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1.0 Introduction

The philosophy of Tusla Child and Family Agency is one of loyal and impartial service for the benefit of the State and the people of Ireland.

To work in the public service is to work for the common good. The traditional values of the public service - honesty, impartiality and integrity - are about serving this common good. Standards of probity are high and must be maintained. These values must be the basis for the official actions of employees.

The Standards of Integrity and Codes of Conduct for the Child and Family Agency is being introduced in accordance with Part 5 of the Child and Family Agency Act, 2013, section 36 and the Ethics in Public Office Acts 1995 to 2001. For the purposes of section 36, this applies to all persons outlined in Section 37, subsection (1):

“Members of a committee of the Board but are not members of the Child and Family Agency, employees of the Child and Family Agency, engaged under Part 7 of the Child and Family Agency Act, 2013 by the Child and Family Agency as an adviser or consultant, or employees of those engaged under Part 7 by the Child and Family Agency as an adviser or consultant”.

The Standards of Integrity and Codes of Conduct sets out a clear framework within which employees must work. It sets out in a single document the principles which should govern the behaviour of employees and the values which the Child and Family Agency 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. Individual departments and offices, and bodies funded by the Child and Family Agency, will wish to provide additional guidance as appropriate for their own employees relevant to their own particular circumstances. Tusla operates under the Children First National Guidance (2017) and Children First Act (2015) and is developing a Tusla code of behaviour for staff working with children/young people, which is specific to the services Tusla provides. Furthermore Tusla is required to comply with the provisions of the Code of Practice for Governance of State Bodies (2016 DPER).

References to employee/s in the suite of documents forming the Child and Family Agency’s Governance Code* relate to employees directly employed, whether in a permanent or temporary capacity, by the Child and Family Agency (as defined under Section 53 of the Child and Family Agency Act, 2013). However, the Child and Family Agency expects those employed indirectly or providing services or advice to, or on behalf of, the Child and Family Agency to also meet the standards set out for employees.

Board members are expected to comply with the spirit of this code in that they should not have a conflict of interest by serving with the Child and Family Agency or an agency funded by the Child and Family Agency. The requirement of the Board of the Child and Family Agency is pursuant to Part 3 of the Child and Family Agency Act 2013.

The Standards of Integrity and Codes of Conduct will be kept under review by the Human Resources Directorate and the Child and Family Agency Board will approve any amendments as required.

*The Code of Governance of the Child and Family Agency was first approved by the Board at its meeting held on the 29th May 2015.
2.0 The Child and Family Agency Standards of Integrity and Codes of Conduct - An Overview

2.1 Context
The Child and Family Agency Standards of Integrity and Codes of Conduct are an important element of the overall framework within which all employees are expected to work. It sets out the standards required of employees in the discharge of their duties. These standards of behaviour and values will support a high quality public service, based on high levels of personal performance and responsibility.

2.2 Main Features
In the performance of their duties employees must:

a. Maintain high standards in service delivery by:
   • Discharging responsibilities conscientiously, honestly and impartially;
   • 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.

d. Support and be loyal to the Child and Family Agency by:
   • Supporting colleagues and the Child and Family Agency in the performance of its functions;
   • Promoting the goals and objectives of the Child and Family Agency and not undermining any of them through action or omission;
   • Seeking to resolve grievances and concerns through agreed channels (this includes The Good Faith Reporting Policy Code and the Procedures on Protected Disclosures of Information in the Workplace);
   • Ensuring any actions taken maintain public confidence in the Child and Family Agency and its good name.
2.3 Application

The provisions of the Child and Family Agency Standards of Integrity and Codes of Conduct relate to employees directly employed, whether in a permanent or temporary capacity (as defined under Section 53 of the Child and Family Agency Act, 2013).

Employees of agencies funded by the Child and Family Agency and those engaged in any capacity to provide services or advice to, or on behalf of the Child and Family Agency and its funded agencies on a consulting basis are also expected to meet the standards set out in this Standard and Code. The requirements in relation to confidentiality will also apply upon retirement/resignation.

The Standard and Code forms part of the terms of employment of all employees.

Employees are expected to comply with the Standard and Code at all times. Breaches of the Standard and Code will constitute a breach of the terms of employment and may result in disciplinary action being pursued in accordance with agreed procedures.

The terms and conditions of existing employees will be updated using the agreed HR processes. Each new employee will receive a copy of the Standard and Code.

