



Home Office

TERMS OF APPOINTMENT UNDER THE INQUIRIES ACT 2005 FOR THE CHAIR OF THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

This document sets out the principal terms and conditions of your appointment as the Chair of the Independent Inquiry into Child Sexual Abuse.

Name of Appointee

1. Alexandrina Jay

Period of Appointment

2. Your appointment will be for the duration of the Inquiry, commencing on 11 August 2016, unless terminated early in accordance with paragraph 15 below.

Job Title and Responsibilities

3. Your main responsibilities are to chair the Independent Inquiry into Child Sexual Abuse, the Terms of Reference for which are set out at Annex A. Please note that the Home Secretary in consultation with you may amend these Terms of Reference at any point during the term of your appointment.
4. You are not an employee of the Home Office. Accordingly, nothing in this document shall be construed as, or taken to create, a contract of employment between you and the Home Office or Her Majesty's Government.

Remuneration

5. You will receive a salary of £185,000 per annum and a £35,000 per annum London accommodation allowance. This will be paid through the Home Office payroll system monthly in arrears to your bank or building society account.
6. The salary and allowance will be reviewed periodically by the Home Office during the course of this appointment term; the first review will take place in April 2017.

Tax, Expenses and Subsistence

7. All of your remuneration will be subject to the normal United Kingdom tax requirements, and subject to deduction of income tax and Earnings Related National Insurance Contributions (ERNIC) at source under the PAYE scheme.

8. The Home Office will reimburse all reasonable expenses (including travel and other expenses) in line with Home Office policies for employees and which are properly and necessarily incurred in respect of your appointment.
9. Rules for travel and subsistence in the UK and for official hospitality are set out in Home Office policy statements and you will be entitled to the rates specified in the relevant sections.

Pension

10. Your appointment to the role is not pensionable.

Disclosure

11. To comply with HM Treasury's Resource Accounts Manual, you should note that the Home Office may be required to disclose your remuneration in its annual accounts.

Attendance

12. This is a full time employment and you will be expected to work five days per week. It may occasionally be necessary to work additional time for which there will no additional compensation.

13. You will be entitled to 30 days of annual leave per annum.

Location

14. Your main place of work will be Millbank Tower, Westminster, London SW1P 4QP although this may be changed on reasonable notice.

Notice

15. You may resign at any time by notice in writing to the Home Secretary. The Home Secretary may also at any time terminate your appointment:

(a) on the ground that, by reason of physical or mental illness or for any other reason, you are unable to carry out the duties of your appointment;

(b) on the ground that you have failed to comply with any duty imposed on you by the Inquiries Act 2005;

(c) on the ground that you have –

(i) a direct interest in the matters to which the Inquiry relates, or

(ii) a close association with an interested party,

such that your appointment to the Inquiry could reasonably be regarded as affecting its impartiality; or

(d) on the ground that since your appointment, you have been guilty of any misconduct that makes you unsuited to hold the appointment of chairman.

Before making a decision the Home Secretary will comply with all relevant provisions of the Inquiries Act 2005.

Code of Conduct

16. Your conduct should be in accordance with the Nolan Report recommendations, 'The Seven Principles of Public Life' (see Annex B). The code covers, amongst other things, the corporate and individual responsibilities of Public Appointees, agreed restrictions on political activities and disclosure of Public Appointees' financial interests.
17. You must declare any personal or business interests, which may, or may be perceived (by a reasonable member of the public) to influence your judgment in performing your responsibilities. Conflicts of interest may arise from financial interests and more broadly from official dealings with, or decisions in respect of, individuals who share your private interests.
18. All information on potential conflicts of interest will be held by the Home Office Public Appointments Team and could be disclosed to the public under the Freedom of Information Act 2000. In entering into this agreement and accepting this appointment you thereby consent to this retention and disclosure.

Confidentiality / use of official information

19. You are subject to section 1(1) of the Official Secrets Act 1989.
20. Other than in the exercise of your statutory powers under the Inquiries Act 2005, you must not disclose any information which is confidential in nature or which is provided in confidence without the authority of the Home Secretary.
21. Unauthorised disclosure of any information gained in the course of your appointment, or its use by you for personal gain or advancement, could result in your appointment being terminated with immediate effect and/or criminal prosecution.
22. The requirements in this section apply both during the term of your appointment and after your appointment has terminated.

