

TEAGASC
CODE OF CONDUCT
2011



Background

This **Combined Code of Conduct** is required to meet Teagasc’s obligations under the **Code of Practice for the Governance of State Bodies** and to demonstrate the organisation’s commitment as a public sector body to the highest standards of governance. The Combined Code of Conduct should be read in conjunction with the Code of Practice for the Governance of State Bodies which provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies. The Code of Practice for the Governance of State Bodies was first issued in 1992 and revised in 2001 and 2009. The Code of Practice for the Governance of State Bodies takes account of the implications of the **Ethics in Public Office Acts**, 1995 and 2001. Under the Code of Practice for the Governance of State Bodies all state bodies are required to have a written Code of Conduct.

It is noted that a **Code of Standards and Behaviour for Staff and Code of Business Conduct for Members of the Authority** are currently in place in Teagasc. However, this document combines both the Code of Standards and Behaviour for Staff and the Code of Business Conduct for Members of the Authority. For ease of use it is proposed to call the new document the Teagasc Code of Conduct, 2011. It should also be noted that Teagasc operates a separate ‘**Good Faith Reporting Policy**’.

This combined code includes only three amendments to the preexisting Code of Standards and Behaviour for Staff, Section 15 (ICT) and Section 26 (Ethics) have been updated, and reference has been made to the internal committee on scientific authorship within Section 27.7.

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PART I: TEAGASC CODE OF CONDUCT

An Overview

1. The Code in Context

1.1 Staff and members of the Authority can be justly proud of the high standards of conduct which have characterised their service over many years and enabled them to carry out the mission of Teagasc. The Teagasc Code of Conduct is an important element of the overall framework within which all staff and members of the Authority are expected to work. It sets out the standards required of staff and members of the Authority in the discharge of their duties. These standards of behaviour and values will support a high quality service, based on high levels of personal performance and responsibility.

2. The Requirements of the Code

In the performance of their duties staff and members of the Authority must:

2.1 Maintain high standards in service delivery by:

- conscientiously, honestly and impartially serving the organisation
- always acting within the law; and
- performing their duties with efficiency, diligence and courtesy

2.2 Observe appropriate behaviour at work by:

- dealing with the public / clients sympathetically, fairly and promptly; and
treating their colleagues with respect

2.3 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 (i.e. permanent or contract staff) whether full-time or employed on an atypical basis (e.g. temporary or part-time) and members of the Authority. They also apply 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.
- 3.2 This Code forms part of the terms of employment of all staff who are expected to apply it at all times and also to the terms of appointment for members of the Authority. An opportunity will be given to staff and members of the Authority to obtain clarification on any aspect of the Code. Breaches of the Code will constitute a breach of the terms of employment of a staff member and may result in disciplinary action.

PART II: CODE OF CONDUCT - MEMBERS OF THE AUTHORITY

Teagasc has developed this Code of Conduct for members of the Authority as required under paragraph 5.1 of the Code of Practice for the Governance of State Bodies adopted by Teagasc on 6 March 2002. The Code of Practice which was updated in June 2009 requires that the Authority approve a Code of Conduct taking account of the implications of the Ethics of Public Office Acts, 1995 and 2001. Under paragraphs 5.1 and 13.1 (iv) of the Code of Practice, the Chairman is required to confirm that a Code of Business Conduct has been put in place and is being complied with by Teagasc. A copy of the Code is available upon request and is available on the Teagasc web site.

Appendix II to the Code of Practice for the Governance of State Bodies sets out a suggested framework for the Code of Conduct and this framework has been utilised in drawing up this Code.

4. Nature, intent and Scope of Application

- 4.1 The purpose of the Code is to provide detailed guidance on standards required to the Chairman and members of the Authority of Teagasc in performing their duties as members of the Authority, as set down in the Agriculture (Research, Training and Advice) Act, 1988. Copies of the Act have been provided to all members of the Authority.
- 4.2 The Code also sets down other requirements provided for under other legislation and best current practice.

