

CODE OF STANDARDS AND BEHAVIOUR				
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Responsible Unit: Corporate Services				

THE HEALTH & SAFETY AUTHORITY CODE OF STANDARDS AND BEHAVIOUR



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MISSION OF THE HEALTH & SAFETY AUTHORITY

The mission of the Health & Safety Authority is;

To influence changes in the behaviours of employers and employees so that they can:

- *prevent injury and ill-health arising from work activity, and*
- *protect human health and the environment through the sound management and safe use of chemicals.*

OUR VISION

A national culture where all commit to safe and healthy workplaces and the safe and sustainable management of chemicals

VALUES OF THE HEALTH & SAFETY AUTHORITY

In tandem with the Corporate Strategy 2010-2012, we have also developed a set of organisational values that we believe will assist us in delivering our strategy. Our staff will behave in a manner that demonstrates their commitment to the Authority's values. The following values will underpin all our actions and decisions

- *Commitment to customers,*
- *Respecting our people*
- *Integrity*
- *Accountability*
- *Quality and continuous improvement*
- *Speed, agility and Innovation*

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INTRODUCTION

The tradition of the Health and Safety Authority has been one of loyal and impartial service for the benefit of the country.

To work in the Health and Safety Authority is to work for the common good. The values of the HSA - commitment to customers, respecting our people, integrity, accountability, quality and continuous improvement and speed, agility and innovation - are about serving this common good. Standards of probity are high and must be maintained. These values must continue to be the basis for the official actions of staff of the Health & Safety Authority.

The Code of Standards and Behaviour for staff of the Health and Safety Authority is being introduced in accordance with section **10(3) of the Standards in Public Office Act 2001¹** and **Section 55 of the Safety Health and Welfare at Work Act 2005.**

An integrated approach to the values, standards and behaviour of staff of the Health & Safety Authority is now being adopted through this Health & Safety Authority Code of Standards and Behaviour Conduct. The Code sets out a clear framework within which staff of the Health & Safety Authority must work. It sets out in a single document the principles, which should govern the behaviour of staff of the Health & Safety Authority and the values, which the Health & Safety Authority espouses.

It builds on the principles set out in “The Ombudsman’s Guide to Standards of Best Practice for Public Servants”. It is not intended to be an exhaustive list of guidelines for all possible eventualities.

¹ “(3) *The Minister shall from time to time draw up codes of conduct for the guidance of persons who hold or occupy directorships or positions of employment in public bodies but before doing so shall consult with the Commission and such persons representative of those persons as he or she considers appropriate.*”

SECTION I

THE HEALTH & SAFETY AUTHORITY CODE OF STANDARDS AND BEHAVIOUR

AN OVERVIEW

1. The Code in Context

Staff of the Health & Safety Authority have carried out their work to a high standard, which has characterised their service to the public over many years and enabled them to carry out the mission of the Health & Safety Authority. The Health & Safety Authority Code is an important element of the overall framework within which all staff of the Health & Safety Authority are expected to work.

The objectives of this code are to;

- Establish an agreed set of standards of behavior and ethical principles based on high levels of personal performance and responsibility
- Prevent the development or acceptance of unethical practices
- Promote and maintain confidence and trust in the Health and Safety Authority
- Promote the highest legal, management and ethical standards in all activities of the Health and Safety Authority
- Promote compliance with the best current management practice in all activities of the Health and Safety Authority

2. The Requirements of the Code

In the performance of their duties staff of the Health & Safety Authority must:

- (a) Maintain high standards in service delivery by:
- conscientiously, honestly and impartially serving the Authority and our customers ;
 - always acting within the law; and
 - performing their duties with efficiency, diligence and courtesy.

- (b) Observe appropriate behaviour at work by:
- dealing with our customers in a polite, helpful, open and timely manner and
 - treating their colleagues with respect.

Dignity in the Workplace

We at the Health and Safety Authority commit ourselves to working together to maintain a workplace environment that encourages and supports the right to dignity at work. All who work here are expected to respect the right of each individual to dignity in their working life. All will be treated equally and respected for their individuality and diversity. Bullying in any form is not accepted by us and will not be tolerated. Our policies and procedures will underpin the principles and objectives of this Charter.

All individuals, whether directly employed or contracted by us, have a duty and a responsibility to uphold this Dignity at Work Charter.

Supervisors and Managers in the workplace have a specific responsibility to promote its provisions.

- (c) Maintain the highest standards of probity by:
- conducting themselves with honesty, impartiality and integrity;
 - never seeking to use improper influence, in particular, never seeking to use political influence to affect decisions concerning their official positions;
 - abiding by guidelines in respect of offers of gifts or hospitality; and
 - avoiding conflicts of interest.