Personal liability

23. In accordance with s.37 of the Inquiries Act 2005, as a member of the inquiry panel no action lies against you in respect of any act done or omission made in the execution of your duty as such, or any act done or omission made in good faith in the purported execution of your duty as such.

Gifts and Hospitality

- 24. You are expected to ensure that any acceptance of gifts and hospitality can stand up to public scrutiny. Gifts should be declined wherever possible, and any offers should be reported to the Secretary to the Inquiry.
- 25. Where it would be ungracious or otherwise difficult not to accept, you should inform the Secretary to the Inquiry of the gift, the estimated value and the donor and ensure that a record is placed in the Home Office's hospitality register. Similarly, care must be taken to ensure that no extravagance is involved with working lunches and other social occasions held in relation to carrying out your responsibilities.

Confirmation

- 26. You are requested to sign this document to confirm your acceptance of these terms and conditions.

I, ALEXIS JAY hereby agree to the above terms and conditions.

Signed Alexis Jay

Dated 18-8-2016

MIKE PARSONS on behalf of the Home Office.

Signed [Signature]

Dated 17 August 2016

ANNEX A

Independent Inquiry into Child Sexual Abuse

Terms of Reference

Purpose

1. To consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation; to consider the extent to which those failings have since been addressed; to identify further action needed to address any failings identified; to consider the steps which it is necessary for State and non-State institutions to take in order to protect children from such abuse in future; and to publish a report with recommendations.
2. In doing so to:
 - (a) Consider all the information which is available from the various published and unpublished reviews, court cases, and investigations which have so far concluded;
 - (b) Consider the experience of survivors of child sexual abuse; providing opportunities for them to bear witness to the Inquiry, having regard to the need to provide appropriate support in doing so;
 - (c) Consider whether State and non-State institutions failed to identify such abuse and/or whether there was otherwise an inappropriate institutional response to allegations of child sexual abuse and/or whether there were ineffective child protection procedures in place;
 - (d) Advise on any further action needed to address any institutional protection gaps within current child protection systems on the basis of the findings and lessons learnt from this inquiry;
 - (e) Disclose, where appropriate and in line with security and data protection protocols, any documents which were considered as part of the inquiry;
 - (f) Liaise with ongoing inquiries, including those currently being conducted in Northern Ireland and Scotland, with a view to (a) ensuring that relevant information is shared, and (b) identifying any State or non-State institutions with child protection obligations that currently fall outside the scope of the present Inquiry and those being conducted in the devolved jurisdictions;
 - (g) Produce regular reports, and an interim report by the end of 2018; and

- (h) Conduct the work of the Inquiry in as transparent a manner as possible, consistent with the effective investigation of the matters falling within the terms of reference, and having regard to all the relevant duties of confidentiality.

Scope

3. State and non-State institutions. Such institutions will, for example, include:
 - (a) Government departments, the Cabinet Office, Parliament and Ministers;
 - (b) Police, prosecuting authorities, schools including private and state-funded boarding and day schools, specialist education (such as music tuition), Local Authorities (including care homes and children's services), health services, and prisons/secure estates;
 - (c) Churches and other religious denominations and organisations;
 - (d) Political Parties; and
 - (e) The Armed Services.
4. The Inquiry will cover England and Wales. Should the Inquiry identify any material relating to the devolved administrations, it will be passed to the relevant authorities;
5. The Inquiry will not address allegations relating to events in the Overseas Territories or Crown Dependencies. However, any such allegations received by the Inquiry will be referred to the relevant law enforcement bodies in those jurisdictions;
6. For the purposes of this Inquiry "child" means anyone under the age of 18. However, the panel will consider abuse of individuals over the age of 18, if that abuse started when the individual was a minor.

Principles

7. The Inquiry will have full access to all the material it seeks.
8. Any allegation of child abuse received by the Inquiry will be referred to the Police;
9. All personal and sensitive information will be appropriately protected; and will be made available only to those who need to see it; and

10. It is not part of the Inquiry's function to determine civil or criminal liability of named individuals or organisations. This should not, however, inhibit the Inquiry from reaching findings of fact relevant to its terms of reference.

ANNEX B

THE SEVEN PRINCIPLES OF PUBLIC LIFE

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations 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, holders of public office should 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

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the public interest clearly demands.

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 arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.