



An Bord Réitigh um Pirít
Pyrite Resolution Board

Pyrite Resolution Board

Code of Business Conduct

Reviewed and adopted by Pyrite Resolution Board 19th March 2020

Contents

1.	Code of Business Conduct for Board Members and Staff	3
2.	Mission Statement	3
3.	Values	3
3.1	Commitments to our customers	3
3.2	Respect	4
3.3	Support	4
3.4	Confidentiality	4
3.5	Responsibility	5
3.6	Integrity	6
3.7	Loyalty	7
3.8	Fairness	7
4.	Statutory Responsibilities	7
5.	Obligations	7
6.	Governance	8
7.	Conflict of Interest	8
8.	Participation	9
9.	Policy	10
10.	Information	10
11.	Administration	11
12.	Property	11
13.	Media	11
14.	Work Environment	12
14.1	Harassment	12
14.2	Misuse of Substances	12
14.3	Reporting Concerns (Confidential Disclosure)	12
14.4	External Environment	13
15.	Post Resignation/Retirement Employment	13
16.	Review	13

1. Code of Business Conduct for Board Members and Staff

The 2016 “Code of Practice for the Governance of State Bodies” issued by the Department of Public Expenditure and Reform provides a working framework for the application of best practice in corporate governance. Paragraph 5.1 of the Code states that “all State bodies should have published Codes of Conduct for their Board and employees”. These codes of conduct serve to provide a framework against which the business of the Pyrite Resolution Board can be run in a legal and ethical manner while upholding the values of the Board.

2. Mission Statement

To procure the remediation of certain dwellings with damage caused by pyritic heave of hardcore under floor slabs in a fair, efficient, transparent and cost effective manner.

3. Values

3.1 Commitments to our customers

The Pyrite Resolution Board has adopted a Customer Charter that sets out our commitments to our customers.

- To deliver a high quality, effective and efficient service
- To endeavour to deliver quality services with courtesy, sensitivity and minimum delay, fostering a climate of mutual respect between the customer and the organisation
- To commit to deliver a Scheme which is clear and transparent; to give full and accurate information in a manner that suits the customer
- To monitor and evaluate performance on a continual basis and examine the development and delivery of services in order to meet customers’ needs
- To remediate the damage caused by pyritic heave to an acceptable standard with minimum disruption to the occupants

- To facilitate applicants who wish to appeal the decision to refuse their application in an appeals process for determination of appeals in a fair, transparent and timely manner.
- To endeavour to maintain an open, accessible, and responsive system of dealing with complaints and to facilitate comments and suggestions from customers on the quality of service provided.

3.2 Respect

- Staff and Board members shall express their opinions, unencumbered, yet always with the goals of flexibility and compromise whenever achievable by remaining open to differing viewpoints.
- Staff and Board members shall work with and respect the opinions of their peers and leave personal prejudices out of discussions.
- Board Members shall observe parliamentary procedures and display courteous conduct in all Board and Committee meetings toward each other and toward staff.

3.3 Support

- Staff and Board Members shall support, in an affirmative manner, all actions taken by the Board, even when they may be in a minority position with respect to any such action.
- Staff and Board Members shall represent the Board in a positive and supportive manner at all times and in all places.
- Staff and Board Members shall exercise the duties and responsibilities of their office or position with integrity, collegiality and care.

3.4 Confidentiality

- Staff and Board Members shall maintain, at all times, the confidentiality of all confidential information and records of the Board and must not make use of or reveal such information or records except in the course of performance of their

duties or unless the documents or information become a matter of general public knowledge.

- Staff and Board Members shall not use confidential information obtained through their association with the Board to further their private interests or the private interests of their friends or relatives.
- Staff and Board Members shall comply with any Board policies and procedures that guide the storage, use and transmission of any information of the Board, including the use of computer databases or email systems.
- Board Members shall treat Board discussions as a “safe haven” for the benefit of their peers and the Board’s Staff members, and shall not repeat any discussions concerning the Board’s business and practices, or any discussions of a personal nature of their peers and the Board’s Staff members, in a public setting.
- Staff and Board Members should ensure that this confidentiality is obtained where membership of the Board has ceased or where employment of the relevant Staff member has ended. In particular, the Board recommends that the acceptance of further employment where the potential for conflict of interest arises should be avoided during a reasonable period of time after the exercise of a function in the Board.

