



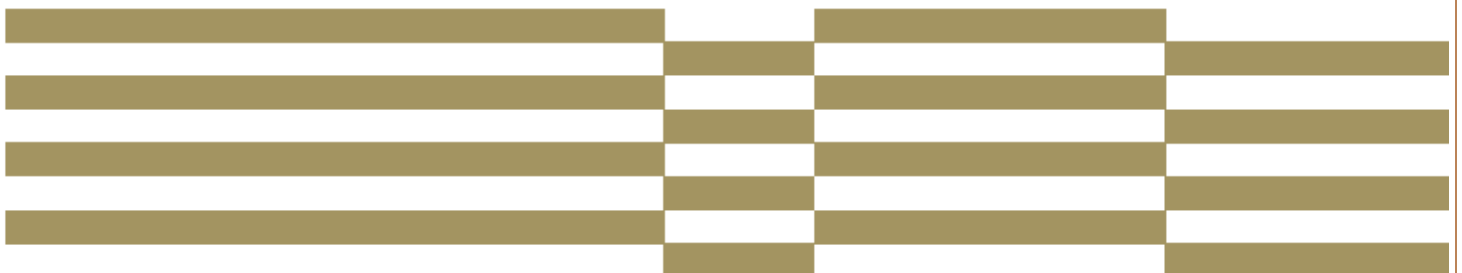
TUS

**Technological University of the Shannon:
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre Iarthar Láir

Employees Code of Conduct

Human Resources Department





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1. Introduction

- 1.1 The Technological University of the Shannon: Midlands Midwest (TU) (formerly Athlone Institute of Technology and Limerick 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 TU 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 TU.
- 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 TU and the Code of Governance of Irish TUs/Institutes of Technology.
- 1.3 This Code takes account of the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 and the Protected Disclosures Act 2014, as well as the TU Act 2018/Institutes of Technology Acts 1992 to 2006 as amended. This Code has been approved by the Governing Body¹. There is a requirement for each TU/Institute to develop a Code of Conduct, to comply with the Code of Governance of Irish Universities (2019)/Institutes of Technology (2018) 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 the TU and its subsidiaries.
- 1.5 Employees must comply with the requirements of the TU/IOT Acts and all other applicable legislative and regulatory requirements.

<https://www.irishstatutebook.ie/eli/2018/act/3/enacted/en/print.html>
<https://www.irishstatutebook.ie/eli/2006/act/25/enacted/en/html>
- 1.6 Employees will comply with all policies and procedures put in place for Employees generally by the TU.
- 1.7 This Code does not address all possible situations that may arise in the TU but is a set of principles that provide guidance to Employees on acceptable and unacceptable behaviour.

¹ The Governing Body of each TU/Institute is required to approve this Code of Conduct

2. 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 TU 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 TU;
- To promote compliance with best current governance and management practice in all the activities of the TU.

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 TU 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 TU (or person(s) delegated by the President) any conflict of interest with the interests of the TU. 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 TU or may be perceived as such.

Matters relating to conflict of interest in relation to academic activities are dealt with in the TU Policy on Conflict of Interest (Relating to the Academic Activities of the TU). This document also outlines relevant reporting and other procedures.

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

- financial interest in matters the TU deals with - Employees may find themselves in a position in which fulfilment of their functions and duties may confer material benefits to themselves, their families, relatives or close associates;
- personal relationships with students - Employees should avoid and must disclose to the TU 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 TU 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 TU any personal relationships with a current or prospective employee which may give rise to a conflict of interest;

- personal relationships with people the TU are dealing with e.g. contractors or tenderers;
- secondary employment that compromises the integrity of the TU or exposes the TU 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 TU).

- secondary employment that compromises the integrity of the TU or exposes the TU to risk arising from Health & Safety legislation and related TU policies or which affects the employee's ability to undertake full duties in a safe manner.

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 TU in accordance with public policy, best business practice and the TU'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 TU policy.
- 3.1.5 Employees must not solicit contracts with the TU 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 TU 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 TU accurately reflect the operating performance of the TU and are not misleading or designed to be misleading.
- 3.1.8 Employees must avoid the unapproved use of the TU'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 TU's Disclosure Policy).

3.2 Honesty

- 3.2.1 Employees must use the resources of the TU in a proper, effective and efficient manner and must take proper and reasonable care of TU 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 TU's Leave Policies.
- 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 employees 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 TU 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 TU is acceptable and, in such circumstances, gifts received remain the property of the TU. 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 TU.

- 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 TU 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, 2014, the Data Protection Acts, 1988 and 2003 and the TU's Records Management Policies and Procedures and any amendment thereof. The TU is committed to managing access to general information relating to activities of the TU in a way that is open and transparent and enhances the TU's accountability to the general public.
- 3.4.2 Employees must respect and maintain confidentiality in relation to employees, students and commercially sensitive TU 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 TU Act/Institutes of Technology Acts.
- 3.4.3 Employees must take reasonable steps to ensure compliance with the TU'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 TU. Such information includes, but is not limited to:
- personal information;
 - information received in confidence by the TU;
 - any commercially sensitive information or other information sensitive to the reputation of the TU.

- 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 TU 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 TU property.
- 3.4.8 Employees must ensure that confidential records are subject to appropriately restricted access procedures in accordance with TU guidelines. Where clarification is required as to the appropriate restricted access requirements for records in their direct control, the onus is on the Employee to follow-up with the responsible owner to ensure this is effectively controlled. Advice in this regard may also be requested from the TU's Information and Data Compliance Officer.
- 3.4.9 The obligations of an employee to the TU with regard to the non-disclosure of privileged or confidential information do not cease when his/her relationship with the TU has ended.

3.5 Loyalty

- 3.5.1 Employees are expected to be faithful to their commitments and obligations at the TU, 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 TU's goals, policies and procedures and to respond positively to any lawful instructions and reasonable directions given by persons who are authorised by the TU to give such instructions and direction.

- 3.5.3 Employees must uphold the good name and reputation of the TU and exercise judgment in the best interests of the TU. This obligation does not detract from the exercise of academic freedom, within the law, as set out in the TU/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 TU.

3.6 Fairness

- 3.6.1 Employees will treat each other and all members of the TU community in accordance with dignity and respect policies which includes:
- respect a colleague's work space and personal space;
 - Respect 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;
 - not 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 TU interacts. This will include, inter alia, compliance with the TU's Dignity and Respect (Bullying and Harassment) Policies and Procedures and such other such policies that will be brought to the attention of employees by the TU from time to time.
- 3.6.4 The TU 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 TU and wider public 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 behaviour or language at meetings or in public, which may cause others to feel criticized, humiliated or embarrassed.

4. Reporting Breaches of this Code of Conduct

- 4.1 Employees should report suspected breaches of applicable laws, regulations and/or this Code through normal management structures or, if appropriate, under the TU's Protected Disclosures Reporting Policy. This reporting should normally be made initially through standard management channels, beginning with the immediate supervisor or manager of the employee. If, for any reason, it is not appropriate to report suspected breaches to their immediate supervisor or manager, individuals may go to their next level of management as appropriate.

5. Responsibility

- 1.1 The TU will ensure that this Code is circulated to all employees for their understanding and

retention. It will also be available on the TU's website.

1.2 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 TU's Disciplinary Procedures.

1.3 The TU 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.

Queries

For enquiries on this policy please contact the relevant HR Department:

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