



Code of Conduct

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Approving Officer:

Signed: 

Secretary to the Commission

Name: John Beggs

Date: 14 March 2017

You may also be interested in the following policies:

1. Introduction

- 1.1. This policy sets out guidance in relation to a Code of Conduct for staff of the Commission for Victims and Survivors for Northern Ireland.
- 1.2. This Code of Conduct forms part of the terms and conditions of service applicable to all staff, breaches of which may be the subject of disciplinary action.

2. Duties and Responsibilities

- 2.1. All staff should familiarise themselves with the contents of the Code and act in accordance with the principles set out in it.
- 2.2. All staff have a duty;
 - (i) To discharge public functions reasonably and according to the law.
 - (ii) To recognise ethical standards governing particular professions, details of which can be obtained from the relevant professional bodies themselves.
 - (iii) To be honest and impartial in the exercise of their duties.
 - (iv) To not take part in any political or public activity which compromises, or might be seen to compromise, their impartial service to the Commission.
- 2.3. The Commission's Accounting Officer has overall responsibility for propriety in a broad sense, including conduct and discipline.

3. Accountability

- 3.1. Staff should be aware;
 - (i) Of their accountability to the Commission
 - (ii) Of all relevant policies and procedures which set out accountability, whether financial or otherwise
 - (iii) Of the respective roles of the Commission's sponsor body OFMDFM, and the Commission as set out in Legislation and the Management Statement & Financial Memorandum
 - (iv) That the Accounting Officer for the Commission is ultimately accountable to OFMDFM for its independence, effectiveness and efficiency.

- 3.2. Staff should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Commissioners, colleagues, the sponsor body or the public.

4. Conflicts of Interest

- 4.1. Staff should abide by the rules adopted by the Commission in relation to private interest and possible conflict with public duty, the disclosure of official information and political activities. They should not misuse their official position or information acquired in their official duties to further their private interests or those of others.
- 4.2. Key members of staff, such as the Secretary to the Commission, Managers and staff managing or working on contracts, should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them.

5. Integrity

- 5.1. Staff should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party, which might reasonably be seen to compromise their personal judgement and integrity.
- 5.2. Under the Prevention of Corruption Act 1916, staff may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt.
- 5.3. Staff should not accept gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity. Staff should refer to the policy on Acceptance of Gifts and Hospitality for full details.

6. Relations with the Public

- 6.1. Staff who deal with members of the public should do so sympathetically, efficiently, promptly with the resources available and without bias or maladministration. Staff should offer the public the highest standards of conduct and service.
- 6.2. The Commission will take all reasonable steps to provide a safe working environment and protect staff from abuse.

7. Use of Resources

- 7.1. Staff should endeavour to ensure the proper, economical, effective and efficient use of resources.

8. The Commission and Staff Policies

- 8.1. Staff should endeavour to ensure compliance to all Policies that exist within the Commission.

9. Attending Work-Related Social Functions

- 9.1. It is important that every member of staff is aware that inappropriate behaviour both within the workplace and at other venues during work-related social events can lead to complaints from staff of harassment or bullying.
- 9.2. **Work related events are considered under the law to be a continuation of the workplace** and that harassment or bullying which occurs at social events, such as Christmas parties, or in the pub after work, can constitute unlawful discrimination in the same way as if the harassment or bullying had occurred in the workplace.
- 9.3. Harassment can range from jokes/remarks/questions of a sexual or sectarian nature, to unwanted physical contact. It is essential that all staff behave in a manner that is in keeping with our equal opportunities policy by ensuring that their behaviour is beyond reproach at all times and could not cause offence to another member of staff. It should be emphasised that **it is the impact of the inappropriate behaviour on the recipient, not the intention of the alleged offender that is significant.**
- 9.4. Complaints from members of staff about acts of harassment or bullying may be formally investigated under the Dignity at Work Policy. In those cases where a complaint is upheld, consideration will be given to appropriate disciplinary action against the harasser. In serious cases, this could lead to dismissal. An individual could also find him/herself named in an employment tribunal application or in court proceedings and be personally liable to pay compensation. Serious incidents of harassment may also be subject to a police investigation.

10. Dress Code Policy

- 10.1. The aim of this section is to stipulate the standard of personal appearance expected of the Commission staff. It is not possible to detail every eventuality, thus staff will need to use their discretion in deciding whether appearance is appropriate, guided by the principles below.

- 10.2. The appearance of all staff members should be professional at all times, both within the Commission and whilst representing the Commission.
- 10.3. Clothing must be clean, smart, practical and appropriate for the nature of the Commission's work, i.e. business attire when attending meetings.
- 10.4. There are circumstances when a more casual appearance can be taken e.g. internal training and on a Friday. At these times clothing worn by the Commission staff should still be clean, smart and practical. However, there are times when traditional business attire should still be worn, e.g. if attending a meeting on a Friday.
- 10.5. The Commission is committed to promote diversity and equality of opportunity within the workplace and will therefore respect an individual's preference or requirement for customary dress.
- 10.6. Business attire is always acceptable if that is your preference.
- 10.7. Do not wear anything to work that you would wear to the beach, gym or disco; this includes ripped jeans and crop tops. Trainers are not usually appropriate footwear.
- 10.8. Staff are asked to maintain an acceptable standard of personal hygiene at all times.

11. Implementation of the Dress Code Policy

- 11.1. All staff members, including agency staff, student placements and volunteers will be advised that the Commission operates a Dress Code Policy.
- 11.2. Managers will consider employee's religious or cultural dress requirements.

