

Policy Identifier: Code of Conduct for Employees

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Code of Conduct for Employees

1 Context

Employees of Marino Institute of Education can be justly proud of the high standards of conduct which have characterised their service over many years and enabled them to carry out the mission of the Institute. The Employee Code of Conduct is an important element of the overall framework within which all employees are expected to work. It sets out the standards required of employees in the discharge of their duties. These standards of behaviour and values will support a high quality service, based on high levels of personal performance and responsibility.

MIE has developed this Code of Conduct for employees taking account of the implications of the Ethics of Public Office Acts, 1995 and the Standards in Public Office Act 2001. A copy of the Code will be available upon request and shall be placed on the website. The Code places an obligation on all employees to familiarise themselves with MIE Policies and procedures, and that they comply with and not undermine these Policies.

The Code is a general statement of principles and is not intended to be exhaustive or to cover all situations which may arise. The Code will be subject to review from time to time, in consultation with employees and/or Leadership Team. This Code is an overarching document and is supplemented by the detailed guidance. In the event of a conflict, these Policies take precedence over this Code.

2 Purpose / Benefits

The purpose of the Code is, particularly, to provide guidance to employees of MIE in performing their duties as employees in accordance with best practice.

3 Scope

For the purposes of this Code, employees are defined as all individuals in the paid employment of MIE, full and part time, irrespective of whether MIE is their primary employer, and including those in receipt of stipends.

4 Objectives

- set out a clear set of ethical principles that guide the work of all employees at MIE;
- promote and maintain confidence and trust in the employees of MIE;
- prevent the development or acceptance of unethical practices in the Institute;
- promote the highest legal, management and ethical standards in all the activities of MIE;
- promote compliance with best current governance and management practices in all the activities of MIE.

All employees shall be required to observe the following fundamental principle:

5 Integrity

Members of staff who hold certain designated positions for the purposes of the Ethics Acts (currently '*a position in respect of which the maximum salary is not less than the maximum salary of a principal officer (general service grade), in the Civil Service*') shall disclose outside employment/business interests which they consider may be in conflict or in potential conflict with the business of the Institute, or may be perceived as such. Employees to whom this provision applies shall comply fully with the disclosure procedure applied by the Institute.

Employees shall not at any time engage in, or be connected with any outside employment/business or activity which would conflict, or be in potential conflict, with the

interests of MIE, be inconsistent with their official position, or tend to impair their ability to carry out their duties as employees.

Employees of the Institute shall 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. The overriding concern is that the actions of employees be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with commercial and other interests should bear the closest possible scrutiny.

6 Policy

In the performance of their duties employees shall maintain high standards in service delivery by:

- conscientiously, honestly and impartially serving the Institute
- always acting within the law and
- performing their duties with efficiency, diligence and courtesy

Observe appropriate behaviour at work by:

- dealing with students and the public sympathetically, fairly and promptly and
- treating their colleagues with respect

Maintain the highest standards of probity by:

- conducting themselves with honesty, impartiality and integrity;
- never seeking to use improper influence, in particular, never seeking to use political influence to affect decisions concerning their official positions;
- abiding by guidelines in respect of offers of gifts or hospitality and
- avoiding conflicts of interest.

6.1 Gifts

The receipt of gifts, as distinct from hospitality, by employees, from those with whom they have official dealings shall be governed by the highest standards. The following general guidelines provide a framework within which decisions in this area can be made. For the purposes of these provisions, the term “gift” includes any benefit which is given to an employee free of charge or at less than its commercial price.

Subject to any rules which MIE may determine, an employee may accept and retain gifts of modest value (e.g. diaries, pens, etc.). Any gift of more significant value shall be refused or, if such refusal would cause offence, shall be handed over by the employee concerned to the President’s office, following which the gift will generally be offered in a raffle to the staff.

A gift, other than a gift of modest value, given to an employee by virtue of his or her official relationship with the donor, or MIE’s commercial dealings with the donor, shall be regarded as property of MIE.

Particular care should be taken in relation to gifts from donors who stand to derive a personal or commercial benefit from their relationship with MIE.

Cash, gift cheques or any vouchers that may be exchanged for cash shall not be accepted regardless of the amount.

