



Code of Conduct for Board and Staff

Approved by the Board of the Heritage Council on July 17th 2020



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1. Introduction

This is a Code of Conduct for the board and all staff of the Heritage Council, taking into account the provisions of the Ethics in Public Office Act 1995 and the various codes made under it and the principles of good corporate governance.

2. Intent and scope

The overall purpose of this code is to establish an agreed set of ethical and governance principles for the Heritage Council which promote and maintain trust and confidence, and prevent unacceptable ethical and behavioural practices.

Arrangements are in place to circulate and explain this code, which will be regularly reviewed to ensure its continued appropriateness and relevance. This code will be used as part of the induction processes for new staff and new board members.

3. Objectives

This Code of Conduct sets out basic objectives such as:

- establishing an agreed set of ethical principles
- promoting and maintaining confidence and trust
- preventing the development or acceptance of unethical practices.

4. Integrity

- Board members and staff of the Heritage Council will disclose outside employment or business interests which are or may be in conflict or in potential conflict with the business of the Heritage Council.
- Board members and staff of the Heritage Council will avoid any involvement in outside employment or business interests which are or may be in conflict or in potential conflict with the business of the Heritage Council.
- Board members and staff of the Heritage Council will not give or receive corporate gifts, hospitality, preferential treatment or benefits which might affect or appear to affect the ability of the donor or the recipient to make an independent judgement on business transactions. Business gifts such as travel, accommodation, gift vouchers and cash should not be accepted by staff members, whereas items of small intrinsic value can be considered acceptable.



- Board members and staff of the Heritage Council commit to procure competitively and work to provide the best in heritage to our public.
- Board members and staff of the Heritage Council conduct purchasing activities of goods/services in accordance with best business practice.
- The Heritage Council ensures a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally.
- The Heritage Council ensures that its annual report and financial statements accurately reflect its business performance and are not misleading or designed to be misleading; all staff will contribute to this by being accountable and transparent in all transactions for and on behalf of the Heritage Council.
- The Heritage Council avoids the use of its resources or time for personal gain, for the benefit of persons/organisations unconnected with it or its activities or for the benefit of competitors.
- The Heritage Council commits not to acquire information or business secrets by improper means.
- In all of these respects this Code of Conduct complies with the requirements of the *Code of Practice for the Governance of State Bodies* (2016).

5. Information

The board and staff of the Heritage Council support the provision of access by the Heritage Council to general information relating to its activities in a way that is open and enhances its accountability to the general public.

The board and staff respect the confidentiality of sensitive information held by the Heritage Council. This constitutes material such as:

- commercially sensitive information (including, but not limited to, future plans or details of major organisational or other changes such as restructuring)
- personal information
- information received in confidence by the Heritage Council.

The Heritage Council observes appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.



The Heritage Council complies with relevant statutory provisions (e.g. data protection and freedom of information legislation).

6. Obligations

- The Heritage Council will fulfil all regulatory and statutory obligations imposed on it.
- The Heritage Council will comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels for the sanctioning of any relevant expenditure.
- The Heritage Council has controls to prevent fraud, including adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses for business travel.
- All board members and staff will cooperate with internal and external audits and any reviews carried out in connection with Heritage Council activities.
- Board members endeavour to attend all board meetings.
- The Heritage Council conforms to procedures laid down by the board in relation to conflict of interest situations, including in regard to acceptance of positions following employment and/or engagement by the Council that may give rise to the potential for conflicts of interest and to confidentiality concerns.
- The board and staff acknowledge the duty of all to conform to the highest standards of business ethics.

7. Obligations specific to the board

- Board members shall adhere to procedures in relation to conflict of interest disclosures and/or concerns in relation to confidentiality. The agenda and papers for each meeting shall include a disclosure of interests section which will be referred to at the commencement of the meeting.
- Board members will generally represent a wide range of backgrounds, including cultural heritage, natural heritage, built heritage, best practice in heritage management, financial, legal, corporate governance and communications. Board members will be aware of their responsibility to disclose any interests that might arise in the normal pursuit of their employment or profession.



- Board members are required on their appointment and on an annual basis to complete the relevant forms^{1,2} for declarations of interests, as set out in the Heritage Council Acts 1996 and 2018 and by the Standards in Public Office Commission. Interests are broadly defined to include any interests relevant to the activities of the Heritage Council and which could materially influence the person in the performance of their functions as a board member.
- If a member of the board or of its committees has a financial or other interest in an agenda item, that should be disclosed at the outset of the meeting and the member should not influence nor seek to influence a decision in relation to the matter, and should take no part in any consideration of the matter.

8. Loyalty

The board and staff acknowledge the responsibility to be loyal to the Heritage Council and to be fully committed in all its business activities while mindful that the Heritage Council must at all times take into account the interests of its stakeholders.

9. Fairness

- The Heritage Council complies with employment equality and equal status legislation.
- The Heritage Council is committed to fairness in all of its business dealings.
- The Heritage Council values customers and treats all third parties equally.

10. Post-retirement/resignation

- Further employment where the potential of conflict of interest arises will not be accepted for a reasonable period after the exercise of a function in the Heritage Council has ceased.
- The obligations of the board and staff regarding the non-disclosure of privileged or confidential information do not cease when board membership or employment in the Heritage Council has ended. Former board members and staff will treat information received while acting in that capacity as confidential.
- Board members and staff will not retain documentation obtained during their terms or employment after the exercise of a function in the Heritage Council has ceased.

¹ Declaration of Interests made to the minister for the purposes of the Heritage Council Act, 1995

² Ethics in Public Office Acts 1995 and 2001 – designated directorships Statement of Interests for the purposes of Section 17 of the Ethics in Public Office Act 1995



- Board members will return such documentation to the secretary of the board or otherwise indicate to the secretary of the board 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 secretary of the board.

11. Work/external environment

- The Heritage Council promotes the development of a culture of ‘speaking up’ whereby staff can raise concerns regarding serious wrongdoing in the workplace without fear of reprisal.
- The Heritage Council places the highest priority on promoting and preserving the health and safety of staff.
- The Heritage Council ensures that community concerns are fully considered.
- The Heritage Council minimises any detrimental impact of its operations on the environment.

12. Responsibility

- The Heritage Council circulates this Code of Conduct and its Conflict of Interest Policy to all board members and staff for their retention.
- The Heritage Council ensures the above recipients acknowledge the receipt and understanding of same.
- The Heritage Council prepares policies in such areas as gifts and entertainment and on other ethical considerations which arise routinely.