



Environmental
Protection Agency

CODE OF CONDUCT FOR DIRECTORS AND STAFF
OF THE ENVIRONMENTAL PROTECTION AGENCY

Issue No:	1
Revision	4
Issue Date	20/10/2020



Engaging
Enabling
Empowering

ENVIRONMENTAL PROTECTION AGENCY

CODE OF CONDUCT FOR DIRECTORS AND STAFF OF THE ENVIRONMENTAL PROTECTION AGENCY

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1 PURPOSE

- 1.1 The purpose of this Code of Conduct is to set down the general principles and standards, which govern the professional activities and conduct of Directors and staff of the EPA (collectively referred to as staff throughout) thereby maintaining a high level of public confidence in the organisation as a public body and employer. Specifically, this code is intended to: -
- set out an agreed set of ethical principles for Directors and staff that promote and maintain confidence and trust in the EPA;
 - prevent the development or acceptance of unethical practices;
 - promote the highest standards in all the EPA's activities;
 - ensure that the EPA's business is conducted and managed effectively, efficiently and objectively; and
 - ensure the EPA is in compliance with the highest professional standards.
- 1.2 The provisions of the Code of Conduct are ancillary to the requirements set out in the Code of Practice for the Governance of State Bodies (2016) and forms part of the Terms and Conditions of Employment for all staff
- 1.3 Staff are obliged to comply with policies and procedures, staff regulations, work rules and any standards and codes of practice adopted by the EPA.
- 1.4 This Code of Conduct should be read in conjunction with the EPA's Hospitality Policy & Procedures and Misuse of Intoxicants Policy & Procedures.
- 1.5 The Code of Conduct is binding on all staff (including those on leave, career breaks etc.).

2 GENERAL PRINCIPLES

2.1 The Code of Conduct relates both to internal and external activities of the EPA. Wherever we operate, we 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.

3 STANDARDS

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

Our Stewardship

- We are a trusted, independent and authoritative advocate for the environment.
- We make objective decisions based on the best available scientific evidence and information.
- We manage our resources effectively and efficiently to deliver value to the public,

Our Work

- We regulate in a fair, proportionate and transparent manner and target those who don't comply.
- We make a difference by working with others to build trust, networks and partnerships to deliver effective outcomes.
- We strive continuously for improvement and excellence through learning and development.

Our Service

- We are innovative, adaptive and open to new and flexible ways of working.
- We design and deliver services from the citizen's point of view.
- We provide our services in a manner that is competent, courteous and responsive.

Our Colleagues

- We work together to deliver effective outcomes.
- We support, trust and value our colleagues and empower each other to make decisions.
- We are open and honest with each other.
- We constructively challenge and encourage each other to do better.

The personal interest of a staff member, political or public pressure must never guide our conduct.

4 OBLIGATIONS

4.1 Staff have an obligation to attend at work as required and perform their official duties honestly, faithfully and efficiently, respecting the rights of the public and their colleagues.

4.2 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 your employer 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, as a result of the misuse of intoxicants;
- to show reasonable care, and neither use nor allow the use of the EPA's property, resources, funds for anything other than authorised purposes; and
- to incur no liability on the part of the EPA without proper authorisation.

4.3 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. This means that EPA 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;
and
 - to have due regard for the safety, health and welfare of others in the use of EPA property and resources.
- 4.4 Staff should be aware of and fulfil all regulatory and statutory obligations of the EPA and enforce them in a fair, responsible and consistent manner acting within the legal authority given to them.
- 4.5 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. In accordance with the EPA Customer Charter staff have a duty to provide an excellent service to our customers, which is courteous, helpful and timely in dealing with queries and requests.
- 4.6 Staff should respect the principle of non-discrimination and equal treatment for all customers.

5 CONFLICTS OF INTEREST

- 5.1 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 EPA disclosure requirements. Any employee becoming aware of such a conflict/potential conflict must declare this to his/her Programme Manager, or Director immediately who will decide how the situation should be dealt with. Permission must be sought from the relevant Director before engaging in any outside employment, including self-employment.

- 5.2 Staff have statutory obligations under the Ethics in Public Office Acts, 1995-2001(Ethics Acts). 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 EPA. Staff must observe their duties and obligations to the EPA 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 their employer. Staff must always act with personal integrity and their actions should be able to bear the closest public scrutiny.

6 DISCLOSURE OF CONFLICTS OF INTEREST

- 6.1 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 EPA and that it does not create a conflict of interest or potential conflict with their employment with the EPA. A Staff member aware of such a conflict/potential conflict must declare this to his/her Programme Manager, or Director immediately who will decide how the situation should be dealt with.
- 6.2 In the case of the Executive Board:
- 6.2.1 If a Director has a doubt as to whether an interest should be disclosed, he/she should consult with the Director General.
- 6.2.2 When a Director discloses a material interest on a matter, he/she should not have access to the documentation on any deliberations regarding the matter concerned.
- 6.2.3 Where a question arises as to whether or not an interest declared by a Director is a material interest, the Director General should determine the question as to whether the provisions of the *Code of Practice for the Governance of State Bodies (2016)* apply.
- 6.2.4 Where a Director is in doubt as to whether he/she has an obligation under the Ethics Acts, he/she should seek advice from the Standards in Public Office Commission.