Employees shall not solicit gifts, directly or indirectly.

Employees shall not approach any business with which they have contact through their official duties seeking sponsorship or support for any club, charitable organisation, association, trade union or other organisation. MIE shall apply discretion in the application of this rule to instances of very small patronage. Staff member’s/staff groups should seek guidance from the President if any doubt exists in this regard.

Employees shall not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings.

It should be noted that, under the Prevention of Corruption Acts 1889 to 2001 as amended by the Ethics in Public Office Act 1995, the corrupt giving of gifts to, or receipt of gifts by,

employees is a criminal offence punishable by imprisonment, or fine, or both. The Acts provide that money, gifts or other consideration received by an employee from a person holding or seeking to obtain a contract from MIE is deemed to have been received corruptly unless the contrary is proved.

6.2 Hospitality

It is impossible to lay down definitive rules covering the acceptance of hospitality in all circumstances. The overriding concern is that all actions of employees in carrying out their official duties be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with commercial and other interests should bear the closest possible scrutiny. It is accepted that employees should not be put in a position where they cannot accept what are regarded as normal courtesies in business relationships. However, in their contacts with outside organisations or persons, every care shall be taken by employees to ensure that their acceptance of hospitality does not influence them, and could not reasonably be seen to influence them, in discharging their official functions.

The following general guidelines provide a framework within which decisions in this area can be made.

All offers of hospitality from commercial interests which have or might have contractual relations with MIE shall be reported by that employee to his or her manager for direction.

No objection would normally be made to the acceptance of what is regarded as routine hospitality, for example, a business lunch. What may be regarded as 'routine' for this purpose will depend on a number of factors such as the value of the hospitality offered, the frequency of offers, whether there is an element of reciprocity and the general circumstances in which it is offered (for example, whether it is offered by a company to all its customers or is directed at specific or potential customers). Certain types of hospitality (for example involving travelling abroad or holiday weekends) shall not be regarded as routine and shall always be referred to management for direction.

Employees shall not accept offers of hospitality which go beyond the routine practices referred to above, except where acceptance of such an offer can be clearly shown to be in the

interest of MIE and has been approved by the manager of the employee concerned, following consultation with the President.

6.3 Honoraria

Full-time staff are not permitted to personally charge or accept salary/fees/ wages payments for services provided to third parties. Any such payment should be made payable directly to MIE. Services being provided for a fee should be notified to MIE Finance department, who will raise an invoice.

It is, however, an acknowledged characteristic of the education sector that staff will be asked by third parties to give of their time for short periods on occasion (for example, to participate on interview panels, speak at an event or act as external examiner, etc.). Where an honorarium is offered for such services, staff are permitted to accept it. In cases of doubt regarding fees / honoraria, the matter should be referred to the President for decision, via the relevant department head.

6.4 Acquiring goods and services

MIE is committed to conducting its purchasing of goods and services in accordance with best business practice and its purchasing regulations reflect this. In this regard employees shall specifically note the following standards

- (a) An employee shall not seek contracts with MIE for the supply of goods or services (other than for employment) either for his or her own benefit, or for any capacity, or on behalf of other persons or organisations
- (b) MIE shall not knowingly undertake to contract for the supply of goods or services (other than for employment) with an employee, or with any partnership or company with which an employee has an involvement in his or her private capacity;
- (c) No purchase shall be made from, and no sale made to, an employee, or any partnership or company with which an employee has an involvement in his or her private capacity, in respect of goods or services, unless prior sanction has been obtained from the relevant Manager in the area in which the transaction arises, following consultation with the President.

An employee who enters into any undertaking, or who holds any outside interest, or participates in any outside business affecting, or likely to affect, an MIE contract, or the purchase or sale of MIE property, shall immediately disclose the nature and extent of his or her interest to MIE. An employee should not accept a directorship (except as a nominee of MIE) in any company holding an MIE contract or in a company which may reasonably be expected to hold such a contract in future, without prior approval from the President.

Employees shall not negotiate or arbitrate in any matter affecting an MIE contract or the purchase from, or sale of, goods to MIE where, in their private capacities, they are interested either as principals or as shareholders in a company being one of the principals in the matter under consideration.

