



Code of Conduct for members of Governing Body and Governing Body Committees

GOVERNANCE

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Code of Conduct for members of Governing Body and Governing Body Committees

1.1 Introduction

Technological University of the Shannon: Midlands Midwest (TUS) has developed this Code of Conduct for members of Governing Body and Governing Body Committees pursuant to the TUS Code of Governance. This Code of Conduct takes account of the implications of the Ethics of Public Office Act, 1995 and the Standards in Public Office Act 2001, the Protected Disclosures (Amendment) Act 2022, as well as the Technological Universities Act 2018. A copy of the Code will be available upon request and is available on the TUS website.

1.2 Intent and scope

The purpose of the Code is to provide guidance to members of Governing Body and Governing Body Committees of TUS in performing their duties as members of the Governing Body and Governing Body Committees.

1.3 Objectives

The objectives of the Code are

- To set out an agreed set of ethical principles.
- To promote and maintain confidence and trust in the governing body of TUS.
- To prevent the development or acceptance of unethical practices.
- To promote the highest legal, management and ethical standards in all the activities of TUS.
- To promote compliance with best current governance and management practices in all the activities of TUS.

1.4 General Principles

All members of Governing Body and Governing Body Committees are required to observe the following fundamental principles as set out in the guidelines for the Code of Conduct.

1.4.1 Integrity

Members of Governing Body and Governing Body Committees are required to disclose outside employment/business interests which they consider may be in conflict or in potential conflict with the business of TUS or may be perceived as such.

Governing body will not allow management or employees to be involved in outside employment/business interests in conflict or in potential conflict with the business of TUS and has put in place appropriate arrangements to give effect to this.

Members of Governing Body and Governing Body Committees will avoid giving or receiving 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.

Members of Governing Body and Governing Body Committees must be committed to having TUS compete vigorously and energetically but also ethically and honestly with other educational institutions, commercial and other providers of research and advisory services.

TUS is committed to conducting its purchasing activities of goods/services in accordance with public policy and best business practice and its purchasing regulations reflect this.

TUS is also committed to ensuring that its engagement of consultancy and other services is in compliance with public policy guidelines.

TUS is committed to ensuring that the accounts/reports accurately reflect the operating performance of TUS and are not misleading or designed to be misleading.

Members of Governing Body and Governing Body Committees are required to avoid the use of Technological University resources or time for personal gain, for the benefit of persons/organisations unconnected with the institutions or its activities or for the benefit of competitors; and

TUS is committed not to acquire information or business secrets by improper means.

1.4.2 Information

TUS is committed to providing access to general information relating to its activities in a way that is open and enhances its accountability to the general public.

Members of Governing Body and Governing Body Committees are required to respect the confidentiality of sensitive information held by TUS. This would

constitute material such as:

- personal information.
- information received in confidence by TUS.
- any commercially sensitive information or other information sensitive to the reputation of TUS.

TUS will observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.

TUS will comply with all relevant statutory provisions (e.g. Data Protection legislation and Freedom of Information legislation).

Members of Governing Body and Governing Body Committees will observe due confidentiality in relation to all discussions and decisions taken at meetings of the governing body and meetings of governing body committees.

1.4.3 Obligations

TUS will fulfil all regulatory and statutory obligations imposed on it by the Technological Universities Act 2018.

TUS will comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels of authority for sanctioning any relevant expenditure.

TUS has introduced measures to prevent fraud and to ensure compliance with the prescribed levels of authority for sanctioning any relevant expenditure.

Members are required to use their reasonable endeavours to attend all governing body meetings and governing body committee meetings.

It is acknowledged that the acceptance of positions following employment and/or engagement by a third level institution can give rise to the potential for conflicts of interest and to confidentiality concerns. The governing body of TUS will consider any cases in which such conflicts of interest or confidentiality concerns may arise and will take appropriate steps to deal with such matters in an effective manner. The governing body will also ensure that any procedures that it may put in place in this regard are monitored and enforced.

1.4.4 Conflicts of Interest and Disclosure of Interest

Members of Governing Body and Governing Body Committees should ensure that they comply with their statutory obligations with regards to actual, potential or perceived conflicts of interest which derive from the Ethics in Public Office Act 2001. These obligations require:

- I. Members of Governing Body and Governing Body Committees provide an annual statement of interest to the Standards in Public Office Commission and the nominated TUS officer.
- II. On an ongoing basis to furnish a statement of interest at the time where an official function falls to be performed by the Members of Governing Body and Governing Body Committees and he/she, or a connected person as defined in the Ethics in Public Office Act, has a material interest to which the function relates.
- III. Declare any actual, potential or perceived conflicts of interests as they arise.

1.4.5 Loyalty

Members of Governing Body and Governing Body Committees acknowledge the responsibility to be loyal to TUS and to be fully committed to all its activities, with due respect to the tenets of academic freedom, while mindful that TUS itself must at all times take into account the interests of its students and providers of funds including taxpayers;

Members of Governing Body and Governing Body Committees of TUS acknowledge the duty of all to conform to highest standards of business ethics.

1.4.6 Fairness

TUS is committed to complying with employment equality and equal status legislation.

TUS is committed to fairness in all business dealings; and

TUS values its students, suppliers, employees and customers and treats all its students, suppliers, employees and customers equally.

1.4.7 Work/External Environment

The Governing Body and Governing Body Committees of TUS place the highest priority on promoting and preserving the health and safety of its employees and students.

TUS will ensure that community concerns are fully considered in its activities and operations.

TUS will minimise any detrimental impact of its operations on the environment.

1.4.8 Responsibility

TUS will circulate this Code of Conduct (and statements of interest and statements of nil interest) to all members of Governing Body and Governing Body Committees for their attention and the Code of Conduct will be placed on TUS's website.

TUS will provide practical guidance and direction as required on such areas as gifts and entertainment and on other ethical considerations which may arise.

1.4.9 Review

TUS will review this Code of Conduct every three years.

Governing Body Member/GB Committee Member

Date