5. Objectives

- 5.1 The objectives of the Code are:

- to set out an agreed set of ethical principles
- to promote and maintain confidence and trust in the Authority and staff of Teagasc
- to prevent the development or acceptance of unethical practices
- to promote the highest legal, management and ethical standards in all the activities of Teagasc and
- to promote compliance with best current management practice in all the activities of Teagasc.

6. General Principles

All members of the Authority are required to observe the following fundamental principles which can be categorised under 8 main headings.

6.1 Integrity

- Members of the Authority are required to disclose outside employment/business interests which they consider may be in conflict or in potential conflict with the business of Teagasc. Members are also required to comply with the Ethics in Public Office Acts 1995 and 2001.
- The Authority will not allow staff of Teagasc to be involved in outside employment/business interests which may be in conflict or potential conflict with the business of Teagasc.
- Members of the Authority will avoid giving or receiving 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.
- Members of the Authority must be committed to having Teagasc collaborate vigorously and energetically but also ethically and honestly, with universities, third level institutions, commercial and other providers of research, advisory and

training services for the agriculture and food industries

- Teagasc is committed to conducting its purchasing activities in accordance with public policy and best business practice and its purchasing regulations reflect this commitment.
- Teagasc is also committed to ensuring that its engagement of consultancy and other services is in compliance with public policy guidelines.
- Teagasc is committed to ensuring that its accounts and reports accurately reflect its business performance and are not misleading or designed to be misleading.
- Members of the Authority are required to avoid the use of Teagasc resources or time for personal gain, for the benefit of persons/organisations unconnected with Teagasc or its activities, or for the benefit of competitors.
- Teagasc is committed not to acquire information or business secrets by improper means.

6.2 Information

- Teagasc is committed to providing access to general information relating to its activities in a way that is open and that enhances the accountability of Teagasc to the general public.
- Members of the Authority are required to respect the confidentiality of sensitive information held by Teagasc. This will constitute material such as commercially sensitive information (including, but not limited to, future plans or details of major organisational or other changes such as restructuring) personal information and information received in confidence by Teagasc.
- Teagasc will observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest.

- Teagasc will comply with all relevant statutory provisions (e.g. data protection legislation, Freedom of Information Acts).
- Members of the Authority will observe the strictest confidentiality in relation to all confidential information provided to them and discussions and decisions taken at meetings of the Authority. Members should understand that this obligation remains in force following their term of appointment on the Authority.

6.3 Obligations

- Teagasc will fulfil all regulatory and statutory obligations imposed on it including those imposed by the Agriculture (Research, Training and Advice) Act, 1988.
- Teagasc will comply with detailed tendering and purchasing procedures as well as prescribed levels of authority for sanctioning any relevant expenditure.
- Teagasc has introduced controls to prevent fraud and has adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses for business travel.
- Members of the Authority are required to use their reasonable endeavours to attend all Authority meetings.
- It is acknowledged that the acceptance of positions following employment and/or engagement by a State body can give rise to the potential for conflicts of interest and to confidentiality concerns. The Authority of Teagasc will consider any cases in which such conflicts of interest or confidentiality concerns may arise and will take appropriate steps to deal with such matters in an effective manner. The Authority will also ensure that any procedures that it may put in place in this regard are monitored and enforced.

6.4 Loyalty

- The Authority acknowledge their responsibility to be loyal to Teagasc and to be fully committed to all its activities while mindful that Teagasc must at all times take into account the interests of its clients and funders including tax payers
- The Authority acknowledge their duty to conform to the highest standards of business ethics.
- Authority members are required to act in the interests of Teagasc when engaged in their roles as Authority members and not to undertake any other role or activity that would be prejudicial to the interests of the organisation.

6.5 Fairness

- Teagasc is committed to complying with employment equality and equal status legislation.
- Teagasc is committed to fairness in all its business dealings
- Teagasc values its suppliers, clients and customers and treats all its suppliers, clients and customers equally.