6.5 Information and GDPR

Employees should have regard to the General Data Protection Regulation in relation to any personal data with which they come into contact and must be aware of and in compliance with the requirements of MIE's Privacy Statement. It should be noted that staff, and others, have the right to access information held about them, which they can do by submitting a Subject Access request form or by emailing dataprotection@mie.ie.

Particular care shall be taken to safeguard information concerning the private or commercial affairs of students, members of the public, clients, or organisations, which may have been submitted in connection with official business, on condition, or on the reasonable assumption, that it would remain confidential. The FOI Acts recognise the importance of protecting such information in the normal course from third party access. Where exceptionally sensitive information of a personal, commercially sensitive or confidential nature is under consideration for release in the public interest, the FOI Acts impose a number of safeguards to ensure the rights of the person(s) concerned are fully respected.

MIE employees shall observe due confidentiality in relation to all discussions and decisions taken at meetings of the Governing Body and other bodies in MIE, and will treat in the strictest confidence all information received in their capacity, either as members of these bodies, or as attendees.

MIE 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. All employees shall ensure that they deal with queries from members of the public in an open and helpful way. Under the Freedom of Information Acts 1997 and 2003 (FOI Acts), members of the public (including employees of MIE) enjoy a legal right of access to information held by MIE, subject to certain exemptions defined in the FOI Acts. Arising from the FOI Acts, certain employees are given explicit responsibility for the provision of information to members of the public on foot of requests under the FOI Acts. Accordingly, any such requests received should be referred to MIE's FOI Officer, via foi@mie.ie

6.6 Purchasing

MIE employees shall comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels of authority for sanctioning any relevant expenditure;

6.7 Employment contracts

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. In any case where an employee intends to take up appointment in a competitor institution, or other similar organisation, where there may be, or appear to be a conflict of interest, the matter shall be referred to the President, who may consult with the Director of Human Resources and/or the Chairman as appropriate. MIE's consent will not be unreasonably withheld, but it is expected that matters related to confidentiality will be mutually agreed.

6.8 Loyalty

Employees of MIE acknowledge their responsibility to MIE and shall be fully committed to all its activities, with due respect to the tenets of academic freedom, while mindful that MIE itself must at all times take into account the interests of its students, staff and providers of funds including taxpayers and society generally.

The Governing Body and employees of MIE acknowledge the duty of all to conform to highest standards of business ethics, including impartiality, integrity and respect for the law.

6.9 Fairness

MIE shall be committed to complying with employment equality and equal status legislation.

MIE shall be committed to fairness in all business dealings.

MIE shall value its students, suppliers, employees and customers and treat all its students, suppliers, employees and customers equally and loyally.

6.10 Behaviour at Work

The Governing Body of MIE places the highest priority on promoting and preserving the health and safety of its employees and students. This Code places an obligation on all employees to ensure that they familiarise themselves with MIE policies and practices regarding [Dignity and Work](#), and [Health and Safety](#), and that they comply accordingly.

MIE employees shall endeavour to ensure the proper, effective, and efficient use of MIE resources. All employees shall take proper and reasonable care of MIE property, and not to use, or permit its use, for unauthorised purposes (*'de minimis'* use i.e. use that results in no actual cost to MIE, or negligible cost, is permitted).

MIE employees shall avoid the use of MIE resources or time for personal gain, for the benefit of persons/organisations unconnected with the Institute or its activities, or for the benefit of competitors.

MIE employees are required to attend at work as required and not to absent themselves from duty without proper authorisation; to comply with the terms of the [sick leave](#) regulations; at all times to act in a manner consistent with the proper performance of the functions of their position, and with the maintenance of public confidence in such performance, including refraining from conduct which might impair performance; to ensure non-discriminatory language is used in all communications, both internal and external, including display material and documents in electronic form; and not to engage in any outside business or occupation during their normal hours of duty. Employees should familiarise themselves with the [MIE Social Media and Networking Policy](#) and [MIE IT Systems Code of Conduct](#).

