

Code of Conduct for Members

The Code of Practice is part of the Code of Practice for the Governance of ETBs as issued by the Department of Education Circular Letter 83/2024

Extract taken from the Code of Practice for the Governance of ETBs,
Appendix 9 (a) Framework for a Code of Conduct for members of an ETB

Adopted by the Board of Kerry ETB on 10th December 2024

1. Introduction

Kerry Education and Training Board (Kerry ETB) has adopted this Code of Conduct for members of the ETB Board and any other Boards or Committees established as per Section 44 and Section 45 of the Education and Training Boards Act 2013. The Code takes account of the implications of the Ethics in Public Office Act, 1995 and the Standards in Public Office Act 2001.

The Code of Conduct is part of the Code of Practice for the Governance of ETBs as issued by the Department of Education in Circular Letter CL0083/2024.

A copy of the Code is available on Kerry ETBs website. Hard copies are available from Kerry Education and Training Board, Centrepont, John Joe Sheehy Road, Tralee. Phone: 066- 7121488.

2. Intent

The purpose of the Code is to provide guidance to the Chairperson and members of Kerry ETB in performing their duties.

3. Objectives

The objectives of the Code are:

- To set out an agreed set of ethical principles
- To promote the highest legal, management and ethical standards in all the activities of Kerry ETB
- To promote compliance with good current management practice in
- all the activities of Kerry ETB
- To promote and maintain confidence and trust, and
- To prevent the development or acceptance of unethical practices

4. General Principles

It is the policy of Kerry ETB to maintain a high reputation for ethical behaviour and fair dealing in the conduct of its business.

It is not possible to provide for every situation in the Code of Conduct. If there is doubt about the probity of any particular situation, a member must consult the Chairperson of the Board.

5. Availability of the Code

Kerry ETB will:

- make available this Code of Conduct, and a policy document on disclosure of interests, to all members of the Board and will make all members aware of its importance and availability
- ensure that all members of the Board acknowledge receipt and understanding its contents
- provide practical guidance and direction as required on such areas as gifts and entertainment and on other ethical considerations, which arise routinely
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6. Review

Kerry ETB will review this Code of Conduct as appropriate. Any proposed revisions to this Code must be considered and approved at a meeting of the Board.

7. Breaches of the Code

Breaches of the Code of Conduct will be notified to the Chairperson and to the Comptroller and Auditor General, and may be notified to the Minister for Education with the annual accounts and report.

8. Fundamental Principles

The members of Kerry ETB Board are required to observe the following fundamental principles, as set out under the following headings:

- a) Integrity;
- b) Information;
- c) Obligations;
- d) Loyalty;
- e) Fairness;
- f) Consideration for Work/External Environment.

(a) Integrity

Members of Kerry ETB Board will;

- disclose outside employment/business or other interests which objectively would be considered to be in conflict or in potential conflict with the business of the ETB;
- avoid the acceptance of further employment where the potential for conflict of interest arises during a reasonable period of time after a person has ceased to be member of the Board;
- refrain 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;
- collaborate vigorously, energetically, ethically and honestly with other educational institutions, commercial and other providers of research and advisory services;
- claim expenses only as appropriate to business needs and in accordance with good practice in the public sector generally;
- ensure that the ETB engages consultancy and other services in accordance with public policy guidelines;
- satisfy themselves that the accounts/reports accurately reflect the Board's performance and are not misleading or designed to be misleading;
- avoid the use of the ETB's resources or time for personal gain, for the benefit of persons/organisations unconnected with the ETB or its activities;
- ensure that the ETB is committed to acquiring information or business secrets by proper means only.

(b) Information

Members of Kerry ETB Board will;

- ensure that the Board 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
- respect the confidentiality of sensitive information held by Kerry ETB, having regard to paragraph 13 of Schedule 3 of the Education and Training Boards Act 2013. Sensitive information would constitute material such as:
 - Personal information
 - Information received in confidence by Kerry ETB
 - Any commercially sensitive information or other information sensitive to the reputation of Kerry ETB
 - Any other material, release of which might constitute an unlawful or unethical act
- ensure that Kerry ETB observes appropriate prior consultation procedures with third parties where, exceptionally, if it is proposed to release sensitive information in the public interest
- ensure that Kerry ETB complies with all relevant statutory provisions (e.g., Data Protection and Freedom of Information legislation)
- observe the strictest confidentiality in relation to all discussions and decisions taken at in- camera meetings of the Board and in Kerry ETB;
- continue to observe the strictest confidentiality with regard to sensitive information and to discussions and decisions taken at meetings of the Board and in Kerry ETB when Board membership has ended.

(c) Obligations

Members of the Board will;

- fulfil all regulatory and statutory obligations imposed on Kerry ETB by the Education and Training Boards Act 2013 and other relevant legislation
- ensure that controls are in place to prevent fraud and to ensure compliance with prescribed procedures in relation to levels of authority for sanctioning any relevant expenditure including expenses for business travel
- make every reasonable effort to attend all Board meetings
- co-operate with internal audit in the internal audit process
- ensure conformity with procedures laid down by the Board in relation to conflict of interest situations. This includes acceptance of positions and/or engagement by a State body that may give rise to the potential for conflicts of interest and to confidentiality concerns. The Board will also ensure that any procedures that it may put in place in this regard are monitored and enforced
- acknowledge the duty to conform to highest standards of ethics

(d) Loyalty

Members of the Board will acknowledge the responsibility to be loyal to Kerry ETB and to be fully committed to all its activities while mindful that Kerry ETB itself must at all times take into account the interests of its students and funders, including taxpayers, and its duty to conform to ethical standards.

(e) Fairness

Members of the Board will:

- ensure that Kerry ETB is committed to complying with employment equality and equal status legislation
- ensure that Kerry ETB is committed to fairness in all business dealings
- ensure that Kerry ETB values its students, staff, suppliers and customers, and treats all its students, staff, suppliers and customers equally

(f) Work/External Environment

Members of the Board will:

- Promote the development of a culture of 'speaking up' whereby workers can raise concerns regarding serious wrongdoing in the workplace without fear of reprisal
- Place the highest priority on promoting and preserving the health and safety of Kerry ETB's staff and students
- ensure that community concerns are fully considered in its activities and operations
- minimise any detrimental impact of Kerry ETB's operations on the environment