **7.8. Right to be Heard**

When conducting an investigation into a suspected breach of the Law, s.21 preserves the right of the person being investigated to be heard and to make representation prior to any adverse finding by the Commission and reads:

*21. The Commission shall not conclude that a person in public life has contravened this Part until reasonable notice has been given to the person concerned and that person has been allowed full opportunity to make representations in person or by an attorney at law.*

## **7.9. Regulations**

As also provided for s.35 of the Law 2014 -

*35. Cabinet may make regulations for the better carrying out of the provisions of this Law.*

Such regulations are currently being considered.

## **7.10. The Commission's Final Report on Compliant or Investigation**

A final report from the Commission will include the following:

- i. a summary of the complaint;
- ii. a record of any investigation undertaken;
- iii. the findings of the Commission;
- iv. recommendations on the case at hand from the Commission;

- v. established procedures for maintaining established standards of integrity and competence in public life and ethical conduct on the part of all public officers or those in public life;
- vi. broader general recommendations, if the Commission believes that these are appropriate; and
- vii. a record of referral to the Commissioner of Police if this action is required.

A final report will be published on the Commission website: [www.standardsinpubliclifecommission.ky](http://www.standardsinpubliclifecommission.ky) and will unless there are persuasive reasons otherwise, (i.e. legal proceedings are underway or it is determined that the production of such information is not in the public interest) include the names of all parties involved. Copies of final reports will also be sent to key personnel, including the respondent and as appropriate representatives of the Cayman Islands Government, in an effort to ensure that any valid concerns receive the maximum possible exposure and are addressed appropriately.

The Commission's final reports will state recommendations and procedural steps for compliance with any standards in public life breached; or any inaccurate or false declarations made for submission to the Register of Interests (as determined by the nature of the complaint itself). Sanctions may also be enforced as applicable. The Commission may continue to monitor its final report even after publication and will remain prepared to assist the necessary parties/authorities with the implementation of the recommendations contained in the Final Report.

Once a final report has been written and the Commission is satisfied that the situation/issue at hand in the original complaint has been rectified with or without the applicable sanctions and compliance with procedures to guard standards in public life has been ensured, it will not revisit the complaint unless new information is presented, which in the opinion of the Commission may alter the outcome of the final report.

#### **7.11. Accessibility of the Commission**

The Commission may be contacted through the Secretariat in the following ways:

Phone: 244-3685

Fax: 945-8649

Website: [www.standardsinpubliclifecommission.ky](http://www.standardsinpubliclifecommission.ky)

E-mail: [info@standardsinpubliclifecommission.ky](mailto:info@standardsinpubliclifecommission.ky)

Mailing Address: P.O. Box 391 KY1-1106

Physical Address: 2<sup>nd</sup> Floor Artemis House, #67 Fort Street

FOI requests: [foi.cos@gov.ky](mailto:foi.cos@gov.ky).

## **Part C: Appendices**

## 8. Complaints Form

### The Commission for Standards in Public Life Complaints Form

#### Part A – About you (The complainant)

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1. Name Mr /Mrs /Miss /Ms:

\_\_\_\_\_

2. Physical Address:

\_\_\_\_\_

3. Mailing Address: P.O. Box \_\_\_\_\_ Postal Code: KY - \_\_\_\_\_

4. Contact numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

5. Email: \_\_\_\_\_

**Only fill out this box if someone is assisting you with the complaint – for example a lawyer, government body, private company.**

Name of representative: -

\_\_\_\_\_

Organisation:

\_\_\_\_\_

Physical Address:

\_\_\_\_\_

Mailing Address:

P.O. Box \_\_\_\_\_ Postal Code: KY - \_\_\_\_\_

Contact numbers:

Work: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

## Part B – Your complaint

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**Who are you complaining about?** (The respondent can be an individual, government body, statutory authority etc.)

