

**CODE OF CONDUCT FOR THE DIRECTOR AND STAFF
OF THE
RESIDENTIAL TENANCIES BOARD**

1. PURPOSE

- 1.1 The purpose of this Code of Conduct is to set down the general principles and standards, which govern the professional activities and conduct of the Director and Staff of the RTB (collectively referred to as staff throughout) thereby maintaining a high level of public confidence in the organisation as a public body and employer.
- 1.2 The provisions of the Code of Conduct are ancillary to the requirements set out in the *Code of Practice for the Governance of State Bodies* 2016 and form part of the Terms and Conditions of Employment for all staff.
- 1.3 Staff are obliged to comply with policies and procedures, applicable statutory provisions, staff regulations, work rules and any standards and codes of practice adopted by the RTB. This Code of Conduct is binding on all staff (including those on leave, career breaks etc.).

2. GENERAL PRINCIPLES

- 2.1 The Code of Conduct relates both to internal and external activities of the RTB. Wherever we operate, we must ensure that our business is conducted and managed effectively, efficiently and objectively in the public interest, in a manner consistent with the highest professional standards of accountability and responsibility and in accordance with the law.

Customers are referred to in section 3.1 of this Code. In the RTB's proposed Customer Service Action Plan/Customer Charter, customers will be defined.

3. STANDARDS

- 3.1 The RTB is committed to honesty, integrity and transparency in all its dealings. Therefore, it is essential that all staff conduct themselves and are seen to conduct all activities to the highest standard possible. The values adopted by the RTB are:

Integrity, independence and professionalism: We make decisions based on objective and independent evaluations, and are committed to openness, fairness and transparency in our decision-making. We develop the necessary competence and confidence in our people to enable them to carry out their jobs in a professional manner. We ensure that the RTB's accounts/reports accurately reflect our business performance and are not misleading or designed to be misleading. We conduct our purchasing activities of goods/services in accordance with best business practice; ensure a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally; comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels of authority for sanctioning any relevant expenditure. We have controls in place to prevent fraud including adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses for business travel.

Service to customers: We are committed to providing the best possible service to our various customers, which is courteous, helpful and timely in dealing with queries and requests. We are committed to making information readily available to our customers.

Value for Money: We are committed to working in an efficient and effective manner and to providing real value for money to the taxpayer.

Respect and support for colleagues: We believe that people flourish in an open and supportive workplace. We respect our colleagues as individuals with important contributions to make to our overall goals. We encourage teamwork, discussion and debate to help make the best decisions. We want to be an employer of choice where our people can achieve fulfilling careers in a workplace with a high work ethic, and without discrimination on the grounds of disability, race or gender.

Openness to learning: In all of our activities we are open to new insights and greater understanding of ways to improve our organisation and ourselves. We do this by keeping abreast of new developments, which are incorporated into our working practices.

Fairness: The RTB complies with employment equality and equal status legislation & maintains a commitment to fairness in all business dealings.

The personal interest of a staff member, political or public pressure must never guide our conduct.

4. OBLIGATIONS

4.1 Staff have an obligation to attend at work as required and perform their official duties honestly, ethically, faithfully and efficiently, respecting the rights of the public and their colleagues.

4.2 There are common law obligations also on all staff to properly perform the duties for which they are employed including:

- to obey the law
- to obey all lawful and reasonable instructions from a Line Manager or Director and to work as directed
- to be competent and efficient in the performance of assigned duties
- to refrain from conduct which might impair work performance
- to show reasonable care, and neither use nor allow the use of RTB property, resources, funds for anything other than authorised purposes
- to incur no liability on the part of the RTB without proper authorisation.

4.3 As well as being responsible for their own conduct, staff also have a duty to contribute to the smooth running of the workplace by treating their colleagues and the public with courtesy and respect. This means that RTB staff are expected:

- to avoid behaviour which might endanger or cause distress to their colleagues, or otherwise contribute to disruption of the workplace
- to respect the privacy of individuals when dealing with sensitive information
- not to harass, bully or otherwise intimidate colleagues or customers

- to have due regard for the safety, health and welfare of others in the use of RTB property and resources.

- 4.4 Staff should be aware of and fulfil all regulatory and statutory obligations of the RTB and enforce them in a fair, responsible and consistent manner acting within the legal authority given to them.
- 4.5 Staff charged with the task of delivering services to customers must respect the individuals with whom they deal and ensure that the needs of the customer are met insofar as it is legally and economically possible.
- 4.6 Staff should respect the principle of non-discrimination and equal treatment for all customers.
- 4.7 The Directors, management and employees of the RTB support the provision of access by the RTB to general information relating to its activities in a way that is open and enhances its accountability to the general public.
- 4.8 The RTB promotes the development of a culture of ‘speaking up’ whereby staff can raise concerns regarding wrongdoing in the workplace without fear of reprisal. Staff members of the RTB are provided with guidelines on the Protected Disclosure Act 2014.
- 4.9 The RTB acknowledges the duty of all its staff to conform to highest standards of business ethics; to be loyal to the organisation and fully committed in all its business activities while mindful that the organisation itself must at all times take into account the interests of the stakeholders.

