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DECEMBER 2008

TERMS OF REFERENCE AND EXPLANATION OF THE ROLE OF THE NCP STEERING BOARD – DECEMBER 2008

This version replaces the original version of the Steering Board Terms of Reference from June 2007.

Steering Board Members

A Senior Civil Servant in the Department for Business Enterprise and Regulatory reform will chair the Steering Board. The Board will also include representatives from the Foreign and Commonwealth Office, Department for International Development, Department of Work and Pensions and Export Credit Guarantee Department each having an interest in the promotion and implementation of the OECD Guidelines for Multinational Enterprises. Other departments may participate in Board meeting on an *ad hoc* basis when issues of interest arise.

The Steering Board will also include four external members with business, employee, NGO or other experience selected for the competences they will bring relevant to the function and operation of the Steering Board. External members may act as their constituency representative, but will endeavour to be collegiate in their approach to decision-making.

The OECD Guidelines cover a range of issues and the Steering Board may wish to call upon persons having a knowledge, experience or understanding of particular topics. Therefore, with the agreement of the Chair, the Steering Board may call upon further experts as and when appropriate. The Steering Board Secretariat will maintain a list of such persons.

BERR will act as the Secretariat to the Steering Board.

Confidentiality

Should the NCP or any member of the Steering Board request that particular issues be treated in a confidential manner, provided the Board as a whole agrees, all Steering Board members shall respect this confidentiality. In all other respects the Steering Board will aim to operate in an open and transparent manner. In the interests of transparency, details of serving members on the Steering Board will be provided on the NCP website. Except when confidential matters are concerned (for example, in the case of private or personal matters or business sensitive information being discussed) minutes of Steering Board meetings will also appear on the NCP website.

The responsibilities of the Steering Board:

- to keep its own Terms of Reference under review;
- to oversee and monitor the effectiveness of the operation of the National Contact Point, ensuring correct and fair procedures are followed in line with the established and published NCP procedures for dealing with complaints;
- to agree any changes in procedures, and develop further procedures or, where this is necessary in the light of experience;
- to consider issues of general and specific application of the Guidelines when they arise. The Steering Board will consider requests from the NCP for guidance on the procedure to be followed, for example where there are new or contentious issues to consider; the Steering Board will not make decisions on the substance of Specific Instances;
- to consider requests for review in relation to Specific Instances examinations in respect of procedural issues only;
- to assist and advise the NCP in relation to the promotion and awareness raising of the Guidelines;
- to consider issues where clarifications or improvements to the Guidelines are proposed for bringing to the attention of the OECD Investment Committee. The Steering Board may make recommendations to Ministers as appropriate in this respect;

Meetings

The Steering Board will hold meetings quarterly or at times that the Steering Board Chair considers to be appropriate.

Board members will work in a collegiate manner in relation to decision taking. The Chair of the Steering Board will draw conclusions based upon discussions.

10 December 2008