



**LOCAL GOVERNMENT MANAGEMENT AGENCY**

# **CODE OF BUSINESS CONDUCT**

**Prepared by:** The Policy Group

**HR02**

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**Approved By:**

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**Chief Executive**

## CODE OF BUSINESS CONDUCT

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# LOCAL GOVERNMENT MANAGEMENT AGENCY

## CODE OF CONDUCT

### 1. Chief Executive's Introduction

The Department of Finance Code of Practice for the Governance of State Bodies 2016, requires all State bodies to have written Codes of Business Conduct for Agency members and employees. Under this Code, the Chairman of the Local Government Management Agency (LGMA) is required each year, to confirm to the Minister for Housing, Planning, Community and Local Government, that a Code of Business Conduct for LGMA Board members and employees is in place, is being adhered to and that appropriate procedures and controls are in place.

The Code of Business Conduct adopted by the LGMA primarily governs Agency activities but also provides clear guidance to Board members and employees of the LGMA in relation to the basic principles of integrity, confidentiality, professionalism, lawfulness/compliance, loyalty and fairness. The LGMA Code provides guidance in ethical principles relating to conflict of interest, limits on outside activities, acceptance of gifts and honesty in dealings.

The Code is complementary to other procedures, policies, rules and regulations already in operation in the LGMA including those relating to conditions of employment, attendance, sick leave, annual leave etc., and it does not affect legislative obligations underpinning employment or other compliance requirements e.g. Equality Act, Ethics in Public Office Acts, Data Protection Acts etc. The Code applies to all LGMA Board members and employees (whether employed on a permanent, temporary, part-time basis or on work experience of any kind). The Code is reviewed on a regular basis.

While it is not possible for a set of rules or guidelines to provide for all situations which may arise, members and employees are expected to ensure that all their activities are governed by ethical standards reflected or implicit in this document and those on which it is based, including inter alia, the Ethics Acts 1995 and 2001 and the Code of Practice for the Governance of State Bodies 2001, 2009 and 2016.

*Donal Singleton*

**Acting Chief Executive - Local Government Management Agency**

## 2. Acknowledgement of Code of Business Conduct

Each Agency member and employee is required to acknowledge receipt of the Code of Business Conduct and to sign a declaration of understanding set out on the final page of this document.

## 3. Objectives

The objectives of the Code of Business Conduct are:

- To strengthen our commitment to the highest standards of business conduct.
- To promote and maintain stakeholder confidence and trust.
- To ensure the highest standard of compliance with the Code.

## 4. General Principles

The General Principles embraced by the Code include:

### Integrity

***Integrity involves the inherent knowledge of right and wrong and the adherence to generally accepted moral principles. The Agency is totally committed to the concept of integrity in all its dealings. It follows therefore that members and employees conduct themselves and are seen to conduct all activities to the highest possible standard.***

It includes the following:

- Drawing only official remuneration in respect of official activities; refraining from giving or receiving corporate 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.
- Refraining from using the Agency's reputation or resources for personal gain, or the benefit of persons/organisations unconnected with the Agency and avoiding outside activities or influences which conflict with or impair work performance in any way.
- Commitment to act in the best interests of the Agency in all dealings with external agencies, but also ethically and honestly.
- Purchasing goods/services in accordance with best business practice.
- Ensuring a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally.
- Ensuring that Agency Annual Report and accounts accurately reflect business performance and are not misleading or designed to be misleading.

## Confidentiality (Information)

***Confidentiality means respecting and protecting the privacy of the Agency's affairs and activities. Board members and Agency employees support the provision of access by the Agency to general information relating to Agency activities in a way that is open and enhances its accountability to the general public.***

It includes:

- Non-disclosure of any restricted or confidential information. Confidential information includes:
  - i. Commercially sensitive information (including, but not limited to, future plans or details of major organisational or other changes such as restructuring)
  - ii. Personal Information
  - iii. Information received in confidence from another public body

Agency papers / documentation must be returned to the Agency upon retirement/resignation.

Following retirement / end of term of appointment, information may not be disclosed which was received when a staff or Board member of the Agency.

