

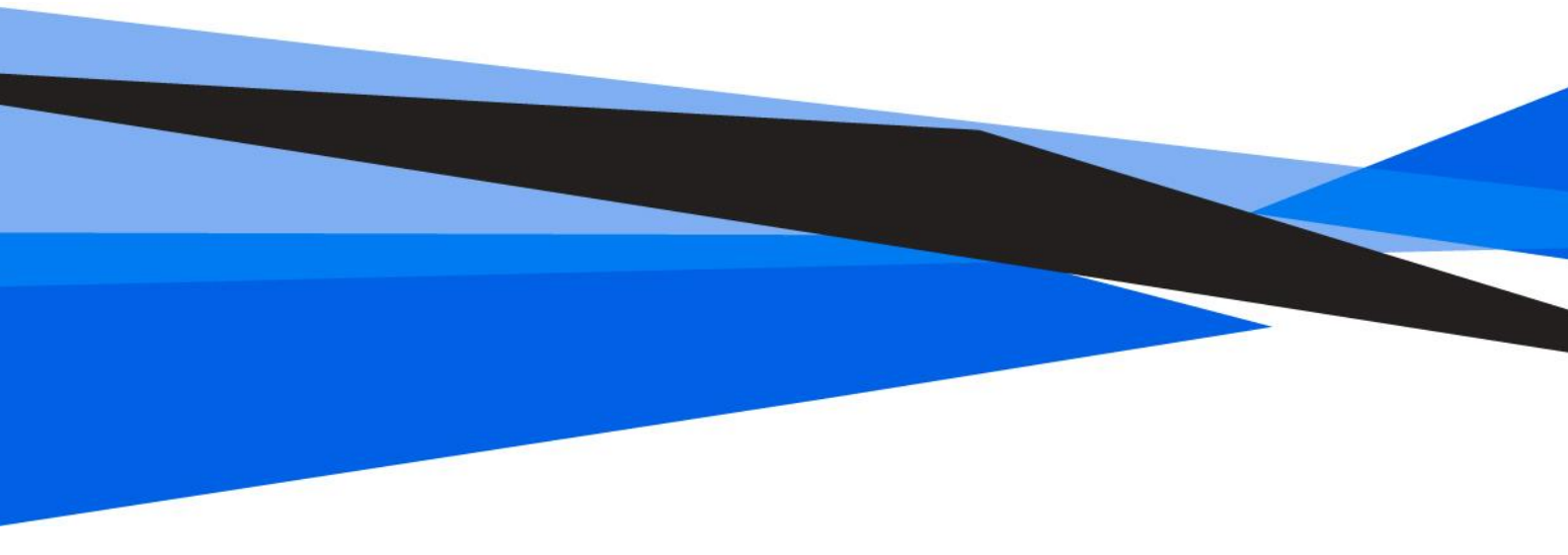


**lyit**

**Institiúid Teicneolaíochta Leitir Ceannainn**  
Letterkenny Institute of Technology

# Code of Conduct for the Governing Body

June 2018





## Document History

### Document Approval

<i>Policy Owner</i>	Secretary/Financial Controller
<i>Approval Body/Bodies</i>	Governing Body
<i>Approval Date</i>	GB June 2018
<i>Re-approval date</i>	

### Documentation Location/Publication

Website – Policies and Procedures	<input checked="" type="checkbox"/>
Website – Staff Hub	<input checked="" type="checkbox"/>
Website – Student Hub	<input type="checkbox"/>
Order:	<input type="checkbox"/>

### Revision History

<i>Version Number</i>	<i>Approval Body/Bodies</i>	<i>Approval Date</i>

# CONTENTS

1.1	Introduction.....	1
1.2	Intent and Scope.....	1
1.3	Objectives.....	1
1.4	General Principles .....	1
1.4.1	Integrity .....	1
1.4.2	Information.....	3
1.4.3	Obligations .....	4
1.4.4	Loyalty.....	4
1.4.5	Fairness .....	4
1.4.6	Work/External Environment.....	4
1.4.7	Responsibility .....	5
1.4.8	Review .....	5

## **1.1 Introduction**

Letterkenny Institute of Technology has developed this Code of Conduct for members of Governing Body pursuant to Section 3 of the THEA Code of Governance for Irish Institutes of Technology 2018.