6.11 Social Media, Social Networking and Media Relations

With ever changing technology it is impossible to lay down definitive rules covering the acceptable use of social media, social networking and media relations. In the first instance all employees must be aware of their responsibilities under the Social Media, Social Networking policy which can be found [here](#).

The Chairperson of the Governing Body and the President of Marino Institute of Education are the only personnel authorised to answer queries from the media whether that be written media in the form of newspapers, Television or Radio media. On occasion they may delegate this permission to specific people for specific purposes. Employees whose affiliation is given as Marino Institute of Education are not permitted to be interviewed by, make statements to, or answer queries from media sources without direct permission from, in the first instance, their Departmental Head with final approval from the President of Marino Institute of Education. Given the powerful role of media coverage and the speed at which it can be circulated it is important that all employees respect this policy.

7 MIE's Responsibility

MIE shall ensure that all employees have appropriate access to a copy of the Code.

MIE shall provide practical guidance and direction as required on such areas as gifts and entertainment and on other ethical considerations which arise routinely.

MIE shall ensure that appropriate provision is made for 'whistleblowing' disclosures, as set out in its [Public Interest Disclosure \(Whistleblowing\) Policy](#). All staff should read this policy.

7.1 Review

MIE shall review this Code of Conduct as appropriate and in any case at not less than four yearly intervals.

Guidelines in respect of Quality Customer Service for Customers and Clients of MIE

In its dealings with the public, the Institute shall have regard to the following:

7.2 Quality Service Standards

Publish a statement that outlines the nature and quality of service which customers can expect and, where appropriate, display it prominently at the point of service delivery.

7.3 Equality/Diversity

Ensure the rights to equal treatment, established by equality legislation, and accommodate diversity, so as to contribute to equality for the groups covered by the equality legislation (under the grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race and membership of the Traveller Community).

Identify and work to eliminate barriers to access to services for people experiencing poverty and social exclusion, and for those facing geographic barriers to services.

7.4 Physical Access

Provide clean, accessible public offices that comply with occupational and safety standards and, as part of this, facilitate access for people with disabilities and others with specific needs.

7.5 Information

Take a proactive approach in providing information that is clear, timely and accurate, is available at all points of contact and meets the requirements of people with specific needs. Ensure that the potential offered by information technology is fully availed of, and that the information available on the Institute's web site is appropriate.

Continue the drive for simplification of rules, regulations, forms, information leaflets and procedures.

7.6 Timeliness and Courtesy

Deliver quality services with courtesy, sensitivity and the minimum delay, fostering a climate of mutual respect between provider and customer.

Give contact names in all communications to ensure ease of on-going transactions.

7.7 Complaints

Maintain a well-publicised, accessible, transparent and simple-to-use system of dealing with complaints about the quality of service provided, [Problem Solving and Grievance Procedure](#).

7.8 Appeals

Similarly, maintain a formalised, well-publicised, accessible, transparent and simple-to-use system of appeal/review for customers who are dissatisfied with decisions in relation to services, [Problem Solving and Grievance Procedure](#). Please note this only applies to employees not suppliers.

7.9 Consultation and Evaluation

Provide a structured approach to meaningful consultation with, and participation by, the customer in relation to the development, delivery and review of services. Ensure meaningful evaluation of service delivery.

7.10 Choice

Provide choice, where feasible, in service delivery including payment methods, location of contact points, opening hours and delivery times. Use available and emerging technologies to ensure maximum access and choice and quality of delivery.

7.11 Official Languages Equality

Provide quality services through Irish and/or bilingually and inform customers of their right to choose to be dealt with through one or other of the official languages.

7.12 Co-ordination

Foster a co-ordinated and integrated approach to delivery of services.

7.13 Staff

Ensure staff are properly supported and consulted with regard to service delivery issues.

7 Related Documents

- 7.1 [Dignity and Work](#)
- 7.2 [Health and Safety](#)
- 7.3 [Illness Policy](#)
- 7.3 [MIE Social Media and Networking Policy](#)
- 7.4 [MIE IT Systems Code of Conduct](#)
- 7.5 [Problem Solving and Grievance Procedure.](#)
- 7.6 [Public Interest Disclosure \(Whistleblowing\) Policy](#)