



# **Dundalk Institute of Technology**

## **CODE OF CONDUCT**

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## 1. Introduction

- 1.1 Dundalk Institute of Technology is charged with maintaining best practice behaviour in all our interactions and has developed this Code of Conduct as a way of ensuring that appropriate standards of conduct are adhered to by our employees. The Institute encourages the highest standard of conduct to ensure that our actions are lawful, ethical, honourable and transparent. Everyone to whom this Code applies is expected to operate at all times in all settings in a manner that positively reflects on and enhances the reputation of themselves and the Institute.
- 1.2 This Code is principle-based. It sets out the minimum requirements with which everyone within its scope is expected to abide in performing his/her duties in a lawful, ethical and professional manner and in compliance with the [policies and procedures](#) of the Institute, the Code of Governance of Irish Institutes of Technology and the principles of “natural justice”.
- 1.3 This Code takes account of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 as well as the Institutes of Technology Acts 1992 to 2006. This Code has been approved by the Governing Body on 22 September 2014. There is a requirement for each Institute to develop a Code of Conduct, to comply with the Code of Governance of Irish Institutes of Technology (2011) and report on this to the HEA as part of the Annual Governance statement by the President and the Chair of the Governing Body.
- 1.4 This Code applies to employees of Dundalk Institute of Technology.
- 1.5 Employees must comply with the requirements of the Institute of Technology Acts and all other applicable legislative and regulatory requirements.
- 1.6 Employees will comply with all policies and procedures put in place for employees generally by the Institute from time to time.

**1.7** This Code does not address all possible situations that may arise in the Institute but is a set of principles that provide guidance to Employees on acceptable and unacceptable behaviour.

## **2. Objectives**

**2.1** The objectives of the Code are:

- To set out an agreed set of ethical principles;
- To promote and maintain confidence and trust in the Institute and its Employees;
- To prevent the development or acceptance of unethical practices and behaviours;
- To promote the highest legal, professional and ethical standards in all the activities of the Institute;
- To promote compliance with best current governance and management practice in all the activities of the Institute.

These objectives can be achieved through adherence to the fundamental principles set out in this Code. The general principles of this Code of Conduct which Employees are expected to comply with are:

- Integrity
- Honesty
- Transparency
- Confidentiality
- Loyalty
- Fairness

### 3. General Principles

#### 3.1 Integrity

- 3.1.1 Employees have a duty to conduct themselves in accordance with the highest standards of business and professional ethics. This will include full compliance with the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 including any amendments to these Acts.

<http://www.irishstatutebook.ie/1995/en/act/pub/0022/index.html>

<http://www.irishstatutebook.ie/2001/en/act/pub/0031/index.html>

- 3.1.2 Employees (other than hourly paid part-time employees) must obtain written approval in advance from the President of the Institute for outside employment/ and comply with such policies or procedures around same as may apply from time to time.
- 3.1.3 Employees must disclose to the President of the Institute (or person(s) delegated by the President) any conflict of interest with the interests of the Institute. A conflict of interest can occur when personal interests, activities, investments or associations compromise an employee's judgment or ability to act with integrity and/or in the best interests of the Institute or may be perceived as such.

Situations that may give rise to conflict of interest are typically:

- financial interest in matters the Institute deals with - Employees may find themselves in a position in which fulfillment of their functions and duties may confer material benefits to themselves, their families, relatives or close associates;

- personal relationships with students - staff should avoid and must disclose to the Institute any situations which may require them to supervise or assess a student with whom they have or have had a personal, commercial, familial or other significant relationship;
- personal relationships with other employees-
  - Employees must disclose to the Institute any situations which may require them to supervise another member of staff with whom they have or have had a personal, commercial, familial or other significant relationship;
  - Employees must disclose to the Institute any personal relationships with a current or prospective employee which may give rise to a conflict of interest;
- personal relationships with people the Institute is dealing with e.g. contractors or tenderers;
- secondary employment that compromises the integrity of the Institute or exposes the Institute to risk arising from the Double Employment provisions set out in the Organisation of Working Time Act 1997 or any replacement thereof (i.e. outside work must not be accepted where it may cause a conflict between the employee's private interests and duties to the Institute).

Where an employee is unhappy with any decision in relation to outside employment of a conflict of interest, they may utilise the individual grievance procedure.

- 3.1.4 Employees must conduct their purchasing of goods/ services for the Institute in accordance with public policy, best business practice and the Institute's procurement policies and procedures, as well as complying with prescribed levels of authority for the sanctioning and monitoring of any relevant expenditure. Employees must ensure that the engagement of consultancy and other services is in compliance with public policy guidelines and Institute policy.