6.6 Work/External Environment

- The Authority place the highest priority on promoting and preserving health and safety.
- The Authority will ensure that community concerns are fully considered in all its activities and operations.

- The Authority will minimise any detrimental impact of its operations on the environment.

6.7 Responsibility

- Teagasc will circulate this Code of Conduct, and a policy document on disclosure of interests, to all members of the Authority for their retention.
- Teagasc will ensure that all members of the Authority receive a copy of the appropriate Code and understand its contents.
- Teagasc will provide practical guidance and direction as required on such areas as gifts and entertainment and on any other ethical considerations which may arise.

6.8 Review

- Teagasc will review this Code as appropriate.
- Any revisions to this Code must be considered and approved at a meeting of the Authority of Teagasc.

PART III: CODE OF CONDUCT - STAFF

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

Standards Underpinning Service Delivery

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

7. Impartiality

7.1 Staff in the performance of their official duties:

- must conscientiously serve the organisation
- must advise and implement policy impartially
- should not display partiality whether as a result of personal or family ties or otherwise

8. Staff and Politics

8.1 Canvassing or lobbying of public representatives with a view to putting pressure on management or compromising Teagasc's policies will be treated, prima facie, as a serious breach of conduct in respect of which disciplinary measures will be invoked.

9. Respect for the law

9.1 The work of Teagasc is carried out within a framework of law. It is the duty of staff 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 which may be conferred by law in a bona fide manner in accordance with the intentions of the statute.

9.2 Staff members 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 line manager whose responsibility it is to issue a direction on the matter, following legal advice where necessary.

10. Disclosure of information

10.1 All staff 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 and 2003 (FOI Acts), members of the public enjoy a legal right of access to information held by Teagasc and other public bodies, subject to certain exemptions defined in the FOI Acts. Arising from the FOI Acts, certain staff members (trained as Decision Makers) are given explicit responsibility for the provision of information to members of the public on foot of requests under the FOI Acts.

10.2 Particular care should be taken to safeguard information concerning the private or commercial affairs of members of the public, clients, companies or organisations which have 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.

11. Dealings with the public / clients

11.1 Staff should:

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

11.2 Staff should:

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

12. Criminal Convictions

12.1 A staff member 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 Human Resource Department. In certain circumstances, this may have implications for his or her employment position. Teagasc will 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 Teagasc and no record of it will be kept unless the information is relevant to the official duties being carried out by the staff member.

Behaviour at Work

13. Attendance and Performance

13.1 Staff 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 Teagasc position and with the maintenance of public confidence in such performance, including refraining from conduct which might impair performance;¹
- 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).

14. Regard for Teagasc Resources

14.1 Staff should endeavour to ensure the proper, effective, and efficient use of Teagasc's resources.

14.2 Staff are required to:

- take proper and reasonable care of Teagasc property and not to use it, or permit its use, for unauthorised purposes²;
- incur no liability on the part of Teagasc without proper authorisation; and

¹Teagasc Employee Assistance Programme is available to help staff manage personal difficulties, which if ignored, might adversely affect their work performance and/or attendance and their quality of life. ²“De minimis” use of Teagasc resources, i.e. a use that results in no actual cost to the organisation, or the cost to the organisation is so small as to be insignificant or negligible, is permitted.

- ensure that expenses, such as travel and subsistence payments, are not unnecessarily incurred either by themselves or by staff reporting to them.

15. Use of Information and Communication Technologies

15.1 It is the responsibility of every member of staff to comply with all ICT Security Policies and Guidelines. They exist to:

- Protect the users of Teagasc ICT Systems.
- Protect the good name of Teagasc.
- Protect the confidentiality, integrity and availability of Teagasc information, the ICT network and associated computing systems.
- Clarify the roles and expected behaviour of users, system administrators and management.

15.2 By utilising Teagasc ICT Systems and Infrastructure staff indicate their acceptance of these policies. Staff should be aware that monitoring and auditing of ICT systems is in place. Willful non-compliance with ICT Security policies may result in the withdrawal of ICT services and or disciplinary procedure being invoked.

