

2019

OSi Code of Standards and Behaviours for Employees

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Code of Standards and Behaviour for Employees of Ordnance Survey Ireland

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Foreword by the CEO

Dear Colleagues,

1. Ordnance Survey Ireland has adapted the Civil Service Code of Standards and Behaviour to develop its own Code for Employees that reflects both the provisions of the Civil Service Code and the values underpinning the operation of the Ordnance Survey Ireland as set out in the Statement of Strategy. This Code has also been drawn up to reflect the requirements of the recently revised "Code of Practice for the Governance of State Bodies" that issued in August, 2016.

Modernisation

2. Some of the existing circulars date back to the early years of the State and, while not superseding the existing circulars, the Code sets out the main principles, standards and values which the OSi wishes to espouse.

Standards in Public Office Act 2001

3. Additionally, Section 10 of the Standards in Public Office Act 2001 requires the OSi to draw up a code of conduct to guide public service employees. The OSi Code of Standards and Behaviour meets this obligation.

The main features of the Code:

4. The main provisions of the Code are summarised below:
 - Employees of OSi must be impartial in their duty;
 - Employees must work within the law;
 - Under the Official Secrets Act 1963, employees must avoid improper disclosure of information gained in the course of their work;
 - Employees must maintain high standards of service in all of their dealing with the public;
 - An employee who is convicted of a criminal offence, or given the benefit of the Probation Act when tried for a criminal offence, must report the facts to OSi's Human Resource Manager
 - Employees are required to attend work, as required and comply with the terms of sick leave regulations;
 - Employees are required to have due regard for public funds and property;
 - Employees should respect their colleagues and give due regard to their beliefs and values;
 - The use of their official position by an employee to benefit themselves or others with whom they have personal or business ties is forbidden. Employees are also forbidden to seek to influence decisions on matters relating to their official positions other than through established procedures;

- Employees may not engage in outside business or activity which would in any way conflict with the interests of OSi or impair them in carrying out their duties;
- An Employee who occupies “designated” positions for the purpose of the Ethics in Public Office Acts have certain statutory obligations in relation to disclosure of interests. These obligations are additional to any imposed by the Code;
- The receipt of gifts by employees from those with whom they have official dealings must be governed by the highest standards. The rules on the receipt of gifts are set out below;
- Within the general framework of guidelines set out in this Code, every care must be taken to ensure that (a) any acceptance of hospitality does not influence or is not seen to influence, the discharging of official functions and (b) employees are aware of the standards in place in relation to payment for work on behalf of outside bodies;
- Employees must not seek contracts with government departments or offices 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;
- Employees who hold positions which are “designated” for the purposes of the Ethics in Public Office Acts shall not, within twelve months of resigning or retiring, accept an appointment or particular consultancy project, where the employee concerned believes that the nature and terms of such appointment could lead to a conflict of interest or the perception of such, without first obtaining the approval of OSi’s Human Resource Manager.

Colin Bray
Chief Executive Officer

1. Introduction and Background

To work in the public service is to work for the common good which involves loyal and impartial service from public servants for the benefit of the country. The traditional core values of the public service - honesty, trustworthiness, impartiality and integrity - underpin all the official actions of public servants. There has also been an overriding emphasis on ensuring that high standards of probity are maintained.

1.2. For your information the Code of Standards and Behaviour for the Civil Service came into effect on 9th September 2004 and was introduced in accordance with section 10(3) of the Standards in Public Office Act 2001. The main objective of the Code was to restate and promote core public service values in the context of the public service modernisation programme and its impact on the working environment in the public service generally. The factors that were considered to be of particular importance in this context were:

- the introduction of new systems for providing quality customer service;
- the devolution of responsibility to departments/offices and managers, for:
 - managing performance; and
 - making better use of information technology;
- Changes to the regulatory environment governing the civil and public service; and
- Development of new Human Resource Management systems that impact on the way the public service operates.

1.3. The Code of Standards and Behaviour in the Civil Service notes that *“to get the best from the new ways of doing business, they have to be grounded in a public service ethos which sets out clearly the standards expected and ways in which people will achieve them”* and that *“the Code sets out a clear framework within which civil servants must work. It sets out in a single document the principles which should govern the behaviour of civil servants and the values which the Civil Service espouses”*.

1.4. The OSi have adapted the Civil Service Code of Standards and Behaviour to develop its own Code of Standards and Behaviour for Employees that reflects both the provisions of the Civil Service Code and the values underpinning the operation of the Ordnance Survey Ireland as set out in the Statement of Strategy. This Code has also been drawn up to reflect the requirements of the recently revised “Code of Practice for the Governance of State Bodies” that issued in August, 2016.