This Code of Conduct takes account of the implications of the Ethics of Public Office Acts, 1995 and the Standards in Public Office Act 2001, the Protected Disclosures Act 2014, as well as the IOT Acts 1992 - 2006 as amended. A copy of the Code will be available upon request and be placed on the Institute of Technology's website.

The general responsibilities of the Governing Body can be found in the THEA Code of Governance of Irish Institutes of Technology 2018. The Code of Conduct for Governing Body members of Letterkenny Institute of Technology is to be read in conjunction with the THEA Code of Governance 2018.

## **1.2 Intent and Scope**

The purpose of the Code is to provide guidance to the Governing Body of Letterkenny Institute of Technology in performing their duties as governors.

It is not possible to have a Code of Conduct that will specifically provide for all situations that could arise. However, Governing Body members should be aware that it is their primary responsibility to ensure that their activities are ethical and are for the benefit of the Institute.

## **1.3 Objectives**

The objectives of the Code are:

- To set out an agreed set of ethical principles
- To promote and maintain confidence and trust in the governing body of the Institute
- To prevent the development or acceptance of unethical practices
- To promote the highest legal, management and ethical standards in all the activities of the Institute
- To promote compliance with best current governance and management practices in all the activities of the Institute.

## **1.4 General Principles**

*All Governing Body members are required to observe the following fundamental principles as set out in the guidelines for the Code of Conduct.*

### **1.4.1 Integrity**

Members of Governing Body are required to disclose outside employment/business interests which they consider may be in conflict or in potential conflict with the business of Letterkenny Institute of Technology, or may be perceived as such.

Members of the Governing Body should also declare interests held by family members which he/she could be expected to be reasonably aware of and that may result in a conflict of interest.

For the purpose of declaration, persons or bodies connected to the members should include:

- a spouse, parent, brother, sister, child or step child
- a body corporate with which the member is associated
- a person acting as a trustee of any trust, the beneficiaries of which include the member of family or body corporate.

If there is any doubt as to whether this code requires the disclosure of the interest, the members should refer the matter to the Chairman.

Should a matter arise whereby a Governing Body member has an interest in a contract which the college proposes to make, the member shall:

- I. Disclose to the Governing Body the fact and nature of the interest
- II. Take no part in the deliberation or decision of that contract.

The Secretary shall record the Governing Body Member's interest within the meeting minutes of the Governing Body and maintain a register of interest of Governing Body members as issues arise.

(Paragraph 7(1) of the Second Schedule of the RTC Act 1992, as amended by the Institute of Technology Act 2006).

Should a matter arise where there is a conflict of interest relating to the Chairman of the Governing Body he / she must absent himself / herself from the meeting while the issue is being discussed. In such a case a separate meeting record should be presented to the Chairman having the conflict of interest with the relevant information discussed removed. During the Chairman's absence, the meeting will be chaired in accordance with paragraph 10 of the Second Schedule of the RTC Act 1992, as amended by the Institute of Technology Act 2006.

Where a question arises as to whether or not a case relates to a conflict of interest of the Chairman, the Governing Body shall decide the question.

Should a matter arise where there is a conflict of interest relating to a member of the Governing Body he / she must absent himself / herself from the meeting while the issue is being discussed. In such a case a separate meeting record (unless such information could be reasonably assumed to be available under Freedom of Information) should be presented to the member having the conflict of interest with the relevant information discussed removed. The meeting minutes should note that the member absented from that part of the meeting and the Register of Members interests should be updated.

Where a question arises as to whether or not a case relates to a conflict of interest of a member of the Governing Body the Chairman of the Governing Body shall decide the question.

Governing Body will not allow management or employees to be involved in outside employment/business interests in conflict or in potential conflict with the business of the Institute. It will put in place appropriate arrangements to give effect to this.

Governing Body members will avoid giving or receiving 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.

Governing Body members must be committed to having the Institute compete vigorously and energetically but also ethically and honestly with other educational institutions, commercial and other providers of research and advisory services.

The Institute is committed to conducting its purchasing activities of goods/services in accordance with public policy and best business practice and its purchasing regulations reflect this.

The Institute is also committed to ensuring that its engagement of consultancy and other services is in compliance with public policy guidelines.