3. Application of the Code

- 3.1 The provisions of the Code apply to all staff whether full-time or employed on an atypical basis (e.g. temporary, part-time, contract staff). They also apply to people carrying out work on behalf of the authority (e.g. consultants) and to staff on forms of

special leave including career break except where they deal with circumstances, which can only arise where the staff member is at work. The requirements in relation to official secrecy will apply to former staff and staff on temporary assignment while requirements in relation to post-retirement/resignation employment will not apply to staff of the Health & Safety Authority who retired prior to the initial promulgation of this Code in 2006.

- 3.2 This Code forms part of the terms of employment of all staff of the Health & Safety Authority who are expected to apply it at all times. **A copy must be given to every staff member on entry to the Health & Safety Authority and they will be required to certify in writing that they have received and read it. The Code will be circulated to all existing staff who will be required to sign a similar declaration.** An opportunity should be given to staff to obtain clarification on any aspect of the Code. Staff induction courses will include instruction on the provisions of the Code. Breaches of the Code will constitute a breach of the terms of employment and may result in disciplinary action.

The Authority will prepare summary information including practical guidance and direction on such areas as gifts and entertainment and on other ethical considerations which arise routinely.

The Authority will review this Code as necessary.

SECTION II

STANDARDS REQUIRED OF STAFF OF THE HEALTH & SAFETY AUTHORITY

The detailed standards required of staff of the Health & Safety Authority in the performance of their official duties are set out in this part of the Code. The Code also details specific requirements placed on certain staff of the Health & Safety Authority following their retirement or resignation.

STANDARDS UNDERPINNING SERVICE DELIVERY

The standards which underpin the general ethos of the Health & Safety Authority are set out below:

4. Impartiality

Staff of the Health & Safety Authority in the performance of their official duties:

- (a) must conscientiously serve the Authority and the public;
- (b) must advise and implement policy impartially
- (c) should not display partiality whether as a result of personal or family ties or otherwise

5 Staff of the Health & Safety Authority and Politics

5.1 Staff of the Health & Safety Authority who propose standing for election in public office must advise the Chief Executive Officer through their manager. Staff employed on particular types of work may, at the discretion of Authority, have certain conditions imposed (e.g the Authority may examine the possibility of moving an officer to a less sensitive area).

5.2 Staff of the Health & Safety Authority may not engage in public debate (e.g. letter writing to newspapers, contributions to television or radio programmes etc.) on any

matter relating to the business of the Authority without official sanction. Nothing in the foregoing shall be considered to restrict a persons constitutional or statutory rights nor shall it restrict normal public discourse that may arise in the course of industrial relations.

6. Respect for the Law

6.1 The work of the Health & Safety Authority is carried out within a framework of law. It is the duty of staff of the Health & Safety Authority to respect these legal constraints, in particular:

- never to act in a manner which they know, or suspect, is illegal, improper, or unethical or for which they have no legal authority; and
- to exercise any discretion conferred by law in a bona fide manner in accordance with the intentions of the statute.

6.2 Staff of the Health & Safety Authority who have doubts about the legality of a particular action which they are required to take in the course of their official duties should refer the matter to their manager whose responsibility it is to issue a direction on the matter, following legal advice where necessary.

6.3 The Authority commits itself to fulfilling all regulatory and statutory obligations imposed on it and staff should actively work to help ensure statutory or regulatory compliance.

7. Disclosure of information

Staff should not acquire information by improper or illegal means,

7.1 The information contained in the Authority's GeoSmart information system is confidential to the Authority and GeoSmart information should only be accessed or used for legitimate Authority purposes.

The Authority supports provision of access to general information relating to the Authority's activities in a way that is open and enhances its accountability to the general public.

7.2 *All staff of the Health & Safety Authority* should ensure that they deal with queries from members of the public in an open and helpful way. Under the Access to Information on the Environment Regulations 1998, The Data Protection Act and the Freedom of Information Acts 1997 and 2003 (FOI Acts), members of the public enjoy a legal right of access to information held by the Authority and subject to certain defined exemptions

Arising from the FOI Acts, certain officers are given explicit responsibility for the provision of information to members of the public on foot of requests under the FOI Acts. Information on the Authority's policies in relation to Freedom of Information is made available to all staff.. Where doubt arises staff should consult policies or seek guidance from the FOI Officer. Particular attention should be paid to Section 72 – 76 Obtaining and Disclosure of Information in the Safety Health and Welfare at Work Act 2005 which restricts the disclosure of confidential information as defined in the Act..