1. Name of respondent: -

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2. Position of respondent:

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3. Name of organisation:

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4. Physical Address:

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5. Mailing Address: P.O. Box \_\_\_\_\_ Postal Code: KY - \_\_\_\_\_

6. Contact numbers: Work: \_\_\_\_\_ Cell: \_\_\_\_\_

7. Email: \_\_\_\_\_

*If you are complaining about more than one individual or organization, please provide this additional information on an extra page.*

## Part C – Complaint Details

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### **Describe the complaint in detail:**

Describe the details of the issue you want to complain about to the Commission for Standards in Public Life. Please give us all the dates and as many specific details as you have regarding the issue you are making the complaint about.

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**Provide a timeline of the incident or breach of the established standards in public life; incident of ethical misconduct; false declaration to the register of interests or any other matter warranting investigation for corruption or conflicts of interest? (Day/month/year)**

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**Part D – Supporting evidence**

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Please attach copies of any documents that may help us investigate your complaint that you may have. If you cannot do this, please tell us about the documents or other evidence and how this evidence can be obtained so it can assist in the Commission’s investigation of the complaint.

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**What outcome are you seeking?**

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**Have you made a complaint about this to another external agency?** (For example; the Office of the Complaints Commissioner, etc.)

If so, you must provide details of the complaint, the agency it was made to and any outcome. You should also attach copies of any letters you have received from the agency.

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**Are you aware of any legal proceedings involving this matter?** If so, please provide details below (e.g. cause number or any other identifying details).

**I hereby swear that the above information is accurate to the best of my knowledge and is provided in good faith.**

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

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



Remember

- to sign and date your complaint and release of information; and
- attach copies of any relevant documents.

FAILURE TO PROVIDE ALL INFORMATION AND DOCUMENTS REQUESTED MAY  
DELAY OR PREJUDICE THE CONSIDERATION OF YOUR COMPLAINT

**Send your completed form to:**

Mailing address:  
P.O. Box 391  
Grand Cayman KY1-1106  
CAYMAN ISLANDS

Email: [Info@standardsinpubliclifecommission.ky](mailto:Info@standardsinpubliclifecommission.ky)

Fax: (345) 945-8649

**Commissions Secretariat Use Only**

**Case Reference Number:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Name of Secretariat Representative:** \_\_\_\_\_

**Date Placed on the CSPL Agenda:** \_\_\_\_\_

**Complaint Accepted and Investigated:** Yes      No

**Date of Draft Report:** \_\_\_\_\_

**Date of Final Report:** \_\_\_\_\_

**Date of Publication of Final Report:** \_\_\_\_\_

### Consent to Release Information

I understand that the Commission for Standards in Public Life must work with various individuals and government agencies to investigate the alleged breach of any of the established standards in public life, an incident of misconduct by a scheduled public officer or a potential falsity contained within an individual's declaration for the register of interests as declared in the attached complaint form. Therefore I give my consent to the use and divulgence of any information the Commission feels is necessary to complete their investigation into this matter. I also understand that the Commission will use its discretion in sharing my information and that my information will only be shared with those persons or agencies considered necessary.

I understand that a final report will be published on the Commission for Standards in Public Life website and will, unless there are persuasive reasons otherwise, include the names of the parties involved. Copies of final reports will also be sent to key personnel, including the respondent and representatives of the Cayman Islands Government, in an effort to ensure that any valid concerns receive the maximum possible exposure. Information will be released in accordance with the policies contained within this manual.

**I further understand that if a complainant discloses or gives the Commission reason to believe that he/she is engaged in criminal conduct then the Commission may report such matters to relevant agencies, including the Royal Cayman Islands Police Service ("RCIPS") in accordance with s. 24(1) of the Standards in Public Life Law. If a complaint alleges criminal conduct on the part of another then that conduct may also be reported to the RCIPS.**

**PLEASE NOTE: THE COMMISSION DOES NOT PROVIDE LEGAL ADVICE IN ANY CAPACITY AND GENERALLY WILL NOT BECOME INVOLVED IN CASES WHICH ARE BEFORE THE COURTS, IN ACCORDANCE WITH S.22(2) OF THE LAW.**

Signature: \_\_\_\_\_

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