15.3 All ICT Security Policies can be viewed on the TNet Site:

<http://tnet.teagasc.net/ICT/policies/>

16. Relations with colleagues

16.1 Staff should show due respect for their colleagues at work, including their values and beliefs. Staff should ensure that their behaviour towards other colleagues is appropriate in the workplace. Staff 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 or religious belief. Staff should support a positive working environment by observing and supporting Teagasc's policy on equality, harassment, sexual harassment and bullying.

Standards of Integrity

17. Improper influence

17.1 Staff are not allowed to:

- use their Teagasc 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 Teagasc positions except through the established procedures (for example, negotiating or grievance procedures) or in such other manner as Teagasc may approve. In particular, staff must not use political influence to affect decisions concerning their Teagasc positions. Any breach of these rules may render a staff member liable to disciplinary action.

18. Conflicts of interest

18.1 Staff 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 Teagasc, or be inconsistent with their official positions, or tend to impair their ability to carry out their duties as staff. For this reason, staff intending to be engaged in or connected with any outside business or employment should inform the Human Resource Department of such an intention. Whole-time staff whose duties are of a professional character (e.g. Teagasc advisors) must not engage in private practice in their professions. 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 Head of Human Resources or the Chief Operations Officer.

18.2 Staff must never seek to use knowledge acquired in the performance, or as a result of, their Teagasc 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 Head of Human Resources or the Chief Operations Officer. Another staff member should in the normal course, unless the Head of Human Resources or the

Chief Operations Officer considers it unnecessary, be assigned to deal with the matter.

18.3 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 Head of Human Resources or the Chief Operations Officer. Any such information shall be dealt with in the strictest confidence by Teagasc and the staff member concerned will be offered such assistance as is available to resolve his or her difficulties.

18.4 A staff member 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 Teagasc has responsibility except with the specific prior consent of the Head of Human Resources.

19. Disclosure of Conflicts of Interest

19.1 Staff who occupy positions which are "designated positions" for the 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 under the provisions of this Code. It should be noted that all staff 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.

19.2 The positions in Teagasc 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) and subsequent amendments. In summary, established staff at Civil Service Principal Officer level (eg PRO/Advisory Grade 4/Admin Grade 6) 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 Human Resource Department will notify staff

members on taking up duty in a designated position of the obligations attaching to that position.

19.3 Staff 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.

20. Gifts

20.1 Staff should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgment or integrity. The overriding concern is that the actions of staff 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.

20.2 The receipt of gifts, as distinct from hospitality, by staff from those with whom they have official dealings must be governed by the highest standards. The following general guidelines provide a framework within which decisions in this area can be made. For the purposes of these provisions, the term “gift” includes any benefit which is given to a staff member free of charge or at less than its commercial price.

- In line with the principles of this code and section 20.1, a staff member 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 staff member concerned to the Human Resource Department.
- 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 Teagasc’s commercial dealings with the donor must be regarded as property of Teagasc. However, benefits under frequent flyer schemes may be retained by individual staff 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 Teagasc.
- 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. Teagasc will apply discretion in the application of this rule to instances of very small patron age.
- Staff should not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings.

20.3 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, staff is a criminal offence punishable by imprisonment or fine or both. The Acts provide that money, gifts or other consideration received by a staff member from a person holding or seeking to obtain a contract from Teagasc is deemed to have been received corruptly unless the contrary is proved.

21. Hospitality

21.1 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 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 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 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.

21.2 The following general guidelines provide a framework within which decisions in this area can be made or local rules formulated. Teagasc will apply these rules on hospitality or make local rules derived from them.

- All offers of hospitality from commercial interests which have or might have contractual relations with Teagasc 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 always be referred to management for direction.
- Staff 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 Teagasc and has been approved by the manager of the staff member.