7.3 Particular care should be taken to safeguard information concerning the private affairs of members of the public or concerning the commercial affairs of companies or organisations which has been submitted in connection with official business on condition, or on the reasonable assumption, that it would remain confidential. The FOI Acts recognise the importance of protecting such information in the normal course from third party access. Where exceptionally sensitive information of a personal, commercially sensitive or confidential nature is under consideration for release in the public interest, the FOI Acts impose a number of safeguards to ensure the rights of the person(s) concerned are fully respected.

Staff should observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest

Information relating to the enforcement functions of the Authority is normally exempt from freedom of information. This means that information about specific inspection, investigations and enforcement action is not normally released.

7.4 It remains a requirement under the Official Secrets Act 1963 that all staff of the Health & Safety Authority, including those who are retired or on a career break, avoid

improper disclosure of information gained in the course of their official work. For example, disclosure of information would be likely to be improper where a person has not been given responsibility to provide information to the public under the FOI Acts, or is not otherwise authorised to do so.

8. Dealings with the Public

Staff should familiarise themselves with the HSA Customer Service Charter

8.1 Staff of the Health & Safety Authority should:

- demonstrate commitment to our customers by ensuring they have their affairs dealt with in a professional, courteous, fair and consistent manner.
- always give their names to whomever they are dealing with, except where given a special exemption, for example, on security grounds; and
- ensure that customers are dealt with in a respectful manner.

8.2 Staff of the Health & Safety Authority should:

- ensure that their standard of dress is appropriate to their work environment;
- show due consideration and respect for the public, their colleagues and the office they hold.

9. Criminal Convictions

An employee who is convicted of a criminal offence or given the benefit of the Probation Act when charged with a criminal offence (whether the Probation Act is (i) applied where summary proceedings for an offence are brought, the case is proven and the Court decides not to proceed to conviction or (ii) applied on conviction on indictment of an offence which is punishable by imprisonment and the Court places the convicted person on probation rather than imprison him or her) must report that fact to the head of Human Resources. In certain circumstances, this may have implications for his or her official position. The Authority should exercise discretion in dealing with cases in the light of the merits of each case. In accordance with the Data Protection Acts 1988 and 2003, such information will be treated in strict

confidence by the Authority and no record of it will be kept unless the information is relevant to the official duties being carried out by the officer.

BEHAVIOUR AT WORK

10. Attendance and Performance

Staff of the Health & Safety Authority are required:

- to attend at work as required and not to absent themselves from duty without proper authorisation;
- to comply with the terms of the sick leave regulations and the Attendance Management Policy
- at all times, to act in a manner consistent with the proper performance of the functions of their position and with the maintenance of public confidence in such performance, including refraining from conduct which might impair performance;²
- to ensure non-discriminatory language is used in all communications, both internal and external, including display material and documents in electronic form; and
- not to engage in any outside business or occupation during their normal hours of duty (see paragraphs 14 and 18 below concerning business activities outside of normal working hours) except by prior written approval of the Chief Executive Officer To comply with the terms of all official policies and procedures
- To uphold the Authority's values

11. Regard for State Resources

11.1 Staff of the Health & Safety Authority should endeavour to ensure the proper, effective, and efficient use of public money.

11.2 Staff of the Health & Safety Authority are required to:

²The Health & Safety Authority Employee Assistance Programme is available to help staff manage personal difficulties, which if left, might adversely affect their work performance and/or attendance and their quality of life.

- take proper and reasonable care of public funds and Authority property and not to use them, or permit their use, for unauthorised purposes³;
- incur no liability on the part of their employer without proper authorisation; and
- ensure that expenses, such as travel and subsistence payments, are not unnecessarily incurred either by themselves or by staff reporting to them.
- Staff should not use the Authority's resources or time for personal gain or for the benefit of persons or organisations unconnected with the Authority or its activities.
- Staff of the Authority will conduct all purchasing activities of goods/services in accordance with the Authority's procurement guidelines so as to ensure that all purchasing is done in the most economically advantageous way for the Authority and that authorisation levels are not exceeded
- Staff should comply with prescribed procedures in relation to claiming of travel and subsistence

12. Relations with Colleagues

Staff of the Health & Safety Authority should show due respect for their colleagues at work, including their values and beliefs. Staff of the Health & Safety Authority should ensure that their behaviour towards other colleagues is appropriate in the workplace. Staff of the Health & Safety Authority have a legal duty not to discriminate against colleagues on the basis of their gender, race, sexual orientation, membership of the traveller community, disability, age, marital status, family status and religious belief. Staff of the Health & Safety Authority should support a positive working environment by observing and supporting the Health & Safety Authority policy on harassment, sexual harassment and bullying.

