

## Code of Business Conduct

<b>Policy Owner:</b>	Catherine Dobbins, Head of Corporate Services, in conjunction with Compliance & Corporate Governance
<b>Head of Division:</b>	Catherine Dobbins, Head of Corporate Services
<b>Most recent review:</b>	2024 (#8)
<b>Approval:</b>	Approved by Catherine Dobbins, Head of Corporate Services.
<b>Effective date:</b>	1 September 2024
<b>Next review date:</b>	1 September 2025

### Summary

*This policy supports the highest standards of integrity in publicjobs. It includes the process for managing potential conflicts of interest across all of our activities and the process for declaring any benefits received and ensuring no unjust enrichments are accepted. The policy clearly sets out the requirement for confidentiality in all roles and in dealing appropriately with the information to which we have access. It sets out the obligations on staff and Board Members and how complaints can be made.*

### Policy

It is the objective of the Public Appointments Service (publicjobs) to ensure that the highest possible standards of integrity are maintained. This document sets out guidelines to be followed in this regard. Guidelines are formulated to reflect obligations falling on Board and Staff members in their disposition of public duties, and in a spirit of explicitly specifying the position of publicjobs for all concerned.

### Responsibility

- ◇ All Board members - Adherence to this Code.
- ◇ All staff – Adherence to this Code and adherence to all Policies and Procedures (including the Civil Service Code of Standard and Behaviour and the Guidelines agreed for this organisation)
- ◇ Chief Executive/Board Secretary – Dissemination (Board)
- ◇ Management Advisory Committee – Dissemination (Staff)

## **Procedure**

### **1. Conflict Of Interest**

We recognise that by nature, Board Membership and employment in a public sector setting embraces potential for conflict of interest. The principal circumstances giving rise to such possibilities are as follows:

- Instances where a Board / Staff Member or a family member holds an interest directly or indirectly in groupings or enterprises which deal commercially and / or contractually with the organisation.
- Instances where a Board / Staff Member or a family member can influence procurements and awarding of contracts for which groupings or enterprises with which he / she is associated directly or indirectly are competing.

In all such cases a designated director and / or an occupier of designated position of employment must comply with the requirements of the Ethics Acts for the disclosure of material interests. (See also paragraph 2.7.3. of the Code of Practice as highlighted below).

*When an official function falls to be performed by a Board Member (i.e. by a designated director) or by an employee who occupies a designated position of employment, and that person has actual knowledge that he or she, or a connected person (as defined at section 2(2)a of the 1995 Ethics Act), has a material interest in the matter to which the function relates, he or she is required to furnish a statement at the time the matter arises. A Board Member is required to furnish such a statement to the other directors. The occupier of a designated position of employment is required to furnish such a statement to the relevant authority for the position.*

*The function should not be performed unless there are compelling reasons to do so. If this is the case, a Board Member must furnish a statement in writing of the compelling reasons to the other Board Members and to the Standards in Public Office Commission. The occupier of a designated position of employment must furnish the statement in writing of the compelling reasons to the relevant authority for the position. This applies whether or not the interest has been disclosed in an annual statement of interests.*

### **2. Attraction of Benefits**

We recognise that certain Board and Staff Members may attract benefits in cash or in kind over and above normal remuneration (director fees, salary, travel, subsistence etc.) in respect of associations and activities arising purely and solely by virtue of their position in the organisation. In such cases,

Board Members and the Chief Executive are required to disclose such positions to the Chairperson of the Board. Staff Members are required to adhere to the Guidelines for the implementation of the Civil Service Code of Standards and Behaviour.

We will ensure a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally. The Foreign Travel Policy will be adhered to by all staff and board members.

### **3. Unjust Enrichments**

We recognise that having regard to the nature of their duties and responsibilities, some Board and Staff Members may be exposed to the possibility of inviting and / or attracting offers of personal enrichments. Such enrichments, when established to be materially significant and / or calculated to engender or reward bias are regarded by publicjobs as unjust and are prohibited.

The Board will avoid giving or receiving corporate gifts, hospitality, preferential treatment or benefits which might affect, or appear to affect, the ability of the donor or the recipient to make independent judgement on business transactions or on any activities this organisation is involved in.

