

**CENTRAL SERVICES AGENCY**

**CODE OF CONDUCT FOR STAFF**

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# **CODE OF CONDUCT FOR STAFF OF THE CENTRAL SERVICES AGENCY**

## **1) INTRODUCTION**

The Agency believes that the public should have confidence in the ability of its staff to provide the best possible service in accordance with the government's commitment to seven key principles.

This code of conduct is designed to create a framework of standards against which staff will be required to conduct themselves. This Code has been the subject of consultation with Trade Unions.

The Code also takes account of the requirements of the Management Executive Circular HSS (GEN 1) 1/95, Standards of Business Conduct for HPSS Staff. It also confirms the Agency's commitment to the Government's seven key principles for the public service, which are:

**Selflessness  
Openness**

**Integrity  
Honesty**

**Objectivity  
Leadership**

**Accountability**

This Code of Conduct should be read in accordance with the Agency's policies in relation to Health and Safety at Work, Equality of Opportunity, Smoking at Work and the Agency's contract of employment.

## **2) GENERAL PRINCIPLES**

The following general principles apply to all members of staff of the Central Services Agency. The first duty of a member of staff is to undertake their duties to the best of their ability. It is also expected that they will demonstrate loyalty to the Agency at all times and on all occasions when working for the Agency. This does not detract from the responsibilities set out by the various Professional Codes of Conduct for the individual professions employed within the Agency.

Staff must not subordinate their duty to their private interests. Staff should not put themselves in a position where their duty and their private interests conflict and they must not make use of their official position to further those interests.

The Agency is, in general, not concerned with the external activities of members of staff. However, staff must take all reasonable steps to ensure that their external activities are not such as might bring discredit on the Agency or detract from their ability to perform their duties to the required standard. However, in light of the Working Time regulations, which prohibit working hours above 48 hours per week averaged over a period of 17 weeks staff, must advise the Agency if they are engaged in other employment. This is to ensure the Agency can comply with the obligations set out in the Working Time Directive.

The conduct of staff in the Central Services Agency should not only be but be seen to be impartial and honest but at all times have the appearance of impartiality and complete honesty. No grounds for suspicion should be permitted to exist.

Any member of staff who has a pecuniary interest or other non-monetary benefit from a contract with an external organisation, e.g. companies with which the Agency undertakes business, will be required to advise the Chief Executive of that interest. They should declare this interest either on commencement of employment or on acquisition of the interest. The Chief Executive will ensure that a register of such declarations of interest is maintained.

These principles apply equally to Board members.

### **3) USE OF OUTSIDE INFLUENCE**

Staff who are dissatisfied by a Terms and Conditions matter pertaining to their employment should approach their immediate superior or seek the advice and help of their Trade Union or Staff organisation. If the member of staff is still dissatisfied the issue will be processed under the established Grievance Procedure of the Central Services Agency.

Staff should not use personal or outside influence to gain special concessions that are not available to others. Staff should not attempt to influence a member of the Agency Board in order to bring political or other outside influence to support a case. This rule does not override any right of appeal that may exist, nor does it restrict the right of a member of staff to approach a Member of Parliament or any other statutory organisation.

A member of staff who considers it their duty, in the public interest, to raise any questions affecting the policies, procedures, reputation, integrity or impartiality of the Agency should do so in accordance with the Agency's Public Interest Disclosure Interest (Whistle blowing) policy.

## **4) RELATIONSHIPS WITH SUPPLIERS**

### **Acceptance of gifts by way of inducement or reward**

Under the Prevention of Corruption Acts, 1906 and 1916 it is an offence for staff corruptly to accept any gifts or consideration as an inducement or reward for:

- Doing or refraining from doing anything in an official capacity.
- Showing favour or disfavour to any person in their official capacity.

Under the Prevention of Corruption Act 1916 any money, gift or consideration received by staff in public service from a person or organisation holding or seeking to obtain a contract, will be deemed by the Courts to have been received corruptly. The only exception to this would be where the Member of staff could provide evidence to the contrary.

Staff will need to be aware that a breach of the provisions of these Acts render them liable to prosecution which may also lead to loss of their employment and superannuation rights in the HPSS. It is, therefore, their responsibility to ensure that they are not placed in a position that risks or appears to risk conflict between their private interests and their HPSS duties.

Staff are expected to:

- Ensure that the interests of members of the public remain paramount at all times.
- Be impartial and honest in the conduct of their official business.
- Use the public funds entrusted to them to the best advantage of the service, always ensuring value for money in the fulfilment of their duties.

It is also the responsibility of staff to ensure that they do not abuse their official position for any of the following:

- Personal gain
- To benefit their family or friends
- To benefit individual contractors
- To seek to advantage or further private business or other interests, in the course of the official duties.