13 Management and Financial Information

Staff should ensure that financial management reports and the Authority's financial accounts accurately reflect the performance of the Authority and are not misleading or designed to be misleading.

³ "De minimis" use of Authority resources, i.e. a use that results in no actual cost to the state, or the cost to the state is so small as to be insignificant or negligible, is permitted.

14 Working Environment

- 14.1 The Authority commits to the provision of a safe and healthy work environment for its staff. All staff should cooperate to ensure that they work safely and that they do not adversely affect the safety of other staff. Staff should familiarize themselves with the contents of the Safety Statement, comply with its provisions and report workplace safety issues to their manager.
- 14.2 Staff should minimise any detrimental impact of the Authority's operations on the environment.

15. Work Related Social Events

In addition to the Authority's legal obligation to safeguard the safety, health and welfare of employees in the workplace, this duty extends to work related social events. Similarly, staff's responsibilities and obligations in the workplace extend to work related social events

HSA work related social events include formal official events and informal social occasions. In essence, any event which can reasonably be considered as an extension of the workplace is covered by this code.

Events which are not organised or directly endorsed or sponsored by the HSA, but which HSA staff in their own capacity attend, may also be considered to be an extension of the working environment, in the event that matters arising from them have an impact on the equal treatment of the individuals concerned on their return to the workplace

Work related events which involve an overnight stay are covered under this code and are accordingly an extension of the working environment

Staff of the Authority are expected to conduct themselves in a safe and professional manner while in the workplace or at work related social events. The Authority, as the employer, may be vicariously liable for the actions of staff and therefore conduct not compliant with this code may lead to investigation and, where appropriate, disciplinary action.

Staff must be aware of their obligation under the various policy documents, in particular this code of standards and behaviour and the HSA policy on anti-harassment, sexual harassment and bullying, “A Positive Working Environment”.

While in work or attending work related social events, each individual staff member must ensure that they do not endanger the safety, health or well being of themselves or others.

This code is not intended to inhibit or curtail the organisation of work related social events which by their nature add a different dimension to our working experience. However, these events should be treated as if they were taking place at work during office hours. As a general rule, behaviour that would not be acceptable during office hours is not acceptable at work related social events, regardless as to when or where they take place.

STANDARDS OF INTEGRITY

16. Improper Influence

Staff of the Health & Safety Authority are not allowed to:

- use their official positions to benefit themselves or other persons or organisations with whom they have personal, family, business or other ties;
- seek to influence decisions on matters pertaining to their official positions except through the established procedures (for example, negotiating or grievance procedures) or in such other manner as the Chief Executive Officer may approve. In particular, staff of the Health & Safety Authority must not use political influence to affect decisions concerning their official positions. The normal Conciliation and Arbitration and other industrial relations issues apart, staff of the Health & Safety Authority are not allowed to solicit, directly or indirectly, for personal concessions in their favour e.g. advancement, re-location, work assignment. Any breach of these rules may render a staff member liable to disciplinary action.

17. Conflicts of Interest

- 17.1 Staff of the Health & Safety Authority may not at any time engage in, or be connected with, any outside business or activity which would in any way conflict with the interests of the Authority, or be inconsistent with their official positions, or tend to impair their ability to carry out their duties as staff of the Health & Safety Authority. For this reason, staff of the Health & Safety Authority intending to be engaged in or connected with any outside business or employment should inform the Head of Human Resources of such an intention. Whole-time staff of the Health & Safety Authority whose duties are of a professional character (e.g. doctors, engineers, architects, solicitors, etc.) must not engage in private practice in their professions except by prior written approval of the Chief Executive Officer. Any case in which the propriety of undertaking a particular business or occupation could reasonably be open to question must be referred by the staff member concerned to the Chief Executive Officer.
- 17.2 Staff of the Health & Safety Authority must never seek to use knowledge acquired in the performance, or as a result of, their official duties to benefit themselves, or others with whom they have personal, family or other ties. A staff member who, in the course of his or her official duties, comes into contact with any matter affecting any commercial undertaking, in which he or she has an interest, must immediately disclose the nature and extent of that interest to the Chief Executive Officer. Another staff member should in the normal course, unless the Chief Executive Officer considers it unnecessary, be assigned to deal with the matter.
- 17.3 A staff member who experiences financial difficulties which may compromise, or be reasonably seen by others to compromise, him or her in the performance of his or her duties (e.g., through bankruptcy, or insolvency, or by incurring a significant liability to any person, financial institution or other body with whom he or she has official dealings) must report that fact to the Chief Executive Officer. Any such information shall be dealt with in the strictest confidence by the Authority and the officer concerned will be offered such assistance as is available (for example through the Employee Assistance Programme) to resolve his or her difficulties.