22. Payment for work on behalf of outside bodies

22.1 On occasion staff are asked to carry out tasks for which they receive payment or other benefit in kind on behalf of bodies other than Teagasc, as a consequence of their official positions (e.g. sitting on interview boards). 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 Teagasc duties of a staff member or is performed during normal working hours.

22.2 The following standards should be applied:

- 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 the Human Resource Department 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 members official duties. 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. In case of doubt the staff member 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 a staff member by way of recognition.
- Where a staff member has any doubts, 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 Human Resource Department.

Staff should also refer to the Media Contributions Policy available on T-Net which is based on the standards above.

23. Contracts with, purchases from or sales to Teagasc

23.1 A staff member should not seek contracts with Teagasc 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.

- 23.2 Teagasc will 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.
- 23.3 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 prior sanction has been obtained from the Line Manager in the area in which the transaction arises, following consultation with the Head of HR.
- 23.4 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, a Teagasc contract or the purchase or sale of Teagasc property must immediately disclose the nature and extent of his or her interest to Teagasc. A staff member should not accept a directorship (except as a nominee of Teagasc) in any company holding a Teagasc contract or in a company which may reasonably be expected to hold such a contract in future.
- 23.5 Staff shall not negotiate or arbitrate in any matter affecting a Teagasc contract or the purchase from or sale of goods to Teagasc 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.

24. Acceptance of outside appointments and of consultancy engagement following resignation or retirement

- 24.1 The following provisions are designed to foster a culture in which staff are fully aware of the potential for conflict of interest in accepting positions outside Teagasc. 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 in this regard and it is expected that these provisions will not affect the generality of former staff joining outside employment.

24.2 Any staff member 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 Teagasc of such an intention. Additionally, staff who hold positions which are “designated positions” for purposes of the Ethics Acts shall not, within twelve months of resigning or retiring from the service:

- accept an offer of appointment from an employer outside Teagasc 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 Head of HR or Chief Operations Officer. These rules also apply to other persons designated under the Ethics Acts and to staff members in grades below the pay level of Principal (ie PRO/Advisory Grade 4/Admin Grade 6) who, although not serving in a designated post at the time of their retirement/resignation, have served in such a post at any stage during the six months prior to their retirement/resignation. In such cases, the twelve month period in which these rules apply will be reckoned from the staff members last day in the designated post.

24.3 In general, Teagasc will monitor the acceptance of outside appointments by staff and former staff.

24.4 Staff who (i) intend to be engaged in or connected with any outside business in the manner described at paragraph 24.2 or (ii) who hold “designated positions” (under the Ethics Acts) must make their applications as follows:

- Staff members below Head of Directorate level must apply to the Chief Operations Officer or the Director of Teagasc

- Staff members at and above Head of Directorate level must apply to the Director, or in the case of the Director, to the Chairman of the Teagasc Authority

24.5 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.

24.6 Where the Chief Operations Officer or the Director of Teagasc attaches conditions to taking up an appointment, the staff member concerned may refer the decision to the Chairman of the Teagasc Authority for review.

24.7 The Chief Operations Officer or the Director of Teagasc reserve the right to take appropriate action in the event that the provisions of this section are not complied with by a serving or former staff member.

25. Outside Appointments Board

25.1 The Chief Operations Officer and the Director will adhere to the general principles for the consideration of matters in this area as set down by the Outside Appointments Board established by the Minister for Finance.

Professional Ethics

26. Good Professional Practice

26.1 While this section has been drafted with reference to codes of research practice from the National University of Ireland and University College Dublin it applies equally to all staff. Maintenance of the highest standards of professional practice is a central and critical responsibility of Teagasc. It is of paramount importance that the ethics and integrity of staff are beyond question as the individual not only has a responsibility to

him/herself but also to society. Staff members have a responsibility to act in accordance with the highest standards of integrity and to conform to legal practice and Teagasc's codes of practice.