An employee can obtain clarification on any aspect of the Standard and Code from the HR Department and induction courses will include instructions on the provisions of the Standard and Code.
3.0 Requirements

3.1 Employees cannot be members of either House of the Oireachtas or the European Parliament or regarded pursuant to Section 19 of the European Parliament Elections Act, 1997 as having been elected to the European Parliament to fill a vacancy (Section 53, subsection 4).

A person who is or becomes a member of either House of the Oireachtas, the European Parliament or a local authority is not eligible for appointment as a board member or Chief Executive Officer. In addition, a member of either House of the Oireachtas or the European Parliament is not eligible for appointment as an employee of the Child and Family Agency (Section 53, subsection 4 of the Child and Family Agency Act, 2013).

3.2 Employees must be impartial in the performance of their duties.

It is each employee’s responsibility to carry out his/her duties in a party political neutral manner. Public political activities should not, under any circumstances, be undertaken in paid Child and Family Agency hours by any employee.

Employees should ensure that views expressed by them or actions taken related to their public political activities are not presented or interpreted as official comment on behalf of the Child and Family Agency, but that they are their own or those of the political organisation they are representing. Neither should such views or actions compromise their duty of loyalty to the Child and Family Agency (see paragraph 2.2 (d) above).

An employee may, in his/her role as a trade union representative, make a statement in that capacity, but will ensure that such a statement is not presented as official comment on behalf of the Child and Family Agency.

3.3 Employees must respect the constraints of the law.

Employees must not improperly disclose, during or following termination of employment, information gained in the course of their work.

3.4 Employees may have access to see or hear information concerning the personal affairs of children, families and/or employees, or other information related to the Child and Family Agency business. Such records and information are strictly confidential and can only be divulged or discussed in the performance of normal duty. Disclosure of records or information under various statutory provisions (e.g. Freedom of Information Acts 1997 and 2014; Data Protection Acts 2001 and 2003; the Child and Family Agency Act, 2013) will be made in accordance with Child and Family Agency policies, procedures and protocols.

3.5 Employees must maintain high standards of service in all of their dealings with the public.

3.6 Employees 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 Child and Family Agency. The employee must make such a report to his/her supervisor (who, in turn, will advise the Director of Human Resources) or directly to the Director of Human Resources.

3.7 Employees must attend at work as required and comply with the terms of sick leave regulations.
3.8 Employees are required to have due regard for State resources to ensure proper, effective and efficient use of public money.

3.9 Employees should show due respect to their colleagues including their beliefs and values.

3.10 The use of their official positions by employees to benefit themselves or others with whom they have personal or business ties is not allowed. Employees are also forbidden to seek to influence decisions on matters pertaining to their official positions other than through established procedures.

3.11 Employees may not engage in outside business or activity which would in any way conflict with the interests of their departments/offices. Employees shall not accept an appointment, or particular consultancy project, where the employees concerned believe 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 the Human Resources Department of the Child and Family Agency.

3.12 Employees should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgment or integrity. Any benefits received should be of nominal value. All gifts and benefits received must be disclosed to the employee’s superior.

3.13 Without exception, all gifts (including hospitality, entertainment, travel, payments, services or benefit-in-kind irrespective of value) must be declined by all Board Members, staff and anyone representing the Agency.

3.14 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, unless specifically sanctioned by the CEO of the Child and Family Agency. Positions remunerated at or above the minimum point of the Grade VIII salary are designated positions under Section 18 of the Ethics in Public Office Act 1995. Any person appointed to a designated position must comply with the requirements of the Ethics in Public Office Acts 1995 and 2001.
### 4.0 Summary Responsibilities

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td>All Employees</td>
<td>To expect to be dealt with properly, fairly, openly, and impartially at all times and if not to make an appropriate report.</td>
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<td>To go about their duties in a way that is consistent with this Standard and Code.</td>
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<tr>
<td>Line Managers</td>
<td>To lead by example and take seriously any breaches that are brought to their attention.</td>
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<tr>
<td>Human Resources</td>
<td>To ensure that all employees are made aware of this Standard and Code, are given appropriate guidance and are immediately updated on any changes, and</td>
</tr>
<tr>
<td></td>
<td>to act responsibly upon any reported breaches.</td>
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| Internal Audit            | To include a review of the operation of this Standard and Code as part of:  
|                           | 1. Its overall Governance review; and  
|                           | 2. Its regular operational reviews.                                                                                                                   |
| Board                     | To approve this Standard and Code (and its updates) and receive reports on compliance.                                                              |
Standards of Integrity and Codes of Conduct