3.5 Responsibility

- Staff and Board Members must adhere to the standards prescribed by this Code of Conduct, as well as any applicable Conflict of Interest Policy, and shall execute declarations in favour of the Board to that effect.
- Board Members must adhere to all applicable legislation, as well as the by-laws and directions given by the Department of Housing, Planning and Local Government or the Department of Public Expenditure and Reform that govern the Board.
- Staff and Board members must adhere to all applicable policies of the Board while performing their duties, or while in situations which may affect their ability to perform their duties.
- Board Members shall report any breaches or potential breaches of this *Code of Conduct* to fellow Board members and to the Chair with a view to having the

matter rectified. The Chair shall also bring the matter to the attention of the Minister indicating the consequence of the non-compliance and the steps taken to rectify the position.

- Board Members who have breached or who are in a potential breach of this Code of Conduct may be requested to resign, or may request an exemption from any such breach or potential breach, by a determination of a special majority of the Board member's peers.

3.6 Integrity

- Staff and Board Members should avoid the giving or receiving of corporate gifts, hospitality, preferential treatment or benefits which might affect or appear to affect the ability of the donor or the recipient to make independent judgement on business transactions. Business gifts other than items of very small intrinsic value, such as business diaries or calendars, should not be accepted.
- Staff and Board Members will commit to act vigorously and energetically in relation to the work of the Pyrite Resolution Board and also to work ethically and honestly;
- Staff and Board Members will conduct purchasing activities of goods/services in accordance with best business practice;
- Staff and Board Members will ensure a culture of claiming expenses only as appropriate to business needs and in accordance with good practice in the public sector generally;
- Staff and Board Members will ensure that the Board's reports accurately reflect their business performance and are not misleading or designed to be misleading;
- Staff and Board Members will avoid the use of the Board's resources or time for personal gain, for the benefit of persons/organisations unconnected with the body or its activities or for the benefit of competitors;
- Staff and Board Members commit not to acquire information or business secrets by improper means.

3.7 Loyalty

- Staff and Board Members acknowledge the responsibility to be loyal to the PRB and fully committed in all its business activities while mindful that the organisation itself must at all times take into account the interests of the key stakeholders (the Department of Housing, Planning and Local Government and the Department of Public Expenditure and Reform).

3.8 Fairness

- Staff and Board Members will comply with employment equality and equal status legislation.
- Staff and Board Members demonstrate commitment to fairness in all business dealings.
- Staff and Board Members value customers and treat all customers equally.

4. Statutory Responsibilities

Staff and Board Members must adhere to all statutory responsibilities imposed on the Board and ensure compliance with any provisions within these Acts, these include:

- a) Ethics in Public Offices Act 2005 and the Standards in Public Office Act 2001;
- b) Freedom of Information Acts, 1997-2003;
- c) The Data Protection Acts, 1988-2003;
- d) The Official Languages Act, 2003

5. Obligations

- a) The General Manager and Staff will fulfil all regulatory and statutory obligations imposed on the Board.
- b) They will comply with detailed tendering and purchasing procedures, as well as complying with prescribed levels of authority for sanctioning any relevant expenditure.

- c) They will introduce controls to prevent fraud including adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses for business travel.
- d) Board members and Staff are required to co-operate with internal audit in the internal audit process.
- e) They will work with the Board Audit and Risk Committee in implementing adequate controls to ensure compliance with best practices in financial procedures and reporting.
- f) Board members and Staff acknowledge the duty of all to conform to highest standards of business ethics.

6. Governance

- a) Board Members shall ensure that the Board performs its duties of governance. Board Members shall ensure that they understand their legal obligations to the Board and that they ensure those obligations are upheld.
- b) Board Members shall place the Board's interests before their own personal interests and will immediately declare any conflicts of interest which arise
- c) Board Members shall remove themselves from situations where their continued presence on the Board may cause embarrassment to the Board or undermine the confidence of their peers.

7. Conflict of Interest

In order to safeguard against any loss of public confidence and damage to the reputation of the Board which could arise as a result of a poorly managed conflict of interest, the Board has adopted a conflict of interest policy.

The requirements of which are as follows:

- a) Staff and Board members in decision-making roles are prohibited from entering into business transactions with other Board members. Any potential conflicts in this regard shall be disclosed.
- b) Staff and Board members in decision-making roles must disclose all details relating to their connection (direct or indirect) to any persons or groups doing business with the Board.
- c) Board Members shall withdraw from decisions that present a potential conflict.
- d) Board members who have an actual or potential conflict of interest should not participate in discussions or vote on matters affecting transactions between the Board and the other groups.
- e) Staff members who have an actual or potential conflict should not be substantively involved in decision-making affecting such transactions.

The above is without prejudice to the Schedule of the Pyrite Resolution Act 2013.