1.5. Values of Ordnance Survey Ireland

The values set out in the OSi's Statement of Strategy underpin the manner in which OSi would like to see its services operate. In relation to service delivery, the OSi values include:

- **Honesty & Trustworthiness** – displayed at all times from staff in their interactions and behavior with each other and with customers
- **Responsibility & Accountability** – culture of accountability, efficiency and value for money
- **Commitment & Technical Expertise** – personal and organisational excellence to meet the highest standards of professionalism, leadership and rigour
- **Enterprise** – continuously seek to interpret, innovate, shape and meet the needs of the citizen, business and government in a timely manner

1.6. The specific values underpinning the manner in which employees are treated in the OSi include creating an engaging culture, teamworking, developing people and leadership, accountability, a focus on continuous improvement and high ethical standards.

The effective operation of the OSi's Code of Standards and Behaviour for employees requires adherence to the above values on the part of all employees in OSi.

2. Summary of the Main Provisions of the Code.

The details of the Code are designed to ensure that OSi's expectations of all employees are clearly set out and fully embraced by them. The main provisions of the Code are summarised below:

- Employees of OSi must be impartial in their duty;
- Employees must work within the law;
- Under the Official Secrets Act, 1963 employees must avoid improper disclosure of information gained in the course of their work;
- Employees must maintain high standards of service in all of their dealing with the public;
- Employees must adhere to the OSi Child Safeguarding Statement ([Click here](#)) under the Child First Act 2015 and behave appropriately and respectfully when working with minors.
- An employee who is convicted of a criminal offence, or given the benefit of the Probation Act when tried for a criminal offence, must report the facts to OSi's Human Resource Manager
- Employees are required to attend work, as required and comply with the terms of sick leave regulations;
- Employees are required to have due regard for public funds and property;
- Employees should respect their colleagues and give due regard to their beliefs and values;
- The use of their official position by an employee to benefit themselves or others with whom they have personal or business ties is forbidden. Employees are also forbidden to seek to

influence decisions on matters relating to their official positions other than through established procedures;

- Employees may not engage in outside business or activity which would in any way conflict with the interests of OSi or impair them in carrying out their duties;
- An Employee who occupies “designated” positions for the purpose of the Ethics in Public Office Acts have certain statutory obligations in relation to disclosure of interests. These obligations are additional to any imposed by the Code;
- The receipt of gifts by employees from those with whom they have official dealings must be governed by the highest standards. The rules on the receipt of gifts are set out below;
- Within the general framework of guidelines set out in this Code, every care must be taken to ensure that (a) any acceptance of hospitality does not influence or is not seen to influence, the discharging of official functions and (b) employees are aware of the standards in place in relation to payment for work on behalf of outside bodies;
- Employees must not seek contracts with government departments or offices 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;
- Employees who hold positions which are “designated” for the purposes of the Ethics in Public Office Acts shall not, within twelve months of resigning or retiring, accept an appointment or particular consultancy project, where the employees concerned believes that the nature and terms of such appointment could lead to a conflict of interest or the perception of such, without first obtaining the approval of OSi’s Human Resource Manager.

3. The OSi Code of Standards and Behaviour for Employees

The OSi’s employees can be justly proud of the high standards of conduct which have characterised their service to the public over many years and enabled them to carry out the mission of OSi. This Code of Standards and Behaviour is an important element of the overall framework within which all employees are expected to work. It sets out the standards required of them in the discharge of their duties. These standards of behaviour and values will support a high quality public service within OSi, based on high levels of personal performance and responsibility.

4. The Requirements of the Code

In the performance of their duties employees must:

- (a) Maintain high standards in service delivery by:
 - conscientiously, honestly and impartially serving the Government of the day, the other institutions of State and the public;
 - always acting within the law; and performing their duties with efficiency, diligence and courtesy.

- (b) Observe appropriate behaviour at work by:

- dealing with the public sympathetically, fairly and promptly; and
 - treating their colleagues with respect.
- (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.

5. The Application of the Code

5.1. The provisions of the Code apply to all employees of OSi whether full-time or employed on an atypical basis (e.g. temporary or part-time). They also apply to employees on forms of special leave including career break except where they deal with circumstances which can only arise where an employee is at work. The requirements in relation to official secrecy apply to former employees, while requirements in relation to post-retirement/resignation employment will not apply to employees who retired prior to November, 2009.

