



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

### **Introduction**

This Code of Conduct (the Code) establishes 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).

The Code of Conduct relates to both the internal and external activities of the RTB. Wherever staff operate, they 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.

### **Application**

This Code is binding on all staff (including those on leave, career breaks etc.).

Staff are obliged to comply with the terms of their contract of employment, RTB policies and procedures, applicable statutory provisions, staff regulations, work rules and any standards and codes of practice adopted by the RTB.

This document does not contain an exhaustive description of matters (legal requirements or otherwise) which need to be addressed in the context of the relationship between the RTB and its employees. Many of the expectations of employees set out in the Code below are addressed in more detail in subject matter specific policies of the RTB and/or in an employee's contract of employment (for example, in policies regarding confidentiality, data protection, whistleblowing, health and safety, diversity and inclusion, IT, electronic communications, social media, grievance procedures, disciplinary procedures, and conflicts of interest). This sample code of conduct is not intended to be a substitute for such policies.

The provisions of this Code of Conduct are in addition 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.

Staff are expected to read and adhere to the Code. Staff are required to read this Code and sign an acknowledgement verifying that they agree to adhere to the Code and to act at all times in accordance with its terms.

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.



## **1. PURPOSE**

The purpose of this code is to:

- Establish an agreed set of ethical principles and standards
- Ensure staff are aware of the behavior expected of them
- Prevent the development or acceptance of unethical practices
- Demonstrate an on-going commitment by the RTB to the highest standards of ethical behavior
- Promote and maintain public and stakeholder confidence and trust in the RTB

## **2. VALUES**

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

- Independent, fair and trusted voice
- Accountable, open and transparent
- Customer and quality focus
- Effective and efficient
- Improving and bringing change

**Independent, fair and trusted voice:** The RTB is committed to providing the highest standard of service to our various stakeholders at all times. We act in an independent and fair manner in all of our activities. We work to ensure all of our communications with stakeholders are straightforward, clear and concise. 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.

**Accountable, open and transparent:** Staff make decisions based on objective and independent evaluations, and are committed to openness, fairness and transparency in our decision-making. The RTB develops the necessary competence and confidence in our people to enable them to carry out their jobs in a professional manner. The RTB ensures that 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.

**Customer quality and focus:** 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 accurate information readily available to our customers.

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



Improving and bring change: 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.

### **3. OBLIGATIONS**

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. Staff are required to adhere to the terms of their contract of employment along with

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 authorization
- to ensure compliance with the RTB's policy on the use of social media

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. The RTB is committed to the maintenance of a working environment free of all forms of harassment including sexual harassment and harassment on the grounds of gender, civil status, family status, age, religion, race, disability, sexual orientation and membership of the traveller community. 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.

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.

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.

As a public sector organisation in Ireland, the RTB has a responsibility to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans. This is a legal obligation, called the Public Sector Equality and Human Rights Duty, and it originated in Section 42 of the [Irish Human Rights and Equality Act 2014](#). Staff should respect the principle of non-discrimination and equal treatment for all customers.

The Director, 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.



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.

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.

#### **4. CONFLICTS OF INTEREST**

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.

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.

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.

#### **5. DISCLOSURE OF INFORMATION**

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.

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.

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 to 2018

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.

## **6. OUTSIDE OCCUPATION**

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.

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.

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.

## **7. ACCEPTANCE OF GIFTS AND HOSPITALITY**

Under no circumstances may a staff member solicit, either directly or indirectly, gifts, hospitality etc. for personal use, gain or benefit.

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.

## **8. USE OF PUBLIC RESOURCES**

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.

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.

## **9. CLARIFICATION**

Staff should consult with their Line Manager or the RTB Human Resources Department if they have any queries or require clarification on any aspect of the Code.

## **10. BREACHES OF THE CODE**

Where there are reasonable grounds for believing that this Code is not being complied with, the matter will be investigated. Any breaches of the Code will be dealt with in accordance with the RTB's disciplinary procedures.

## **11. CODE OF CONDUCT REVIEW**

This Code of Conduct will be reviewed periodically in consultation with RTB.



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