12. Confidentiality

- 12.1. It is one of the Commission's aims to be as open as possible with information on its activities. However, disclosure of information not already in the public domain to outside individuals or organisations should be made through the mechanisms put in place for handling requests made under the Freedom of Information Act 2000.
- 12.2. Staff should be aware of their obligations under the Data Protection Act 1998 and the Officer of the Commissioner's Policies on Management of Information.

12.3. Guidance on the Freedom of Information Act 2000 and the Data Protection Act 1998 can be obtained internally. Alternatively, guidance on the relevant legislation is available from the Information Commissioner's Office (www.ico.gov.uk).

13. Staff Concerns about Improper Conduct

13.1. If any member of staff believes that they are being required to act in a way which;

- (i) Is illegal, improper or unethical
- (ii) Is in breach of a professional code
- (iii) May involve possible maladministration, fraud or misuse of public funds
- (iv) Is otherwise inconsistent with this Code

13.2. They should raise the matter in accordance with the complaints procedure set out in Appendix A.

13.3. Staff should also draw attention through the complaints procedure to cases where;

- (i) They believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved;
- (ii) There is evidence of criminal or unlawful activity by others; or
- (iii) They are required to act in a way which, for them, raises a fundamental issue of conscience.

14. After Leaving Employment

14.1. Staff should continue to observe their duty of confidentiality set out in section 11 after they have left the employment of the Commission.

15. Breaches of the Commission for Victims and Survivors Code of Conduct

15.1. Any breach of this Code of Conduct will be appropriately investigated and may lead to disciplinary action, in accordance with the Commissions Disciplinary procedures.

16. Variation

16.1. The Commission reserves the right to vary this Policy as it deems appropriate to include compliance with any legal requirements.

Complaints Procedure

Step 1 – Making a complaint

When something occurs that requires action under this policy, staff should raise the matter promptly with their Line Manager. If the complaint relates to action which the Line Manager has taken, then staff may raise the matter with the Secretary to the Commission. Where the Secretary is the Line Manager, staff should raise the matter with the Chair of the Audit and Risk Management Committee.

The complaint should be in writing and should set out:

- the matter which is the reason for the complaint;
- the action which has already been taken to resolve the matter (if any);
- the outcome which the complainant would like to see achieved.

Step 2 – Meeting to discuss the complaint

The complainant will be invited to attend a meeting to discuss the complaint with the person dealing with the matter. This person will give proper consideration to all the details of the case, including the findings of any investigation he or she has carried out in advance of the meeting.

The complainant may be accompanied at the meeting by a Trade Union official, another employee or a friend.

A written record of the meeting will be made. The complainant will have an opportunity to see the draft of the written record and suggest any amendments that he or she considers necessary.

Step 3 – Communication of the response

The person dealing with the complaint will endeavour to provide a response to the complainant within 10 working days of the meeting. If this is not possible, the complainant will be informed of the delay and when a response can be expected.

Sometimes the matter may be of such severity that the person dealing with the complaint may bring in other people to assist with the investigation and ensure impartiality. The investigation may include further meetings with the complainant.

Having obtained all the information possible, the person dealing with the complaint will consider whether the facts support the complainant's case, and, if so, what action should be taken. A written report of the investigation and the conclusions will be prepared and a copy will be made available to the complainant. The complainant will also be informed of the appeal process.

Step 4 – Appeal process

Where the complainant is unhappy with the conclusions reached and/or the action proposed, he or she may request further consideration of the matter by a senior person. Where the initial complaint was dealt with by the Line Manager, the appeal should be made to the Secretary of the Commission. Where the Secretary dealt with the initial complaint, the appeal should be made to the Chair of the Audit and Risk Management Committee.

Where the Chair of the Audit and Risk Management Committee dealt with the initial complaint, there is no further internal appeal process but it may be possible to raise the matter with someone outside the organisation (see step 5 below).

If the complainant wishes to make an appeal, this should be in writing and should set out clearly the reasons why the complainant is dissatisfied with the outcome of the initial investigation. A copy of the report of the initial investigation should be attached.

The process for considering an appeal will be similar to that followed in relation to investigation of the initial complaint, including one or more meetings with the complainant, gathering additional information and preparing a written report.

The complainant will be informed of the findings of the appeal within 10 working days of the meeting to discuss the appeal, where possible. If this is not possible, the complainant will be informed of the delay and when a response can be expected.

A written report of the consideration of the appeal and the conclusions will be prepared and a copy will be made available to the complainant. The complainant will also be informed of any further appeal process available.

Step 5 – Appeal outside the organisation

If the complainant is still unhappy with the conclusions reached and/or the action to be taken, he or she may seek advice from outside the organisation. It should be noted that external agencies will only consider issues when the internal process has been exhausted.

The Office of the Northern Ireland Ombudsman deals with complaints about maladministration by public authorities and may be able to advise on further action. The contact details are as follows:

The Ombudsman
Progressive House
33 Wellington Place
Belfast BT1 6HN

Tel 028 9023 3821
Textphone 028 9089 7789
Fax 028 9023 4912
Email ombudsman@ni-ombudsman.org.uk

Variations to this process

The paragraphs above describe the standard process for investigation of complaints within the Commission. However, there may be occasions when the nature of the complaint or the severity of it requires a variation to this process. If this occurs, the person investigating the complaint will discuss any variations with the complainant at the meeting to discuss the complaint (step 2).