27. Principles of Good Research

27.1 Teagasc recognises the need to set out its position in relation to good research practice. Research integrity is the basis on which research communication and collaboration depends. It demands that those engaging in research and scholarship of whatever discipline should adhere to the following basic principles.

Honesty

27.2 Regardless of discipline, staff members must be honest with regard to their own actions in research and in their responses to the actions of other researchers. This applies to all research: experimental design, generating and analysing data, applying for research funding, publishing results and acknowledging the direct and indirect contributions of formal collaborators and other researchers. All staff members must refrain from piracy, plagiarism, fraud, deception or the fabrication or falsification of results. In addition staff members must not sabotage the work, records or protocols of other researchers. Carrying out any of these actions will be regarded as a serious disciplinary offence.

Openness

27.3 Teagasc recognizes that staff members need to protect their own research interests in the process of planning their research and obtaining results. However, Teagasc encourages researchers to be as open as possible when discussing their work with other researchers and with the public. Upon publication of research results, staff members should make material available on request. However, this will be subject to any ethics approvals and consents which cover the material in addition to any intellectual property rights.

Academic Freedom

27.4 Teagasc is committed to academic freedom as this is essential to the accomplishment of the overall mission of Teagasc. Advances in research are the result of free, creative thinking by individuals. However, in exercising their right to seek and communicate freely and openly, staff members must act in accordance with the highest standards of integrity and must conform to professional codes and legislation.

Data Storage and Retention

27.5 Researchers are required to keep clear and accurate records of results. This will include the methodology used to obtain results, the actual results and the analysis and interpretation of those results. Particular attention should be paid to the completeness, integrity and security of these records. Records should be held for a minimum period of five years. This is necessary not only as a means of demonstrating standard research procedure but also because where questions are asked about the conduct of the research or the results obtained the information is available. Data should be stored in such a manner that it allows verification either in paper or electronic format. In exceptional circumstances, confidentiality provisions may apply to research data where the researcher has given confidentiality undertakings to a third party or where disclosure of information would involve the unreasonable disclosure of information relating to the personal affairs of a person, or where confidentiality is required to protect the intellectual property rights.

Leadership and Cooperation

27.6 In Teagasc it is the responsibility of research Heads of Department, senior staff members and principal researchers to ensure that a climate exists in which research is conducted in accordance with good research practice. These individuals must ensure that appropriate direction of research and supervision of researchers and research students takes place at all times. It is the responsibility of Heads of Department to convey the standards and protocols within their department and to ensure that adherence to these standards takes place.

Publication and Authorship

27.7 Every effort should be made to ensure that published material is complete, clear and accurate. Deliberate inclusion of inaccurate or misleading information or a failure to provide relevant information will be regarded as a form of research misconduct. As a general principle, research findings should not be reported to the public before they have been reported to a research audience of experts in the field of research, preferably by publication in a peer-reviewed journal.

Authorship credit should only be given where the individual has made a substantial contribution to the conception, design, or the acquisition of data or analysis/interpretation of data. No author should be excluded without written permission. Any individual listed as an author should be responsible for ensuring familiarity with the material in question. An internal committee has been established to examine the approach to authorship of scientific papers and its guidelines will be made available to research staff.

Conflict of Interest

27.8 The primary responsibility for managing conflict of interest rests with the individual. All researchers are responsible for the identification and declaration of any actual or potential conflicts of interest. This may relate to personal, financial, ethical, legal or otherwise. Where a conflict of interest is apparent, researchers must make this known to their Head of Department as soon as possible. The Head of Department must then determine how the conflict of interest will be managed/eliminated. Researchers have an obligation to disclose any conflict of interest at the time of reporting or proposing research.

Misconduct in Research

27.9 Failure to conduct research ethically, lawfully or in compliance with this Code of Practice may be regarded as misconduct/gross misconduct and may result in disciplinary action/dismissal. Teagasc will take any allegation of misconduct seriously. All allegations will be fully investigated and dealt with under the

organisations disciplinary procedures where necessary. Misconduct does not include honest error or honest differences in design, execution or interpretation.