8. Participation

- a) Board Members shall demonstrate their commitment to the Board by demonstrating a high priority of participation in Board and Committee meetings through high levels of attendance.
- b) Board Members shall prepare themselves for all Board and Committee meetings by familiarising themselves with the meeting's agenda and background materials to the greatest extent possible, with the goal of discussing the issues and business addressed at the meetings.
- c) Board Members shall focus on the discussions at hand and be prepared to deal with issues that may not be easily solvable.

9. Policy

- a) Board members shall use their best judgement to balance the relative importance of issues to be determined by the Board in setting policies and avoiding operational matters.
- b) Board members shall educate other Board members on those matters within their own area of expertise with a goal of having the Board make decisions collectively.
- c) Board members shall uphold the mission statement as approved by the Board, as may be amended from time to time.

10. Information

- a) The Board Members support the General Manager and Staff of the Board in the provision of access to general information relating to the Board's activities in a way that is open and enhances its accountability to the general public, while respecting the confidentiality of sensitive information held by the Board.
- b) This would constitute material such as commercially sensitive information, personal information, and information received in confidence by the Board.
- c) The General Manager and Staff will observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.
- d) They will comply with relevant statutory provisions (e.g. data protection legislation, the Freedom of Information Act, 1997).

11. Administration

- a) Board Members shall actively support the Board's Staff members by providing overall direction, resources and time frames to achieve the identified vision and ends of the Board.
- b) Board Members shall publicly support actions taken by the Board's Staff members to implement programs and achieve the objectives contained in the Board's plans and budgets as approved by the Board.
- c) Board Members shall recognise the difference between the role of the Board to set policies and strategic objectives, and the role of Staff members to implement same.

12. Property

- a) Staff and Board Members shall not misappropriate the Board's assets for personal use. Board members are entrusted with the care, management and cost-effective use of the Board's property and resources, including the use of the Board's name, and should not make significant use of these resources for their own personal benefit or purposes.
- b) Staff and Board Members shall ensure that all Board property assigned to them is maintained in good condition, and shall be accountable for such property.

13. Media

- a) Staff and Board Members shall not, in the context of the Board's business and practices, make comments to the media or make themselves available for interviews by the media on behalf of the Board without prior approval and briefing by the Board's Chairperson, or someone approved by the Chair.
- b) Staff and Board Members shall ensure that any comments made by them to the media outside of the context of the Board's business and practices is attributed to

them in their personal capacity and not in their capacity as Staff or Board members.

14. Work Environment

The Board Members place the highest priority on promoting and preserving the health, safety and welfare of Staff members.

14.1 Harassment

The Board will not tolerate any form of harassment of its Staff or Board members by anyone. Discriminatory harassment unfairly harms people by targeting personal characteristics such as race, colour, religion, age, gender, national origin, disability, sexual orientation, or marital status. Sexual harassment is one form of discriminatory harassment, and refers specifically to sexual behaviour that is perceived as unwelcome, personally offensive, and creates a hostile, intimidating or offensive work environment. Non-discriminatory harassment, such as belittling others and making inappropriate comments, also undermines the dignity and respect due to everyone.

14.2 Misuse of Substances

Misuse of alcohol, drugs, medications and other substances can diminish job performance and can compromise the safety of others. Individuals should not work in an impaired state or allow substances to interfere with their own judgement or productivity or that of those around them.

14.3 Reporting Concerns (Confidential Disclosure)

The Board has in place a policy and procedure whereby Staff members may, in confidence, raise concerns about possible irregularities in financial reporting or other matters and for ensuring meaningful follow-up of matters raised in this way.

The Board promotes a culture of 'speaking up' whereby workers can raise concerns regarding serious wrongdoing in the workplace without fear of reprisal.

The Board also provides safeguards to protect staff who raise genuine concerns about malpractice in connection with the Board. This includes concerns in relation to other members of staff.

Malicious reporting or knowingly making false reports, however, is a violation of the Code and may result in disciplinary measures.

14.4 External Environment

- a) The Board ensures that community concerns are fully considered.
- b) The Board aims to minimise any detrimental impact of the operations on the environment.

15. Post Resignation/Retirement Employment

- a) Any Board Member who resigns or retires from the Board must be mindful when taking up employment or consultancy work with other companies or bodies of potential conflict of interest with their previous role with the Pyrite Resolution Board.
- b) Where such employment or consultancy work would:
 - Compromise the reputation of the Board
 - Compromise the work of the Board and the operation of the Pyrite Remediation Scheme
 - Provide an unfair competitive advantage to the company or body if the company or body is engaged with commercial activities related to pyrite remediation

then the Board member should refrain from undertaking such employment or consultancy work for a period of 1 calendar year after resignation/retirement.

16. Review

This Code of Conduct will be reviewed within 2 years (before 19th March 2022).