Casual gifts offered by contractors or others, e.g. at Christmas time, may not be in any way connected with the performance of duties so as to constitute an offence under the Prevention of Corruption Acts. Such gifts should, nevertheless, be politely but firmly declined. Inexpensive seasonal gifts, such as diaries, calendars, or small tokens of gratitude (e.g. boxes of chocolates, biscuits or flowers) need not

necessarily be refused **provided their value is less than approximately £10.00** and that acceptance is reasonable and appropriate in the circumstances. Staff must not compromise themselves or leave themselves open to criticism when accepting token gifts. In case of doubt, staff should either consult their line manager or politely decline acceptance.

If any member of staff is offered what could be perceived to be an inducement he/she should report the matter to their senior officer immediately, in writing.

## **5) PARTICIPATION IN FIRMS, COMPANIES OR BUSINESSES**

Members of staff who may be concerned directly or indirectly in any Firm, company or business that engages in any transaction with the Agency, whether as Principal, Partner, Director, Associate or participant, must ensure that they register a declaration of pecuniary interest or non-monetary benefit with the Chief Executive. To assist staff in deciding whether to declare an interest they should ask themselves the following questions:

- Am I or might I be in a position where I (or my family/friends) could gain from a connection between my private interests and my employment?
- Do I have access to information, which could influence purchasing decisions?
- Could my outside interests be in any way detrimental to the HPSS, the Central Services Agency or to patients/clients interests?
- Do I have any other reason to think I may be risking a conflict of interest?

If the answer to any of the above is yes, the interest should be declared to the Chief Executive where a register of interests will be maintained.

## **6) PURCHASING CONTACTS**

Staff that are in contact with suppliers and contractors, are expected to adhere to professional standards of the kind set out in the Ethical Code of the Chartered Institute of Purchasing and Supply (IPS). This Code is reproduced as Appendix B. In particular this applies to those who are authorised to sign Purchase Orders or place contracts for goods, materials or services.

Attention is also drawn to the guidance contained in Circular HSS (ESD) 3/91 and its successors, entitled "Work Services Projects - Fraud and Irregularity". A copy of this guidance can be obtained from the Chief Executive's Office.

Purchasing staff are also reminded that they should honour the intellectual property rights, copyrights, patents and trademarks of all in the supply chain.

## **7) FAVOURITISM IN AWARDING CONTRACTS**

Fair and open competition between prospective contractors or suppliers for HPSS contracts is a requirement for HPSS Standing Orders and of EC Public Supply and Public Works Regulations.

It is acknowledged that EC Regulations now permit pre-tender discussions with potential tenderers so that the latter understand the requirements of HPSS bodies and can, therefore, tender more successfully. This applies to all potential contractors, whether or not there is a relationship between them and the HPSS employer, such as a long running series of contracts. Each new contract should be awarded solely on the basis of the evaluation criteria, taking into account the requirements of the HPSS and the ability of the contractor to fulfil them.

## **8) PREFERENTIAL TREATMENT AND PRIVATE TRANSACTIONS**

Individual staff must not seek or accept preferential rates or benefits in kind for private transactions carried out with companies they have had or may have official dealings with, on behalf of the Central Services Agency. This does not apply to concessionary agreements negotiated with companies by the Central Services Agency or other Health Service organisations or recognised staff interests on behalf of all staff. For example, preferential rates provided in regard to motor insurance.

No special favour should be shown to current or former staff, or their close relatives or associates ('Associate' should be interpreted in its widest sense and include "friend, colleague, ally, partner or acquaintance") when awarding contracts to private or other businesses run by them, or employing them in a senior or managerial capacity. Contracts may be awarded to such businesses where they are won in fair competition against other tenderers. However, scrupulous care must be taken to ensure that the selection process is conducted impartially and that staff who are known to have a relevant interest play no part in the selection.

## **9) COMMERCIAL SPONSORSHIP**

Staff will not be allowed to accept commercial sponsorship for attendance at conferences and courses, except when these are bona fide professional, educational, scientific or technical events. The approval of the Chief Executive will be necessary and must be obtained in advance. The Chief Executive will satisfy him/herself that acceptance will not compromise any decisions in relation to the award of contracts or the integrity of the Central Services Agency and that the conference or course satisfies the above requirement.

Acceptance of sponsorship of conferences, courses or other events organised by the Agency may only be accepted if it can be demonstrated that;

- Promotional material of the sponsor does not unduly dominate the venue.
- No particular product is being promoted or deceiving endorsement by association with the Agency.
- Other competing organisations have been provided with an opportunity to sponsor or be associated with the event or such events over a period of time.

Decisions regarding sponsorship are to be referred to the Agency Board for approval.

## **10) WRONGFUL DISCLOSURE OF INFORMATION**

The Data Protection legislation and the Contract of Employment issued by the Agency forbid the disclosure by officers of information acquired in the course of their employment in the Health and Personal Social Services. Exceptions are where there is lawful authority for making such disclosures or disclosures are made in the ordinary course of duties.

Staff who wish to make use of information acquired in the course of their duties for the purposes of articles, lectures, speeches, broadcasts, interviews, books or similar purposes should consult with the Chief Executive, prior to such use. This paragraph continues to apply to those who have left the employment of the Central Services Agency.