17.4 A staff member is not permitted to make representations on behalf of an outside person, company, association or organisation, either as an individual or as a member of a delegation, in relation to matters for which his or her division has responsibility except with the specific prior consent of their Divisional ACE.

18. Disclosure of Conflicts of Interest

18.1 Section 42 of the Safety Health and Welfare at Work Act 2005

42.—(1) Where a member of the staff (including the Chief Executive) of the Authority or a consultant, adviser or other person engaged by the Authority has a material interest, otherwise than in his or her capacity as such a member or as such a consultant, adviser or other person engaged by the Authority, in any contract, agreement or arrangement, or proposed contract, agreement or arrangement, to which the Authority is a party, that person shall—

(a) disclose to the Authority his or her interest and the nature of the interest in advance of any consideration of the matter,

(b) neither influence nor seek to influence a decision relating to the matter nor make any recommendation in relation to the contract, agreement or arrangement, and

(c) take no part in the negotiation of the contract, agreement or arrangement or in any deliberation by the Authority or staff of the Authority relating to the matter.

42.(2) Subsection (1) does not apply to a person as regards a contract or proposed contract of employment of that person as a member of the staff of the Authority.

42.(3) Where a person contravenes this section the Authority may decide on the appropriate action to be taken including alterations to the person's terms and conditions of employment or contract for services or termination of the person's contract of employment or for services.

18.2 Staff of the Health & Safety Authority who occupy positions which are "designated positions" for purposes of the Ethics in Public Office Acts 1995 and 2001 (the Ethics Acts) have certain statutory obligations in relation to disclosure of interests. Those obligations are additional to any which apply generally to staff of the Health & Safety Authority under the provisions of this Code. It should be noted that all staff of the Health & Safety Authority are required to observe the provisions of this Code, such as

the provisions in relation to the acceptance of gifts, which are more stringent than corresponding statutory provisions.

18.3 The positions in the Health & Safety Authority which have been designated for the purposes of the Ethics Acts are contained in the Ethics in Public Office (Designated Positions in Public Bodies) Regulations 1996 (S.I. No. 57 of 1996). In summary, staff of the Health & Safety Authority at Principal Officer/Programme Manager level and upwards are affected by the provisions of the Acts. The Acts also apply to a range of less senior positions (e.g. posts dealing with contracts or in commercially sensitive areas). The Board Secretary must notify an officer on taking up duty in a designated position of the obligations attaching to that position.

18.4 Staff of the Health & Safety Authority will be furnished with a copy of the “Guidelines for Public Servants concerning the steps to be taken by them to assist compliance with the provisions of the Ethics in Public Office Acts 1995 and 2001” published by the Standards in Public Office Commission (Copies can be provided on request).

19. Gifts

19.1 Staff of the Health & Safety Authority should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity. The overriding concern is that the actions of staff of the Health & Safety Authority be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with commercial and other interests should bear the closest possible scrutiny.

19.2 The receipt of gifts, as distinct from hospitality, by staff of the Health & Safety Authority from those with whom they have official dealings must be governed by the highest standards. Staff of the Health & Safety Authority must abide by these instructions. Staff are required to apply these rules on the receipt of gifts. For the purposes of these provisions, the term “gift” includes any benefit (other than a benefit dealt with under paragraph 18 of the code), which is given to a staff member free of charge or at less than its commercial price.

- Subject to any rules, which the Chief Executive Officer may determine, an officer may accept and retain gifts of modest value (e.g. diaries, pens, etc.). The general principle shall be that gifts should not exceed €150 in value. Any gift of more significant value should be refused or, if such refusal would cause offence, should be handed over by the staff member concerned to his or her Manager.
- A gift, other than a gift of modest value, given to a staff member by virtue of his or her official relationship with the donor or his or her Authority's commercial dealings with the donor must be regarded as property of the Authority. However, benefits under frequent flier schemes may be retained by individual staff of the Health & Safety Authority in recognition of the fact that official travel is disruptive to personal and family life.
- Particular care should be taken in relation to gifts from donors who stand to derive a personal or commercial benefit from their relationship with the Unit/Section concerned.
- Cash, gift cheques or any vouchers that may be exchanged for cash may not be accepted regardless of the amount.
- Staff of the Health & Safety Authority may not solicit gifts, directly or indirectly.
- Staff of the Health & Safety Authority may not approach any business with which they have contact through their official duties seeking sponsorship or support for any club, charitable organisation, association, trade union or other organization. Senior Management should apply discretion in the application of this rule to instances of very small patronage.
- Staff of the Health & Safety Authority should not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings.