- 3.1.5 Employees must not solicit contracts with the Institute for the supply of goods or services either for their own benefit, or for any partnership or company with which they have an involvement in their private capacity, or on behalf of other persons or organisations.
- 3.1.6 The Institute is committed to not acquiring information or business secrets by improper means.
- 3.1.7 Employees must ensure that the accounts/reports of their area of responsibility within the Institute accurately reflect the operating performance of the Institute and are not misleading or designed to be misleading.
- 3.1.8 Employees must avoid the unapproved use of the Institute's resources or time for personal gain or for the benefit of competitors and/or other education providers.
- 3.1.9 Employees should communicate to the appropriate level of management if they suspect or are aware of dishonest or other improper activity, [as per the Institute's Disclosure Policy.]<sup>1</sup>

## **3.2 Honesty**

- 3.2.1 Employees must use the resources of the Institute in a proper, effective and efficient manner and must take proper and reasonable care of Institute property and must not knowingly use or permit its use for unauthorised purposes.
- 3.2.2 Employees are required to attend work, perform their duties in a diligent and efficient manner and not absent themselves from duty without proper authorisation, in accordance with the Institute's Absence Management Policy.

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<sup>1</sup> This part of the sentence only becomes applicable once an Institute has adopted a Disclosure Policy

- 3.2.3 Employees must carry out official directions and policies in , good faith and in an impartial and transparent manner.
- 3.2.4 Employees must ensure that expenses, such as travel and subsistence payments, are not unnecessarily incurred either by themselves or by staff reporting to them and must comply with Government Guidelines (Department of Finance Circular 11/82 and subsequent amendments).

### **3.3 Transparency**

- 3.3.1 Employees must comply with the following guidelines in relation to giving and receiving gifts and entertainment, in order to ensure that Institute decisions are made on fair and objective criteria.
- 3.3.2 Employees must not solicit gifts or hospitality for personal gain. The receipt of gifts and hospitality by employees from individuals or organisations will be governed by the highest standards. The term “gift” includes any benefit which is given to an employee free of charge or at less than its commercial price.
- 3.3.3 The exchange of official gifts (e.g. gifts exchanged with dignitaries and officials) to and from the Institute is acceptable and in such circumstances gifts received remain the property of the Institute. Receipt of hospitality that constitutes normal courtesies in student, business and community relations (e.g. attendance at a community/civic/cultural function) is acceptable. Employees may only accept personal gifts of a reasonable value, as defined from time to time by the Institute.
- 3.3.4 Employees must not accept cash, gift cheques or any vouchers that may be exchanged for cash, regardless of the amount, from external individuals or organisations.



- 3.3.5 Employees must make themselves aware of any Institute guidelines, which may be issued from time to time in respect of the above, including the appropriateness of gifts.

### **3.4 Confidentiality and Intellectual Property**

- 3.4.1 Employees are required to comply with relevant statutory provisions under the Freedom of Information Acts, 1997 and 2003, the Data Protection Acts, 1988 and 2003 and the Institute's Records Management Policies and Procedures and any amendment thereof. The Institute is committed to managing access to general information relating to activities of the Institute in a way that is open and transparent and enhances the Institute's accountability to the general public.
- 3.4.2 Employees must respect and maintain confidentiality in relation to staff, students and commercially sensitive Institute business. Employees are required to respect the value and ownership of information they receive and not disclose information without appropriate authority unless there is a legal or professional obligation to do so, having regard to the principle of academic freedom, as set out in the Institutes of Technology Acts.
- 3.4.3 Employees must take reasonable steps to ensure compliance with the Institute's Intellectual Property Policy.
- 3.4.4 Employees are required at all times to respect the confidentiality of sensitive information held by and processed by the Institute. Such information includes, but is not limited to:
- personal information;
  - information received in confidence by the Institute;

- any commercially sensitive information or other information sensitive to the reputation of the Institute.

3.4.5 Employees will observe appropriate prior consultation and decision-making procedures where, exceptionally, it is proposed to release sensitive information in the public interest.

3.4.6 Employees must respect the confidentiality of information received in the performance of their duties as employees. Additionally, employees must respect the confidentiality of the deliberations of any Institute Boards/ Committees where advised that such confidentiality is required.

3.4.7 Employees must ensure that appropriate care is taken to guarantee the security of sensitive information (in paper or electronic form) whether stored on or off Institute property.