The Institute is committed to ensuring that the accounts/reports accurately reflect the operating performance of the Institute and are not misleading or designed to be misleading.

Governing Body members are required to avoid the use of Institute resources or time for personal gain, for the benefit of persons/organisations unconnected with the institutions or its activities or for the benefit of competitors.

The Institute is committed not to acquire information or business secrets by improper means.

Members of the Governing Body are expected to contribute to the decision making of the Governing Body and share responsibility for the Governing Body decisions.

#### **1.4.2 Information**

The Institute 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:

Governing Body members are required to respect the confidentiality of sensitive information held by the Institute. This would constitute material such as:

- personal information
- information received in confidence by the Institute
- any commercially sensitive information or other information sensitive to the reputation of the Institute.

The Institute will observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.

The Institute will comply with all relevant statutory provisions (e.g. Data Protection legislation and Freedom of Information legislation).

Members of the Governing Body are encouraged to attend training events and keep up to date with subjects relevant to the Institute's operations.

Members of Governing Body will observe due confidentiality in relation to all discussions and decisions taken at meetings of the Governing Body.

Former members of a Governing Body should treat sensitive information received and discussions held while acting in that capacity as confidential.

### **1.4.3 Obligations**

Governing Body members are required fulfil all regulatory and statutory obligations imposed on them.

The Institute will comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels of authority for sanctioning any relevant expenditure.

The Institute has introduced measures to prevent fraud and to ensure compliance with the prescribed levels of authority for sanctioning any relevant expenditure.

Members of the Governing Body are expected to attend Governing Body meetings on a regular basis and be prepared by referring to source documentation in advance. The matters specifically reserved to the Governing Body for decision are set out in Appendix B of the THEA Code of Governance 2018.

Members of the Governing Body are expected to contribute to the work of sub-committees that may be appointed by the Governing Body.

Members may be expected to represent the Governing Body at meetings and events when required.

It is acknowledged that the acceptance of positions following employment and/or engagement by a third level Institution can give rise to the potential for conflicts of interest and to confidentiality concerns. The Governing Body of the Institute will consider any cases in which such conflicts of interest or confidentiality concerns may arise and will take appropriate steps to deal with such matters in an effective manner. The Governing Body will also ensure that any procedures that it may put in place in this regard are monitored and enforced.

### **1.4.4 Loyalty**

Governing Body members acknowledge the responsibility to be loyal to the Institute and to be fully committed to all its activities, with due respect to the tenets of academic freedom, while mindful that the Institute itself must at all times take into account the interests of its students and providers of funds including taxpayers.

The Governing Body of the Institute should be aware of their duty to conform to highest standards of business ethics.

Governing Body members are fiduciaries of the Institute of Technology and should always act in the best interest of the Institute and not of their electing or nominating bodies.

### **1.4.5 Fairness**

Governing Body members should be committed to a collective responsibility in respect of:

- Compliance with employment, equality and equal status legislation in carrying out their responsibilities
- Fairness in all their business dealings
- Treating all third parties equally.

### **1.4.6 Work/External Environment**

The Governing Body of the Institute place the highest priority on promoting and preserving the health and safety of its employees, students and visitors to the Institute.



The Governing Body will ensure that community concerns are fully considered in its activities and operations.

The Governing Body will minimise any detrimental impact of its operations on the environment.

#### **1.4.7 Responsibility**

The Institute will circulate this Code of Conduct to Governing Body members for their attention and the Code of Conduct will be placed on the Institute's website.

Governing Body Members are required to acknowledge their receipt and understanding of the Code of Conduct and the Protected Disclosure Policy.

The Institute will provide practical guidance and direction as required on such areas as gifts and entertainment and on other ethical considerations which may arise.

#### **1.4.8 Review**

The Institute will review this Code of Conduct as appropriate.

Any proposed revisions to the Code of Business Conduct should be made by the Governing Body.







**lyit**

**Institiúid Teicneolaíochta**

**Leitir Ceanainn**

**Letterkenny Institute  
of Technology**

**Bóthar an Chalaídh, Leitir Ceanainn  
Contae Dhún na nGall, Éire**

**Port Road, Letterkenny  
County Donegal, Ireland**

**Telephone + 353 74 918 6000**

**Fax + 353 74 918 6005**

**[www.lyit.ie](http://www.lyit.ie)**