19.3 It should be noted that, under the Prevention of Corruption Acts 1889 to 2001 as amended by the Ethics in Public Office Act 1995, the corrupt giving of gifts to, or receipt of gifts by Public Servant is a criminal offence punishable by imprisonment or fine or both. The Acts provide that money, gifts or other consideration received by a public servant from a person holding or seeking to obtain a contract from a Government department/office is deemed to have been received corruptly unless the contrary is proved.

20. Hospitality

20.1 It is impossible to lay down definite rules covering the acceptance of hospitality in all circumstances. The overriding concern is that all actions of staff of the Health & Safety Authority in carrying out their official duties be above suspicion and not give rise to any actual or potential conflict of interest, and that their dealings with commercial and other interests should bear the closest possible scrutiny. It is accepted that staff of the Health & Safety Authority should not be put in a position where they cannot accept what are regarded as normal courtesies in business relationships. However, in their contacts with outside organisations or persons, every care must be taken by staff of the Health & Safety Authority to ensure that their acceptance of hospitality does not influence them, and could not reasonably be seen to influence them, in discharging their official functions.

20.2 The following guidelines provide a framework within which decisions in this area can be made.

- All offers of hospitality from commercial interests which have or might have contractual relations with the Authority must be reported by that staff member to his or her manager for direction.
- No objection would normally be made to the acceptance of what is regarded as routine hospitality, for example, a business lunch. What may be regarded as “routine” for this purpose will depend on a number of factors such as the value of the hospitality offered, the frequency of offers, whether there is an element of reciprocity and the general circumstances in which it is offered (for example,

whether it is offered by a company to all its customers or is directed at specific or potential customers). Certain types of hospitality (for example involving travelling abroad or holiday weekends) should not be regarded as routine and should not be accepted? Heads of Units/Sections are recommended to issue guidelines to their own staff having regard to the offers of hospitality, which are commonly made to staff in their Unit/Section.

- Staff of the Health & Safety Authority should not accept offers of hospitality, which go beyond the routine practices referred to above, except where acceptance of such an offer can be clearly shown to be in the interest of the Authority and has been approved by the manager of the staff member.
- Particular care needs to be taken by staff of the Health and Safety Authority regarding the acceptance of routine hospitality where the Authority is involved in legal or enforcement action.(e.g. offer of lunch, offer of dinner, offer of a corporate branded gift)

21. Payment for Work on behalf of Outside Bodies

21.1 On occasion staff of the Health & Safety Authority are asked to carry out tasks for which they receive payment or other benefit in kind on behalf of bodies other than the Authority, as a consequence of their official positions. While, in many instances, this practice does not give rise to problems, there are certain circumstances where difficulties may arise, such as where the task performed forms part of the official duties of a staff member or is performed during normal working hours.

21.2 The following guidelines provide a framework within which decisions in this area can be made or local rules formulated.

- Where because of his or her official position, a staff member is invited to carry out work on behalf of an outside body, he or she shall notify his or her Manager in advance and may not seek or retain payment (other than appropriate travel and subsistence expenses) or other benefit in kind where the

proposed activity is part of the staff member's duties. Where a payment is made, it should be surrendered to the Head of the Finance Unit, who will lodge it to the Authority account. Any benefit in kind should be returned to the body in question.

- A staff member may accept a modest payment or benefit in kind if the task, while work related, is not an integral part of his or her official duties and is carried on outside of normal working hours.
- The question of whether or not a task is an integral part of a staff member's official duties may normally be determined by reference to the relevant work programmes or role profiles. In case of doubt the staff member should request his or her manager to determine if the task is an integral part of his or her official duties.
- In cases where no payment or other compensation arises a small token gift may be accepted by a staff member by way of recognition.
- Where a staff member has any doubts concerning the propriety of accepting any payment or compensation from bodies outside of the Authority/Office, the matter should be referred to a manager for determination in accordance with the guidelines outlined above. If a staff member is unhappy with the decision of a senior officer, he or she may appeal the matter to the HR manager or the Chief Executive Officer as appropriate.

22. Contracts with, Purchases from or Sales to the Authority.

- 22.1 A staff member should not seek contracts with the Authority for the supply of goods or services (other than for employment) either for his or her own benefit, or for any partnership or company with which he or she has an involvement in his or her private capacity or on behalf of other persons or organisations.