- Disclosure by Agency members of outside business interests in conflict or potential conflict with the business of the Agency.
- External employment or business interests of employees in conflict or potential conflict with the business of the Agency are prohibited.
- Maintenance of the confidentiality and security of any restricted or confidential information or not using such information for personal gain or abuse of one's position in any way.
- Safeguarding commercially sensitive and personal information held by the Agency in confidence.
- Exercising care in the storage of mail, documents, and the disposal of records either electronic or paper.
- Seeking approval from the Chief Executive or Chairman, as appropriate, prior to publishing information to the media, and also seeking approval from the Chief Executive for all lectures, articles, letters or books relating to or potentially relating to the affairs of the Agency.
- Complying with relevant statutory provisions including, where applicable, the Data Protection Act and Freedom of Information Act.
- Consulting with relevant third parties where, in exceptional circumstances, it is proposed to release sensitive information in the public interest.
- Support by the Board, management and employees of the Agency for the provision of access by the Agency to general information relating to the activities of the Agency in a way that is open and enhances its accountability to the general public.

### **Lawfulness (Obligations)**

***Lawfulness means always acting within the laws of the State and complying with published regulatory codes of relevance to the Agency.***

It covers the following:

- Fulfilling all regulatory and statutory obligations imposed on the Agency.
- Each person holding a Designated Board membership and each person occupying a Designated Position of employment with the Agency must ensure his/her compliance with relevant provisions of the Ethics in Public Office Acts 1995 and 2001.
- Complying with detailed tendering and purchasing procedures as well as complying with prescribed levels of authority for sanctioning any relevant expenditure.
- Adhering to procedures laid down by the Agency from time to time and in particular, as they relate to the reimbursement of expenses.
- Ensuring insofar as possible that any business venture or transaction which is at variance with legal or regulatory requirements or which might be associated or regarded as supportive of illegal or criminal activities is not entered into on behalf of the Agency.
- All Board members and employees are required to co-operate with audit and internal audit in the internal audit process.
- Board members should endeavour to attend all Board meetings.
- Acknowledge the duty of all to conform to highest standards of business ethics.

### **Professionalism (Fairness)**

***Professionalism can be defined as striving for excellence in all dealings on behalf of the Agency. The standards of the services which the Agency provides rely heavily on a personal approach and the contribution of each individual member and employee. The Agency complies with employment equality and equal status legislation and is committed to fairness in all business dealings. Discrimination of any form including gender, marital status, family status, age, sexual orientation, disability, race, creed or membership of the travelling community is not tolerated.***

Agency professionalism embraces the following:

- Respecting the dignity of clients and colleagues alike.
- Being courteous at all times.
- Avoiding unfair treatment of clients/customers and colleagues.
- Adhering to a culture of professionalism as it relates to dress and personal hygiene.
- Compliance with technical and professional standards pertaining to the position held.
- Comply with employment equality and equal status legislation.
- Value customers and treat all customers equally.

## Loyalty

***Loyalty implies being faithful to the Agency and its clients.***

It includes:

- Protecting the good name of the Agency.
- Being fully committed in all the Agency's business activities and to fairness in their execution.
- Acknowledging the duty of all to conform to the highest standards of business ethics and to fairness in their execution.

### Work/External Environment

- Promote the development of a culture of 'speaking up' whereby workers can raise concerns regarding serious wrongdoing in the workplace without fear of reprisal.
- Promoting and preserving the safety regulations and the health and safety of members and employees of the Agency.
- Ensure that community concerns are fully considered.
- Minimise any detrimental impact of the operations on the environment.

### Review

- LGMA commits to circulating the Code of Conduct to Board and to Staff and Contractors.
- LGMA commits to reviewing the Code of Conduct as appropriate and on an Annual basis.

### Version Control

Date	Author	Version	Change Reference
23/1/13	S. O'Toole	2	
14/11/16	M. Kelly	3	Various amendments from revised Code of Practice for the Governance of State Bodies 2016

### Document Properties

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It is hereby acknowledged that a substantial amount of work in the review of the Policies & Procedures was undertaken by the Joint Partnership Review Group, namely;

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I have read and understood the Code of Business Conduct and agree to be bound by the principals set out in any dealing for or on behalf of the Local Government Management Agency.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_