

NUI Galway Code of Conduct for Staff

1. INTRODUCTION

- 1.1** NUI Galway has put in place a Code of Governance and in doing so has had regard to the sector-wide document “Governance of Irish Universities” produced by a joint Working Group of the Higher Education Authority and the Irish Universities’ Association. As recommended in the “Governance of Irish Universities” document Údarás na hOllscoile has also decided to work to develop, with the participation of those concerned, a Code of Conduct for employees. This code, once agreed and approved, will be made available to all employees.
- 1.2** The purpose of the Code is to provide guidance to NUI Galway staff in performing their duties having regard to the Ethics in Public Office Acts, 1995, the Standards in Public Office Act, 2001 and the Universities Act, 1997 and the Statutes and policies of the University. Those policies include Principles of Natural Justice, Computer Access Policy, Equal Opportunity, Disciplinary and Grievance, Bullying, Harassment and Sexual Harassment, Health and Safety, Staff Student Relationships, Research Policy and Engagement of Staff in Consultancy work.
- 1.3** NUI Galway has developed a distinguished reputation for teaching and research excellence, underpinned by a set of shared values which includes a commitment to excellence, respect for academic freedom, collegiality in all our interactions, a culture of performance, rewarding achievement, engagement of all staff and students and fostering partnership. The Code of Conduct has been designed to promote these shared values and to provide a framework so that all staff can strive to act in the public interest and within the confines of the law. The Code is accordingly to be read in this spirit at all times and not in any selective or restrictive manner contrary to its intent.

2. GENERAL CONDUCT AND BEHAVIOUR

- 2.1** The general conduct and behaviour of NUI Galway staff in carrying out their work are an important yardstick by which the performance, honesty, integrity, and impartiality of NUI Galway are judged and public trust maintained. It is important therefore that our core values underpin the day-to-day activities of the University.
- 2.2** **NUI Galway staff should abide by this Code and must maintain the highest standards of integrity by:**
- Ensuring their conduct does not bring the integrity of the University into question.
 - Not acting in any manner that might undermine public trust and confidence.
 - Not using their position or the resources of the University for personal gain, for the improper benefit of persons/organisations unconnected with NUI Galway or of competitors.
 - Avoiding conflicts of interest.
- 2.3** **NUI Galway staff should observe appropriate behaviour at work by:**
- Treating colleagues, students and the public with courtesy and respect and dignity
 - Dealing with colleagues, students and the public fairly and promptly.

2.4 NUI Galway staff should maintain public confidence in performing their work by:

- Performing their duties with diligence, efficiency and courtesy.
- Making impartial decisions based on examination of facts, merits and law relating to each matter.
- Serving the University conscientiously, honestly and impartially.
- Conforming to the highest standards of public service ethics in the performance of their duties.

3. CONFLICT OF INTEREST

3.1 NUI Galway staff must never use or seek to use their position so as to improperly benefit themselves or others with whom they have personal, family or other ties.

3.2 NUI Galway staff must never use or seek to use or pass on confidential information acquired in the performance, or as a result of, their employment, or official information which is not in the public domain, so as to improperly benefit themselves or others with whom they have personal, family or other ties.

3.3 A staff member shall be considered to have a real conflict of interest when he/she holds a personal interest, whether direct or indirect, of which he/she is aware and which, in the opinion of a reasonably-informed and well-advised person, is sufficient to call into question the independence, impartiality, and objectivity that he/she is obliged to exercise in the performance of his/her duties.

In such situations a staff member should promptly make a full disclosure in writing of all relevant facts and circumstances giving rise to the conflict of interest to their Head of School, Dean or senior manager, as appropriate.

Staff who have a 'real' conflict of interest should take no part in decision making in respect of the issue concerned.

3.4 A staff member should be aware that he/she may have a perceived conflict of interest when he/she appears to have, in the opinion of a reasonably-informed and well-advised person, a personal interest, whether direct or indirect, that is sufficient to call into question the independence, impartiality, and objectivity that he/she is obliged to exercise in the performance of his/her duties. In this case, a staff member should promptly make a full disclosure in writing of all relevant facts and circumstances giving rise to the conflict of interest to his/her Head of School, Dean or senior manager, as appropriate.

Staff who have a 'perceived' conflict of interest should, if possible, take no part in decision making in respect of the issue concerned or, if taking part, should do so only with the full knowledge and express consent of their senior manager.