5.2. This Code forms part of the terms of employment of all employees of OSi who are expected to apply it at all times. **A summary of the requirements of the Code has been included in OSi's Employees Handbook. A copy of this Code is available on OSi's intranet and its details will be covered during induction training. A copy of the Code will be provided to every new entrant.** Breaches of the Code will constitute a breach of the terms of employment of employees of OSi and may result in disciplinary action.

6. Standards Required of Employees of OSi

The detailed standards required of employees 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 employees following their retirement or resignation.

6.1. Standards Underpinning Service Delivery

The standards which underpin the general ethos of the public service are set out below:

Impartiality

Employees in the performance of their official duties:

- (a) must conscientiously carry out their functions in accordance with government policy, including directions from OSi and in accordance with the legislative framework underpinning the operation of OSi and the public service;

- (b) must implement policy impartially and, in particular, be conscious of the need to maintain the independence and integrity necessary to perform their functions; and
- (c) should not display partiality whether as a result of personal or family ties or otherwise.

7. Respect for the Law

7.1. The work of OSi is carried out within a framework of law. It is the duty of employees 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.

7.2. Employees 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 managers whose responsibility it is to issue a direction on the matter, following legal advice where necessary.

8. Disclosure of Information

8.1. All employees should ensure that they deal with queries from members of the public in an open and helpful way. Under the Freedom of Information Acts 1997 - 2014 (FOI Acts), members of the public enjoy a legal right of access to information held by Government departments/offices and other public bodies, subject to certain exemptions defined in the FOI Acts. Arising from the FOI Acts, certain employees are given explicit responsibility for the provision of information to members of the public on foot of requests under the FOI Acts. Employees should take particular care to inform themselves about the FOI procedures applying in OSi.

8.2. 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.

8.3. It remains a requirement under the Official Secrets Act 1963 that all employees, 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.

9. Protected Disclosures

The OSi Protected Disclosures is available on the intranet at the following link ([click here](#)).

9.1 As a first step, a worker, believing reasonably, that a wrongdoing exists in the workplace should consider reporting the matter to his/her:

a) Line Manager at L3A or above

If the worker would be uncomfortable or otherwise reluctant to report to his/her manager, then they can report the matter to.

b) The next highest level of management up to and including General Manager / CEO

However, if for any reason the worker feels it inappropriate to report a wrongdoing to the persons above, then s/he should report these concerns to.

c) The Chairperson of the Audit and Risk Committee of OSi

Where a worker has reported to line management and is dissatisfied with the response or outcome of line managements' investigation then she/he retains the right to further report the concerns to the Chairperson of the OSi Audit and Risk Committee.

Workers should not endeavour to find proof of their suspicion, if their concern is based on a reasonable belief, the worker should report under this policy.

10. Dealings with the Public

10.1. Employees should:

- ensure that members of the public have their affairs dealt with sympathetically, efficiently and promptly;
- always give their names to any member of the public with whom they are dealing, except where given a special exemption, for example, on security grounds; and
- ensure that members of the public are dealt with in a respectful manner.

10.2. Employees 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 position they hold.

11. 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 his or her Human Resources Manager. In certain circumstances, this may have implications for his or her official position. OSi shall exercise discretion in dealing with cases in the light of all of the merits of each case. In accordance with the Data Protection Acts 1988 - 2003 and EU Regulation 2016/679 General Data Protection Regulation, such information will be treated in strict confidence by OSi and no record of it will be kept unless the information is relevant to the official duties being carried out by the employee.

12. Behaviour at Work

12.1. Attendance and Performance

Employees 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;
- 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;
- 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 15 and 19 below concerning business activities outside of normal working hours).
- Behave in an appropriate manner including respectful language when working with minors (children under 18 years of age) through school tours, presentations and visits, school competitions, promotion stands or the facilitation of transition year students with work experience accommodations on OSi premises in open plan offices and no one-to-one training is to occur in private offices. It should also be noted that no employee will use their own personal device including mobile phones to take images of children and all images of children are covered by Data Protection Legislation. Employees should also be mindful that direct contact with a minor is not appropriate e.g. mobile phone, social media sites etc. On occasion school children contact OSi directly by phone/email etc. researching information for school projects etc. The children should be responded to and should also be informed that their email address etc. will be deleted immediately

afterwards to be in line with our obligations under EU 16/679 General Data Protection Regulation. All employees must comply with the OSi Child Safeguarding Statement ([click here](#)) and the relevant procedures and it is the responsibility of all OSi staff to ensure the safety, protection and well-being of children while availing of OSi services.