- 22.2 The Authority should not knowingly undertake to contract for the supply of goods or services (other than for employment) with a staff member or with any partnership or company with which a staff member has an involvement in his or her private capacity.
- 22.3 No purchase should be made from, and no sale made to, a staff member, any partnership or company with which a staff member has an involvement in his or her private capacity in respect of goods or services unless;
- (a) the transaction is such as occurs in the ordinary course of business (e.g. the purchase of Government Supplies Agency publications or of Savings Certificates); or
 - (b) prior sanction has been obtained from the Authority in which the transaction arises, following consultation with the Authority in which the staff member is serving.
- 22.4 A staff member who enters into any undertaking, or who holds any outside interest or participates in any outside business affecting, or likely to affect, an Authority contract or the purchase or sale of Authority property must immediately disclose the nature and extent of his or her interest to the Chief Executive Officer. A staff member shall not accept a directorship (except as a nominee of a Minister) in any company holding a Government contract or in a company, which may reasonably be expected to hold such a contract in future.
- 22.5 Staff of the Health & Safety Authority shall not negotiate or arbitrate in any matter affecting a Government contract or the purchase from or sale of goods to the State where, in their private capacities, they are interested either as principals or as shareholders in a company being one of the principals in the matter under consideration.

23. Acceptance of Outside Appointments and of Consultancy Engagement following Resignation or Retirement

- 23.1 The following provision is designed to foster a culture in which staff of the Health & Safety Authority are fully aware of the potential for conflict of interest in accepting

positions outside the Health & Safety Authority. It is important to declare to the appropriate Authority such potential conflicts of interest in order to avoid any suspicion that the advice and decisions of a serving officer might be influenced by the expectation of future employment with a particular firm or organisation. However, it is not the intention to place an unnecessary burden on staff of the Health & Safety Authority in this regard and it is expected that these provisions will not affect the generality of former staff of the Health & Safety Authority joining outside employment.

Summary of the Main Features of the Code

- Staff of the Health & Safety Authority must be impartial in the performance of their duties. [Section 4]
- Staff of the Health & Safety Authority must respect the constraints of the law. [Section 6]
- Under the Freedom of Information Acts 1997 to 2003, members of the public have a legal right to information held by Government Authority and other public bodies. However, the requirement under the Official Secrets Act 1963 that staff of the Health & Safety Authority avoid improper disclosure of information gained in the course of their work still applies. [Section 7]
- Staff of the Health & Safety Authority must maintain high standards of service in all of their dealings with the public. [Section 8]
- Staff of the Health & Safety Authority who are convicted of criminal offences, or given the benefit of the Probation Act when tried for a criminal offence, must report that fact to the HR Manager. [Section 9]
- Staff of the Health & Safety Authority are required to attend at work as required and comply with the terms of sick leave regulations and attendance management policy. [Section 10]
- Staff of the Health & Safety Authority are required to have due regard for State resources to ensure proper, effective and efficient use of public money. [Section 11]
- Staff of the Health & Safety Authority will show due respect to their colleagues including their beliefs and values. [Section 12]

- Staff of the Health and Safety Authority should ensure finance management reports and finance statements accurately reflect the performance of the Authority. [Section 13]
- Staff of the Health and Safety Authority should cooperate to ensure they work safely and that they do not adversely affect the safety of other staff. [Section 14]
- Staff responsibilities and obligations in the workplace extend to work related social events. [Section 15]
- The use of their official positions by staff of the Health & Safety Authority to benefit themselves or others with whom they have personal or business ties is not allowed. Staff of the Health & Safety Authority are also forbidden to seek to influence decisions on matters pertaining to their official positions other than through established procedures. [Section 16]
- Staff of the Health & Safety Authority may not engage in outside business or activity, which would in any way conflict with the interests of the Authority. [Section 17]
- Staff of the Health & Safety Authority who occupy “designated” positions for the purposes of the Ethics in Public Office Acts have certain statutory obligations in relation to disclosure of interests. These obligations are additional to any obligations imposed by the Code. [Section 18]
- Staff of the Health & Safety Authority shall not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity. Staff of the Authority are required to apply the rules contained in the Code on the receipt of gifts or to make local rules deriving there from; these rules must be approved by the relevant ACE/ and/or Chief Executive Officer. [Section 19]
- The same principle applies to any acceptance of hospitality. Within the general framework of guidelines set out in the Code, every care must be taken to ensure that (a) any acceptance of hospitality does not influence, or is seen to influence, the

discharging of official functions [Section 20] and (b) that there are clear and appropriate standards in place which have been notified to all staff in relation to payment for work on behalf of outside bodies. [Section 21]

- Staff of the Health & Safety Authority must not seek contracts with the Authority for supply of goods or services whether for their own benefit or for the benefit of any company with which they may have an involvement in a private capacity. [Section 22].