7 DISCLOSURE OF INFORMATION

7.1 Staff are prohibited from making use of, or disclosing, any confidential information gained as a result of employment with the EPA. The unauthorised use or disclosure of confidential information to which they have had access may lead to disciplinary action. For Directors and staff this includes:-

- observing appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest;
- exercising care in the storage of and the disposal of all documents and records; and
- complying with all relevant statutory provisions under the Data Protection Acts 1988 and 2003 and any other applicable law or regulation governing the processing of personal data, including the General Data Protection Regulation (Regulation (EU) 2016/679) and the Freedom of Information Act 2014.

7.2 If you leave employment with the EPA (resign, retire or termination of contract of employment) you are obliged by law to protect and respect the confidentiality of EPA information.

7.3 Particular attention is drawn to the following statutory provisions:

- Section 37 of the EPA Act, 1992 and Environmental Protection Agency (Declaration of Interests) Regulations, 1994 (S.I. No. 205 Of 1994) requiring the making of a declaration of interests in the prescribed form, and otherwise comply with the provisions of that section;
- Section 38 of the EPA Act, 1992 relating to certain beneficial interests;
- Sections 39 and 40 of the Environment Protection Act, 1992, which

relate to the disclosure of confidential information and the prohibition of certain communications in relation to any matter, which falls to be considered or decided by the EPA, or, any of its committees or consulting groups; and

- The Ethics in Public Office Acts 1995 - 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.

8 OUTSIDE OCCUPATION

- 8.1 Staff are obliged to give their full commitment to their duties and responsibilities in the EPA. In no circumstances should a staff member engage in matters unconnected with his/her duties and responsibilities during EPA work hours.
- 8.2 Staff should not engage in work outside of the EPA to the extent of impairing the staff member's work performance with the EPA. Permission must be sought and obtained from the relevant Director before engaging in any outside work. (Section 24 (8) of the EPA Act, 1992 specifically prohibits a Director from holding any other office or employment for which emoluments are payable).
- 8.3 There must be no conflict of interest or potential conflict between a staff member's EPA work/responsibilities and his/her involvement in any employment (including self-employment) outside of work.

9 ACCEPTANCE OF GIFTS AND HOSPITALITY

- 9.1 Under no circumstances may a staff member solicit, either directly or indirectly, gifts, hospitality etc. for personal use, gain or benefit.
- 9.2 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 EPA matters, or to compromise their personal integrity or judgement, must be declined and notified to his/her Programme Manager or 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 EPA or its staff and (b) receipt of the gift is notified to the recipient's Programme Manager/Director.

9.3 **Guidelines on Gifts to Staff:**

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

- Staff may accept and retain gifts of modest value (e.g. diaries, pens, etc.). Any gift of more significant value should be refused or, if such refusal would cause offence, should be brought to the attention of the Office Director, where a decision can be made.
- A gift, other than a gift of modest value, given to an employee by virtue of their official relationship with the donor or the EPA's commercial dealings with the donor must be regarded as property of the EPA.
- Benefits under frequent flier schemes may be retained by individual staff members 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 EPA.
- Cash, gift cheques or any vouchers that may be exchanged for cash may not be accepted regardless of the amount.
- Staff may not solicit gifts, directly or indirectly.
- Staff 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 organisation.
- Staff should not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings.

10 USE OF PUBLIC RESOURCES

10.1 Limited personal use of EPA 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. See the ICT/Acceptable Use Policy for further information in relation to the limits of acceptable private use of EPA facilities.

10.2 In performing their EPA 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 EPA 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.

11 REPORTING SUSPECTED CORRUPTION

11.1 The Prevention of Corruption (Amendment) Acts 2001 - 2010 provides the legal basis for Ireland's anti-corruption strategy for public servants. The Act penalises active and passive bribery involving public employees and domestic and foreign public office holders. The maximum penalty for those convicted on indictment is a fine not exceeding €250,000 or up to 3 years imprisonment or both.

The [Protected Disclosures Act 2014](#) aims to protect people who raise concerns about possible wrongdoing in the workplace that are likely to cause harm to the EPA itself or to the public at large, as opposed to personal complaints. It provides for redress for employees who are [dismissed](#) or otherwise [penalised](#) for having reported possible wrongdoing in the workplace.

Employees are encouraged familiarise themselves with the Protected Disclosures Policy and Procedure and to report any incidences where integrity is suspected to be compromised

12 HEALTH AND SAFETY

The EPA is committed to ensuring that all regulatory and statutory obligations imposed on it are fulfilled. In this regard, the responsibilities of Directors and staff include: Promoting and preserving safety regulations and the health and safety of all personnel, in accordance with the EPA's Health and Safety Policy and Procedures.

13 CODE OF CONDUCT REVIEW

The EPA will review this Code of Conduct periodically.

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 spirit of the Code, as well as in the letter of the Code.



Appendix 1: Code of Conduct Form



Code of Conduct for Directors and Staff Of the Environmental Protection Agency

I hereby acknowledge receipt of a copy of the Code of Conduct for Directors and Staff of the Environmental Protection Agency.

I have read and noted the contents of the Code of Conduct and accept that I am bound by all the provisions of the Code of Conduct.

Name: _____

(Print in Block Letters)

Signed: _____

Dated: _____