12.2. Regard for State Resources

12.2. Employees should endeavour to ensure the proper, effective, and efficient use of public money.

12.3. Employees are required to:

- take proper and reasonable care of public funds and OSi property and not to use them, or permit their use, for unauthorised purposes¹;
- 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 employees reporting to them.

13. Relations with Colleagues

Employees should show due respect for their colleagues at work, including their values and beliefs. They should ensure that their behaviour towards other colleagues is appropriate in the workplace. Employees 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. Employees should support a positive working environment by observing and supporting the OSi policy on Dignity at Work.

14. Standards of Integrity

14.1. Improper Influence

Employees are not allowed to:

- use their official positions to benefit themselves or others 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 may approve. In particular, employees must not use political influence to affect decisions concerning their official positions. Apart from issues that fall for
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consideration under established industrial relations procedures employees are not allowed to solicit, directly or indirectly, for personal concessions in their favour. Any breach of these rules may render an employee liable to disciplinary action.

15. Conflicts of Interest

- 15.1. Employees 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 OSi or be inconsistent with their official positions, or tend to impair their ability to carry out their official duties. All staff employed by OSi must not engage in private practice that could potentially conflict with OSi and its business e.g. property boundary disputes. Employees intending to be engaged in or connected with any outside business or employment should inform their Manager of such an intention. This is also outlined in the OSi Code of Business conduct. Any case in which the propriety of undertaking a particular business or occupation could, in the Manager's opinion, reasonably be open to question must be referred to the Chief Executive Officer. The Chief Executive Officer will consider the matter at issue and decide whether the employee's intended course of action is permissible under this Code.
- 15.2. Employees 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. An employee 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 their Manager
- 15.3. An employee 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 will be dealt with in the strictest confidence by OSi and the employee concerned will be offered such assistance as is available (for example through the Employee Assistance Service) to resolve his or her difficulties.
- 15.4. An employee is not permitted to make representations on behalf of an outside association or organisation, either as an individual or as a member of a delegation, in relation to matters for which OSi has responsibility except with the specific prior consent of the Chief Executive Officer. This includes the making of representations to Government Departments or state bodies other than the OSi.

16. Disclosure of Conflicts of Interest

- 16.1. Employees 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 employees under the provisions of this Code. It should be noted that all employees 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. These ethical obligations exist alongside those laid out in Section 22 of the Ordnance Survey Ireland Act. 2001.
- 16.2. The positions in OSi 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, employees at Level 2 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), and to advisors who are appointed personally by Ministers, and who serve on the OSi Board. The Corporate Governance Manager will notify an employee on taking up duty in a designated position of the obligations attaching to that position.
- 16.3. Relevant employees 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.

17. Gifts

- 17.1. Employees 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 employees 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.
- 17.2. The receipt of gifts, as distinct from hospitality, by employees from those with whom they have official dealings must be governed by the highest standards. The framework within which decisions in this area are made by OSi are outlined below and employees must abide by the relevant instructions. For the purposes of these provisions, the term "gift" includes any benefit (other than a benefit dealt with under paragraph 19 of the code) which is given to an employee free of charge or at less than its commercial price.

- A employee 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 handed over by the employee concerned to the Manager;
- A gift, other than a gift of modest value, given to an employee by virtue of his or her official relationship with the donor or OSi's commercial dealings with the donor is regarded as property of OSi;
- Particular care should be taken in relation to gifts from donors who stand to derive a personal or commercial benefit from their relationship with OSi;
- Cash, gift cheques or any vouchers that may be exchanged for cash may not be accepted regardless of the amount;
- Employees may not solicit gifts, directly or indirectly;
- Employees 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;
- Employees should not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings.

17.3. It should be noted that, under the Prevention of Corruption Acts 1889 to 2010 as amended by the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001, the corrupt giving of gifts to, or receipt of gifts by, employees is a criminal offence punishable by imprisonment or fine or both. The Acts provide that money, gifts or other consideration received by an employee from a person holding or seeking to obtain a contract from OSi is deemed to have been received corruptly unless the contrary is proved.

18. Hospitality

The OSi Policy on Entertainment, Hospitality and Gifts is available at the following link ([click here](#))

18.1. It is impossible to lay down definite rules covering the acceptance of hospitality in all circumstances. However, the overriding concern is that all actions of employees 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 employees 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 employees 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.

18.2. The following framework sets out how OSi makes decisions in this area:

- All offers of hospitality from commercial interests which have or might have contractual relations with OSi must be reported by the employee to whom an offer is made to his or her manager for direction;
- No objection will 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 always be referred to the employee's manager for direction;
- Employees 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 OSi and has been approved by the employee's manager.