Information Manual Contents

- 1) **Introduction**
 - Welcome letter from Chief Executive
 - Staff Handbook
 - Induction Manual
 - Organisation Chart
 - Internal Telephone List

- 2) **Declaration and Authorisation Forms**
 - Declaration
 - Personal information form
 - Form of Authorisation (Sick Pay) x 2
 - Form of Authorisation (Maternity Leave) x 2

- 3) **External Relations**
 - Dealing with the Media
 - New Procedures for Attention to all Staff Engaged in Public Relations Activities
 - Procedure for dealing with complaints about the Health and Safety Authority
 - Responding to External Requests for Speaker – Guidelines for HSA Staff

- 4) **I.T. Regulations**
 - Acceptable use of Computers Policy.
 - Data Protection Policy and Procedures.
 - Policy for use of E-mail, Protocol for Meetings.
 - 10 Rules for using E-mail in the Authority.
 - Inappropriate use of internet and e-mail.
 - Ordering Business Cards.

- 5) **Grievance and Disciplinary**
 - Grievance Policy and Procedure
 - Disciplinary Policy and Procedure

- 6) **Training Policy**
 - Learning and Development Strategy 2006 – 2008
 - Learning and Development Programme 2008
 - External Training Courses, Refund of fees and Study Leave
 - Circular 23/07 – Post Entry Education – Refund, Study Leave and Examination Leave

- 7) Code of Conduct and Equality
- Equal Opportunities Policy
 - Positive Working Environment; Anti-Harassment, Sexual Harassment and Bullying Policy for the Civil Service.
 - HSA Code of Standards and Behaviours
- 8) Recruitment and Promotion
- Recruitment Policy
 - Promotion Policy
- 9) Annual Leave
- Circular 27/03 – Annual Leave
 - Annual Leave
- 10) Sick Leave
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 - Circular 25/78 – Sick Leave
 - Circular 09/2004 – Sick Leave and the Organisation of Working Time Act, 1997
 - Circular 17/03 – Amendment to provisions of clearance of candidates for promotion or establishment; sick absences and health considerations.
 - Sick Leave Rules
 - Attendance Management Policy
- 11) Work Life Balance
- Force Majeure Leave
 - Form of notice of Force Majeure Leave under the Parental Leave Act, 1998
 - Circular 35/1995 – Maternity Leave
 - Circular 09/2001 – Extension of Maternity and Adoption Leave
 - Circular 31/06 – Implementation of the regulations of the Maternity Protection (Amendment) Act, 2004
 - Circular 32/99 – Paternity Leave
 - About the Parental Leave Act, 1998 Explanatory Booklet
 - Procedures in relation to Parental Leave
 - Circular 20/2008 – Parental Leave in the Civil Service
 - Circular 22/2000 – Extended to entitlement to Parental Leave
 - Worksharing Scheme and Circular 31/2001 Civil Service Worksharing Scheme
 - Circular 32/06 – Revised Term Time Scheme 2006
 - Term Time Scheme 2008
 - Circular 18/1998 – Special Leave without Pay for Career Break
 - Amendments to Circular 18/98 – Special Leave without Pay for Career Break
- 12) Travel and Subsistence
- Travel Policy
 - Circular 24/2007 – Subsistence Allowances
 - Circular 25/2007 – Motor Travel Rates
 - Form of Undertaking
- 13) Superannuation Schemes
- Member's Guide to the HSA Pensions Schemes
 - Staff Superannuation Scheme, 1998
 - Spouses' and Children's Contributory Pension Scheme, 2002
 - Circular 4/2006 – Purchase of National Service for Superannuation Purposes by Established Civil Servants and by Non-Established State Employees.

- Guide to HSA Superannuation Schemes.
- Marsh – Future Protected

14) Health and Safety

- HSA Safety Statement
- HSA Evacuation Route
- HSA Fire Marshalls
- Safety Rules for all Visitors
- Safety Committee
- Occupational Health Services
- VDU Eye Examination Form
- VHI Group Scheme

15) Employee Relations

- Employee Involvement Policy.
- Industrial Relations agreement for the Health and Safety Authority.
- Internal Union Representatives.
- AIRC Minutes
- Partnership Arrangement Document
- Partnership Members
- Partnership Minutes

Copies of all the above policies and procedures are available on the intranet