## **11) TRADE UNION MEMBERSHIP**

As an employee of the Central Services Agency members of staff are not only permitted but also indeed encouraged to join and participate in a Trade Union or a professional or staff association.

Any member of staff participating in activities by or on behalf of a Professional Association or Trade Union to which they respectively belong, will be afforded facilities agreed with the Trade Unions.

## **12) HOLDING PUBLIC OFFICE**

As a body constituted under the Health and Personal Social Services (NI) Order 1992, the Agency is not in direct relationship with the District Councils. Therefore, there is no objection, as a rule, to Agency staff contesting local elections or taking part in District Council activities. This is provided that always, in the discharge of District Council functions, which may impinge on the functions of the Agency, the officer pays due regard to the circumstances of their dual position.

Staff must seek the consent of the Chief Executive before standing for election but this consent will not be unreasonably withheld.

Officers employed by the Agency are not, by reason of their employment, rendered incapable of being elected to any other political forum. Their position in regard to remaining in the Agency's employment will, therefore, be governed by their ability to continue to fulfil the duties of the post.

## **13) HOSPITALITY**

### **Receiving Hospitality**

Modest hospitality, provided that it is normal and reasonable in the circumstances, e.g. lunches in the course of working visits, may be acceptable. However, these should normally be similar to the scale of hospitality that the HPSS, as an employer, would be likely to offer. However, it is recognised that levels of hospitality vary according to circumstances and that acceptance may be unavoidable. Staff should always ensure that acceptance of hospitality on any scale does not compromise their integrity. Staff should decline all other offers of gifts, hospitality or entertainment. If in doubt, they should seek advice from their line manager or the Human Resources Directorate.

## **Providing Hospitality**

Hospitality from public funds should be carefully considered and capable of being justified as reasonable in the light of general practice in the public sector. The use of restaurants may be appropriate for entertaining guests or for conferences or seminars. The Chief Executive may approve this providing funds are available in the hospitality budgets.

## **Receiving Gifts**

Token gifts (generally at Christmas) of low intrinsic value, **normally not more than £10.00**, such as diaries or calendars may be accepted from persons outside of the Agency with whom staff have regular contact. All other gifts should be politely refused if in doubt, staff should decline the gift or consult their line manager before accepting it.

All instances of hospitality, gifts (except as set out in 5.3 above and or sponsorship are accepted are to be notified to the Chief Executive with a record of the basis of the decision to do so. A register will be maintained and will be available to the public in accordance with the Agency's \_\_\_\_\_

## **14) FINANCIAL**

Agency staff are expected to conduct private and public financial affairs judiciously. If a member of staff becomes insolvent or bankrupt the Chief Executive should be advised at once.

A member of staff who has been proven to be the cause of a loss of public money, through their conduct, may be required to make good the loss, either in whole or in part. Normal investigation and disciplinary procedures will apply.

## **15) EXPENSES, TRAVELING AND MILEAGE ALLOWANCE**

Mileage and other expense allowances are provided in order to assist members of staff meeting expenditure actually incurred in the course of duty. All members of staff concerned are expected to adhere to the highest principles of integrity when claiming for expenses actually incurred. Any breach of this expectation will constitute a serious disciplinary offence and staff will be liable to disciplinary action. In very serious cases this action may result in dismissal.

Supervisors and managers must also exercise due diligence in authorising such claims. Guidance on Travel and subsistence claims is included in the Staff Handbook and is revised from time to time by the Directors of Finance and the Human Resources.

## **16) OFFENCES, ARRESTS AND CONVICTIONS**

A member of staff who is arrested and refused bail, or convicted by a Court of any criminal offence, must report the facts, in writing, to the Director of Human Resources at the earliest practical date. The only exception to this would be a traffic offence in a non-official vehicle, for which the penalty does not include imprisonment or disqualification from driving. However, if the duties of the post involve driving or if it is an essential requirement of the job then a declaration must be made.

## **17) PASSES AND DOCUMENTS**

Members of staff will be held permanently responsible for the safe custody of Agency Passes and any health or social care documents issued or entrusted to them in course of their duties. The loss of a pass or any such document should be reported immediately to the relevant senior officer.

## **18) FEES OR EMOLUMENTS**

Any fee or emolument that may be received by any staff in the course of their duty as an officer of the Agency should be surrendered by them to the Agency. The only exception to this being in situations where the Agency, with the approval of the Department of Health and Social Services, otherwise directs. Failure to do so could constitute a breach of discipline.

## **19) RELATIONSHIP TO OTHER POLICIES**

There are a range of other policies which staff are also required to comply with which directly relate to this Code of Conduct, these include:

- Dress Code
- Alcohol and Substances at work
- Health and Safety at work
- All the Agency's Equal Opportunities Policies
- These policies are available in the Staff Handbook.

## **20) BREACHES OF CODE**

Any breach of this Code of Conduct may lead to disciplinary action, in accordance with the relevant Disciplinary Procedure.