3.5 The Head of School, Dean or senior manager, as appropriate, has an additional responsibility to take appropriate action when a staff member makes a disclosure which establishes a real or perceived conflict of interest.

3.6 The Ethics in Public Office Act 1995 has specific disclosure requirements for certain categories of staff which must be observed. Details may be found at:
www.irishstatutebook.ie/1995/en/act/pub/0022/index.html
or from Rúnaí na hOllscoile.

4. BENEFITS (GIFTS, HOSPITALITY)

4.1 Gifts

4.1.1 NUI Galway staff shall not solicit gifts directly or indirectly.

4.1.2 Any gift other than a *modest token of nominal value should be firmly declined, and should be reported to the relevant Head of School, Dean or senior manager, as appropriate. Gifts of nominal value that are generally considered as common business or social courtesies are acceptable only as long as they are reasonable in type, frequency and value. Oifig an Rúnaí will maintain a Register of gifts and hospitality in collaboration with the President's Office and the University Management Team (UMT).

4.1.3 NUI Galway staff members shall not, by virtue of his/her official dealing with a supplier, accept on his/her own or family's behalf, any special facility, or discount on a private purchase or service, from a supplier.

4.1.4 NUI Galway staff shall not accept cash as a gift under any circumstances.

**A gift should be considered as modest if its value does not exceed €150. This limit will be adjusted from time to time in the light of prevailing economic circumstances. This can be checked as necessary directly with Oifig an Rúnaí.*

4.2 Accepting Hospitality

4.2.1 In their official contacts with outside organisations or persons, every care must be taken by staff to ensure that any acceptance of hospitality does not influence them, and cannot reasonably be seen to influence them, in discharging their functions.

4.2.2 No objection would normally be taken to the acceptance of what is regarded as routine or customary hospitality, the most obvious example being a business lunch, or attendance at a civic, cultural or festive event or acceptance of short-stay modest accommodation where the staff member is officially representing the university, a guest of honour or speaker at a conference. Staff should seek guidance from their Head of School, Dean or senior manager, as appropriate, if in doubt.

4.2.3 Where hospitality has to be declined, those making the offer should be informed of the standards required by this Code.

4.3 Granting of Hospitality

4.3.1 The nature of University business is such that senior staff may be placed in situations where there is an accepted and reasonable expectation of hospitality to be extended to their guests/campus visitors. In such situations, care must be taken by staff to ensure that such hospitality is both modest and reasonable. While it is expected and accepted that distinguished visitors/guests may be extended more generous levels of hospitality, a useful baseline yardstick is the Civil Service allowances for lunches (5 hour rate €14) and dinners (10 hour rate €33) inclusive of refreshments.

5. RESEARCH

It is a general expectation of the University that academic staff members will pursue research in their field of expertise. In carrying out their research, all members must abide by the highest standards of research ethics, and work in accordance with the terms of the University's specific research policies such as Good Practice in Research, Research Misconduct, Intellectual Property, Procurement, Environment and NUI Galway Research policy.

6. ACADEMIC FREEDOM

6.1 The Universities Act 1997 provides under Section 14:

- (1) A university, in performing its functions shall
 - (a) have the right and responsibility to preserve and promote the traditional principles of academic freedom in the conduct of its internal and external affairs, and
 - (b) be entitled to regulate its affairs in accordance with its independent ethos and traditions and the traditional principles of academic freedom, and in doing so it shall have regard to
 - (i) the promotion and preservation of equality of opportunity and access,
 - (ii) the effective and efficient use of resources, and
 - (iii) its obligations as to public accountability,and if, in the interpretation of this Act, there is a doubt regarding the meaning of any provision, a construction that would promote that ethos and those traditions and principles shall be preferred to a construction that would not so promote.
- (2) A member of the academic staff of a university shall have the freedom, within the law, in his or her teaching, research and any other activities either in or outside the university, to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions and shall not be disadvantaged, or subject to less favourable treatment by the university, for the exercise of that freedom.

6.2 The University recognises and protects the concept and practice of academic freedom as essential to the proper conduct of teaching, research and scholarship within the University. While academic freedom is a right, it carries with it the duty of academics to use the freedom in a manner consistent with a responsible and honest search for and dissemination of knowledge and truth. Academic freedom is not a defence against poor behaviour or disrespectful treatment of others and is not to be confused with contractual requirements such as attendance at the university.