19. Payment for Work on Behalf of Outside Bodies

19.1. On occasion employees may be asked to carry out tasks for which they receive payment or other benefit in kind on behalf of bodies other than OSi, 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 employee or is performed during normal working hours.

19.2. OSi is obliged to ensure there is a consistent, appropriate and clear standard applying across the organisation in relation to the acceptance of payment or other benefit in kind for work carried out on behalf of other organisations. The following guidelines provide the framework within which OSi makes any necessary decisions in this area:

- Where because of his or her official position, an employee is invited to carry out work on behalf of an outside body, he or she shall notify their 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 employee's duties. Where a payment is made, it should be surrendered to the General Manager of Finance, who will lodge it to OSi's account. Any benefit in kind should be returned to the body in question;
- An employee 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 an employee's official duties may normally be determined by reference to the relevant work programmes. In case of doubt the

employee should request his or her manager to determine if the task is an integral part of official duties;

- In cases where no payment or other compensation arises a small token gift may be accepted by an employee by way of recognition;
- Where an employee has any doubts concerning the propriety of accepting any payment or compensation from bodies outside of OSi, the matter should be referred to his/her manager for determination in accordance with the guidelines outlined above. If necessary, managers should consult the Human Resources Manager on the application of these guidelines. If an employee is unhappy with the decision of his/her manager, he or she may appeal to the Chief Executive Officer whose decision on the matter at issue will be final.

20. Contracts with, Purchases from or Sales to Government Departments/Offices

- 20.1 An employee should not seek contracts with Government departments or offices 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.
- 20.2 OSi is precluded from knowingly undertaking to contract for the supply of goods or services (other than for employment) with an employee or with any partnership or company with which an employee has an involvement in his or her private capacity.
- 20.3 No purchase should be made from, and no sale made to, an employee, any partnership or company with which an employee 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 Supplies or of Savings Certificates); or
 - (b) in the case of a transaction with a department/office other than OSi, the employee must advise their Manager of the circumstances involved who will determine if the transaction should be allowed following consultation with the relevant department/office.
- 20.4. An employee who enters into any undertaking, or who holds any outside interest or participates in any outside business affecting, or likely to affect, a State contract or the purchase or sale of State property must immediately disclose the nature and extent of his or her interest to the Chief Executive Officer. An employee should 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.

20.5. Employees 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.

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

21.1. The following provisions are designed to foster a culture in which employees of OSi are fully aware of the potential for conflict of interest in accepting positions outside the OSi. It is important to declare to the Chief Executive Officer (see paragraph 21.4) such potential conflicts of interest in order to avoid any suspicion that the advice and decisions of an employee 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 employees in this regard and it is expected that these provisions will not affect the generality of former employees of OSi joining outside employment.

21.2. Any employee intending to be engaged in or connected with (i) any outside business with which he or she had official dealings or (ii) any outside business that might gain an unfair advantage over its competitors by employing him or her must inform their Manager of such an intention. Additionally, employees who hold positions which are "designated positions" for purposes of the Ethics Acts shall not, within twelve months of resigning or retiring from OSi:

- accept an offer of appointment from another employer; or
- accept an engagement in a particular consultancy project,

where the nature and terms of such appointment or engagement could lead to a conflict of interest, without first obtaining approval from the Chief Executive Officer as outlined at 21.4. Even where the twelve months moratorium has elapsed, or where for other reasons approval is not required before taking up outside employment, former employees must continue to observe the restrictions imposed by the Official Secrets Act 1963 as amended by the Freedom of Information Acts 1997-2014.

21.3. OSi will monitor the acceptance of outside appointments by employees and former employees.

21.4. Employees who (i) intend to be engaged in or connected with any outside business in the manner described at paragraph 21.2 or (ii) who hold "designated positions" (under the Ethics Acts) must make their applications as follows:

- Employees of OSi must apply to the Chief Executive Officer; and
- the Chief Executive must apply to the Outside Appointments Board.

21.5. Applications will be considered by the appropriate authority on the basis of determining whether or not a clear conflict of interest exists. Approval to take up an appointment or accept an engagement may either be unconditional or conditions may be attached.

21.6. Where the Chief Executive Officer attaches conditions to taking up an appointment, the employee concerned may refer the decision to the Outside Appointments Board for review.

21.7. The Chief Executive Officer and the Minister for Public Expenditure and Reform reserve the right to take appropriate action in the event that the provisions of this section are not complied with.