3.4.8 Employees must ensure that confidential records are subject to appropriately restricted access procedures in accordance with Institute guidelines. Where clarification is required as to the appropriate restricted access requirements, the onus is on the Employee to follow-up with the responsible owner to ensure this is effectively controlled.

3.4.9 The obligations of an employee to the Institute with regard to the non-disclosure of privileged or confidential information do not cease when his/her relationship with the Institute has ended.

### **3.5 Loyalty**

3.5.1 Employees are expected to be faithful to their commitments and obligations at the Institute, including those set out in their contract of employment. Employees must

carry out their duties in a professional, responsible and conscientious manner and to the highest possible standard.;

- 3.5.2 Employees are also required to act in accordance with Institute's goals, policies and procedures and to respond positively to any lawful instructions and reasonable directions given by persons who are authorised by the Institute to give such instructions and direction.
- 3.5.3 Employees must uphold the good name and reputation of the Institute and exercise judgment in the best interests of the Institute. This obligation does not detract from the exercise of academic freedom, within the law, as set out in the Institutes of Technology Acts.
- 3.5.4 Employees will act responsibly and fairly with the due care, diligence, loyalty and the prudence of a reasonable individual whose duty of care is to the Institute.

### **3.6 Fairness**

- 3.6.1 Employees will treat each other and all members of the Institute community in accordance with dignity and respect policies which includes:
- respect a colleague's work space and personal space;
  - value the constructive contributions made by others;
  - respect the rights of others with different views;
  - not make inappropriate jokes or comments which may be offensive, insulting, intimidating or degrading to others;
  - criticise, demean or dismiss others via any public forum;
  - respect each other's knowledge and experience;

- show an understanding towards others when they are facing personal or work-related difficulties and, where appropriate, provide reassurance, guidance and support;
- acknowledge and give credit to those deserving of it

3.6.2 Employees must comply with applicable employment rules, standards and contract provisions.

3.6.3 This Code places an onus on employees to ensure compliance with employment equality and equal status legislation, a commitment to fairness in all business dealings, and the valuing and equal treatment of all those with whom the Institute interacts. This will include, inter alia, compliance with the Institute's Equal Opportunities, Dignity at Work and/or Bullying and Harassment Policies and Procedures and such other such policies that will be brought to the attention of staff by the Institute from time to time.

3.6.4 The Institute values its students, suppliers, employees and customers and employees must treat all students, suppliers, other employees and customers fairly.

3.6.5 Employees must treat other persons equitably, irrespective of gender, family status, sexual orientation, race, disability, religion, civil status, age or traveller community membership.

3.6.6 Employees must be responsive and courteous in dealing with other employees, students and members of the Institute community.

3.6.7 Employees should communicate openly, honestly and directly. In doing so, employees should

- listen carefully with an open mind;

- frame responses in a thoughtful and considered way;
- use all communication tools including e-mail, text messages, social media etc. appropriately and carefully ensure that messages do not give offense, offer and accept constructive feedback to and from others in an appropriate manner;
- not communicate aggressively at any time;
- not communicate in a way that demeans or insults others;
- not initiate or spread rumours or gossip that may be damaging to others;
- not use inappropriate behavior or language at meetings or in public, which may cause others to feel criticized, humiliated or embarrassed.

#### **4. Reporting Breaches of the Code of Conduct**

- 4.1 [Employees should report suspected breaches of applicable laws, regulations and/or this Code. This reporting should normally be made initially through standard management channels, beginning with immediate supervisor or manager. If, for any reason, it is not appropriate to report suspected breaches to the immediate supervisor or manager, individuals may go to the next level of management as appropriate.]<sup>2</sup>

#### **5. Responsibility**

- 5.1 The Institute will ensure that this Code is circulated to all employees for their understanding and retention. It will also be available on the [Institute's website](#).
- 5.2 All Employees are required to make themselves aware of this Code (and any subsequent amendments or guidelines) and must adhere to the principles set out above. Breach of this Code may lead to disciplinary action in accordance with the Institute's Disciplinary Procedures.

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<sup>2</sup> This paragraph is subject to the adoption of an Institute Disclosure Policy

5.3 The Institute will provide practical guidance and direction as required by employees in such areas as gifts and entertainment and on other ethical considerations which may arise from time to time.

## **6. Consultation on the Code**

6.1 This Code has been finalized following a consultation process under the aegis of the Public Service Agreement 2010-2014 involving representatives of IMPACT, SIPTU, UNITE and TUI.