5. CONFLICTS OF INTEREST

- 5.1 Staff members are encouraged to participate actively in the communities in which they live and work. However, in engaging in outside activities, staff must avoid the risk of conflict with their official duties, avoid any impropriety and comply with all RTB disclosure requirements.
- 5.2 Staff have statutory obligations under the *Ethics in Public Office Acts 1995 and 2001*. No staff member may allow a situation to arise where there is a conflict or potential for conflict between his/her own interests and the interest of the RTB. Staff must observe their duties and obligations to the RTB in accordance with the contract of employment and associated terms and conditions of employment. In addition, staff have common law duties of loyalty, fidelity and confidentiality to the RTB. Staff must always act with personal integrity and their actions should be able to bear the closest public scrutiny.
- 5.3 Any staff member who is involved with any outside organisation, whether economic, social, cultural or political, has the responsibility to ensure that such involvement is not prejudicial to the interests of the RTB and that it does not create a conflict of interest or potential conflict with their employment with the RTB. Any employee becoming aware of such a conflict/potential conflict must immediately declare this to his/her Line Manager or the Director who will decide how the situation should be dealt with.

6. DISCLOSURE OF INFORMATION

- 6.1 Staff are prohibited from making use of, or disclosing, any confidential information gained as a result of employment with the RTB. Staff must observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.

The unauthorised use or disclosure of confidential information to which they have had access may lead to disciplinary action and/or criminal prosecution.

- 6.2 Staff who leave employment with the RTB (resign, retire or termination of contract of employment) are obliged by law to protect and respect the confidentiality of RTB information.
- 6.3 Particular attention is drawn to the following statutory provisions:
- respect, in accordance with section 172 of the Residential Tenancies Act 2004, the confidentiality of sensitive information held by the RTB including:
 - commercially sensitive information;
 - personal information; and
 - information received in confidence by the RTB;
 - for designated posts the Ethics in Public Office Acts 1995 and 2001 and the Ethics in Public Office (Prescribed Public Body, Designated Directorships and Designated Positions in Public Bodies) Regulations 1997 requiring the making of written statements in respect of registerable interests;
 - the Data Protection Acts 1998 and 2003.
- 6.4 A staff member who is convicted of a criminal offence or given the benefit of the Probation Act when charged with a criminal offence must report the fact to his/her **Line Manager or the Director**. In certain circumstances, this could have implications for his/her official position. Such information will be treated in strict confidence and no record of it will be kept unless the information is considered relevant to the official position of the staff member.

7. OUTSIDE OCCUPATION

- 7.1 Staff are obliged to give their full commitment to their duties and responsibilities in the RTB. In no circumstances should a staff member engage in matters unconnected with his/her duties and responsibilities during RTB work hours.
- 7.2 Staff should not engage in work outside of the RTB to the extent of impairing the staff member's work performance with the RTB. Permission must be sought and obtained from the relevant Line Manager or the Director before engaging in any outside work.
- 7.3 There must be no conflict of interest or potential conflict between a staff member's RTB work/responsibilities and his/her involvement in any employment (including self-employment) outside of work.

8. ACCEPTANCE OF GIFTS AND HOSPITALITY

- 8.1 Under no circumstances may a staff member solicit, either directly or indirectly, gifts, hospitality etc. for personal use, gain or benefit.
- 8.2 The offer of any unsolicited gifts, including hospitality, travel, payments, services or benefits-in-kind on a scale which could affect, or be considered to affect, the ability of a staff member to exercise independent judgement on RTB matters, must be declined and notified to his/her Line Manager or the Director immediately. However, gifts of a nominal value may be accepted provided that (a) the donor is made aware that acceptance of the gift will not influence any business relationship between the

donor and the RTB or its staff and (b) receipt of the gift is notified to the recipient's Line Manager or the Director.

9. USE OF PUBLIC RESOURCES

- 9.1 Limited personal use of RTB facilities such as electronic mail and telephone is permissible, provided that such use does not interfere with work and is not connected with private/personal business interests.
- 9.2 In performing their RTB duties, staff must apply public resources prudently and only for the purpose for which they are intended. They must not use their position in the RTB to pursue private interest using public resources. Staff should ensure that resources provided are used economically for the purpose for which they were provided, treated with care, maintained and properly secured against theft or misuse. Public resources include material and financial resources, staff time and skills, intellectual property and official information.

10. CODE OF CONDUCT REVIEW

- 10.1 The RTB will review this Code of Conduct periodically in consultation with staff.

As it is not possible for this Code of Conduct to provide for every situation which may arise, staff must bear in mind that it is primarily their personal responsibility to ensure that all their activities, whether covered specifically or otherwise in this Code of Conduct, are governed by the ethical considerations implicit in the Code.

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