### **4. Confidentiality**

Having regard to the nature of their position, all Board and certain Staff Members are privy to information and material which is confidential to the organisation and its Clients. All Board and relevant Staff Members are required to maintain confidentiality in such matters.

All Board and Staff Members are required to operate within these guidelines which are designed to ensure the maintenance of acceptable standards of integrity of publicjobs.

Former Board and Staff Members are required to maintain confidentiality in regard to the business of the Board. Board members should not retain documentation obtained during their terms as board members and should return such documentation to the Secretary or otherwise indicate to the Secretary that all such documentation in their possession has been disposed of in an appropriate manner. In the event that former board members require access to Board papers from the time of their term on the Board, this can be facilitated by the Board Secretary.

### **5. Disclosure of Interests/ Avoidance of Conflict of Interest**

- 5.1 Board Members and employees occupying designated positions of employment shall comply with their obligations under the Ethics Acts.
- 5.2 The Chairperson and the CEO will provide advice or assistance to any Board Member requiring guidance in relation to any aspect of the Code (particularly in relation to avoidance of conflicts of interest). Where doubt arises about the need for disclosure the person should consult the Standards in Public Office Commission.
- 5.3 The Secretary maintains a confidential register of Board members interests which is updated annually. Only the Chairperson, Chief Executive and Secretary have access to the register (subject to the requirements of the Freedom of Information legislation). It also includes any interests declared by designated persons.
- 5.4 When a matter arises which may relate to interests of the Chairperson, the other members attending the meeting shall choose one of their members present to chair the meeting. The Chairperson should absent himself/herself when the Board is deliberating or deciding on a matter in which the Chairperson or his/her connected person has an interest.
- 5.5 Documents relating to dealings with interests of a member of the Board are not made available to the member concerned. Where such documents are received they should be returned. A member absents himself/herself from discussions relating to such dealings.

## **6. Information**

- 6.1 Board and staff facilitate access to general information relating to the organisation in a way that enhances accountability to the general public. Board members may take independent professional advice, if necessary, at the reasonable expense of public jobs where they judge it necessary to discharge their responsibilities as a board member. Concerns of a board member that cannot be resolved will be recorded in an appendix to the minutes of a meeting.
- 6.2 Confidentiality is maintained concerning information of personal and/or confidential and/or commercial interests of public jobs and especially on client data. There is prior consultation with third parties when it is proposed to release sensitive information in the public interest.
- 6.3. There is compliance with statutory provisions relating to information.

## **7. Obligations**

- 7.1 Board and Staff are committed to the Code of Practice adopted by the Board, including the accompanying Code of Business Ethics, and all statutory obligations.
- 7.2 An obligation of loyalty to the organisation is recognised together with a commitment to the highest standards of business ethics.

- 7.3** Board members use their best endeavours to attend all Board meetings.
- 7.4** The acceptance of further employment by a board member where the potential for conflict of interest arises should be avoided during a reasonable period of time after their role as board member has ceased.
- 7.5** Concerns of board members that cannot be resolved will be recorded in the appropriate minutes and actioned as agreed by the board.

## **8. Complaints and Reviews**

We have a range of complaints and review procedures. If a Board member is approached by an individual in relation to an issue, complaint or review, the person should be advised to avail of the relevant complaints/review procedure as set out in the attached document. If the issue relates to an area not covered by any of the existing procedures, the issue should be referred to the Board Chairman for investigation or review. The Board Chairman (in consultation with the CEO or Board Secretary if appropriate) will decide on how best to investigate the matter.

## **9. General**

- 9.1** This code of conduct including the policy on disclosure of interests is circulated to all Board members and staff.
- 9.2** This policy is accessible on the E-Hub (intranet), and wider Civil Service circulars, policies, codes of practice, procedures, and guidelines are accessible on [circulars.gov.ie](https://www.circulars.gov.ie). A PDF or alternative accessibility version of this policy is available upon request from People & Culture, by emailing [people&culture&publicjobs.ie](mailto:people&culture&publicjobs.ie). The policy is also available in the Board Member Governance Folder on ShareFile.

This policy will be reviewed regularly to ensure it remains operationally fit for purpose and reflects appropriate changes in regulations, the working environment etc. Elements of this policy may also be subject to further development.