7. PUBLIC COMMENT

7.1 NUI Galway staff must not make any public comment which purports to represent the views of the University, or represent themselves as being spokespersons for the University, unless expressly authorised to do so.

8. REGARD FOR UNIVERSITY RESOURCES

8.1 NUI Galway staff must:

- Show reasonable care for University property, resources and funds and not use them, or permit their use, for unauthorised or non-official purposes.
- Incur no liability on the part of NUI Galway without proper authorisation.
- Observe in full and at all times the rules governing the making of claims by, and payments of any kind to, them, whether of salary, overtime, allowances (including travel and subsistence) or other.

9. ATTENDANCE AND WORKING OUTSIDE OF THE UNIVERSITY

9.1 Staff are obliged to attend at work as required and to devote their full attention to their official duties during working hours.

9.2 NUI Galway staff members shall not engage in any other gainful occupation that might impair the performance of their duties, conflict with the interests of the University or be inconsistent with the discharge of their duties as employees of the University. Permission to engage in outside work, including consultancy or serving on boards etc. must be approved by the director of HR in the case of staff other than academic.

9.3 Academic staff should refer to the University's guidelines on Private Consultancy work; full-time academic staff members who engage in such work must seek permission within the terms of the guidelines. Full-time academic staff are required to complete an annual return to the Registrar and Deputy-President. Please refer to www.nuigalway.ie/registrar/Forms.html to download the relevant guidelines document and form.

10. WORKING RELATIONSHIPS

10.1 During the course of their day-to-day business, staff engage with colleagues, students and the public. Underlying these interactions are the principles of respect for others, collegiality, professionalism, equality, a responsibility to maintain a courteous, efficient and impartial workplace and a duty to uphold the law.

10.2 In dealing with students and the public, staff should treat individuals with courtesy and in an impartial fashion. Queries should be dealt with in an open and helpful way with due regard to the protection of confidential information where appropriate.

10.3 NUI Galway staff are required to take all reasonable precautions to prevent the unauthorised use or disclosure of confidential or personal information and must in particular observe all relevant provisions of the University's Data Protection policy.

10.4 NUI Galway staff are required to respect an individual's rights to privacy and maintain the privacy and confidentiality of information.

10.5 NUI Galway staff must also treat their colleagues at work with dignity and should engender a positive working atmosphere.

11. VERIFICATION OF QUALIFICATIONS

- 11.1** NUI Galway offers of employment are made on the clear understanding that information provided by the candidate in his or her written application and at interview is correct in every respect. Where this is found not to be the case, the University reserves the right to initiate the disciplinary procedures which may result in dismissal, or take such other action as it considers appropriate in the circumstances. The University reserves the right to require applicants and staff to provide evidence of academic and/or other qualifications at any time.
- 11.2** Any NUI Galway staff member who has been appointed by virtue of a specific professional qualification or licence, must immediately inform the Director of Human Resources and Organisational Development in writing of any change in status, withdrawal of or endorsement of such qualifications or licences.

12. CRIMINAL CONVICTIONS

The University requires a declaration of criminal convictions at the point of employment as a condition of that employment as well as during subsequent employment.

- 12.1** Any NUI Galway staff member who is charged or convicted of an indictable criminal offence must report that fact to the Director of Human Resources and Organisational Development. In certain circumstances, this could have implications for their employment.

Such information will be treated in confidence, insofar as possible, and no record of it will be kept unless the information is considered relevant to the employee's employment.

If the disclosure of such information necessitates an investigation, it will be conducted in accordance with the principles of fair procedures and natural justice.

13. IMPLEMENTATION

- 13.1** This Code applies to all NUI Galway staff (permanent and temporary full-time or part-time, employed on an atypical basis, temporary, part-time or fixed-term contract etc.). It also applies where relevant to staff on different forms of leave.
- 13.2** The Code of Conduct also applies to staff of subsidiary companies. In relation to subsidiary companies, all the activities of such companies are fully consolidated in the financial statements of the University.
- 13.3** Breaches of the Code may result in the Disciplinary Procedure being implemented.
- 13.4** The Code of Conduct is available on request from the Human Resources office (hardcopy) or can be downloaded from the HR website at www.nuigalway.ie/hr.
- 13.5** NUI Galway will review and amend this Code as appropriate.