



# IRISH RESEARCH COUNCIL

## An Chomhairle um Thaighde in Éirinn

### Irish Research Council Framework for a Code of Business Conduct

This code sets out the agreed standard of principle and practice for conduct of members of the Irish Research Council and its Committees. Members are expected to voluntarily comply with this written code. This code is informed by that the Higher Education Authority (HEA). The Irish Research Council is a sub-board of the HEA with members appointed by the Minister of State for Training, Skills, Innovation, Research and Development. Should a member have any doubt in relation to any aspect of the code she or he should consult the Director, who in turn will consult with the CEO of the HEA. The CEO's role as Accounting Officer of the HEA includes the Irish Research Council as a sub-board.

#### **Objectives of the Code**

This code seeks to:

- ❑ Establish an agreed set of ethical principles which will underpin the work of the Irish Research Council (hereafter referred to as 'the Council')
- ❑ Promote and maintain confidence in the work of the Council
- ❑ Prevent the occurrence or acceptance of unethical practices.

#### **General Principles**

Members should observe the following general principles:

##### ***Integrity and Conflicts of Interest***

- The need for disclosure by Members<sup>1</sup> of outside employment/business or other interests in conflict or in potential conflict with the work of the Council; and conflicts of interest of Members include circumstances where a Member is an applicant for research funding. A specific Council policy on Conflict of Interest is contained in Appendix 1;
- Members are appointed in a non-representative capacity and shall not accordingly promote the interest of their institution or

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<sup>1</sup> Council members, as appointed by the Minister of State for Training, Skills, Innovation and Research; or members of committees established by the Council

department or individuals associated with same. If a matter relating specifically to their institution or department is under consideration by the Council they will deal with the matter by recusing themselves;

- avoidance of 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;
- conduct of purchasing activities of goods/services in accordance with best business practice;
- ensuring that Council reports accurately reflect performance and are not misleading or designed to be misleading;
- avoidance of use of Council resources or time for personal gain or solely for the benefit of persons/organisations unconnected with the Council;
- commitment not to acquire information or business secrets by improper means.

### ***Standing Item on Disclosure of Potential Conflict of Interest***

In order to facilitate systematic and timely disclosure of a potential conflict of interest, Council meetings will incorporate a Standing Item on Disclosures, to be taken before Matters Arising on each Council meeting agenda. Any potential conflict of interest which has arisen for a Council Member since the last Council meeting should be declared under the Standing Item facility.

### ***Information***

The Irish Research Council will seek to ensure that access to general information on the activities of the Council is facilitated in a manner that is open and enhances its accountability to the general public.

Members shall -

respect the confidentiality of sensitive information held by the Irish Research Council and the Higher Education Authority. This includes material such as:

- reports submitted for consideration by the Council;
- information received in confidence by the Council;
- personal information; and
- commercial or institution specific sensitive information (including, but not limited to, future plans or details of major organisational or other changes);

- notwithstanding the above Members may, in the interests of being as well briefed as possible, seek information<sup>2</sup> on a matter under consideration by the Council;
- observe appropriate prior consultation procedures with third parties where, exceptionally, it is proposed to release sensitive information in the public interest;
- comply with relevant statutory provisions (e.g. data protection legislation, the Freedom of Information Act, 1997).

### ***Obligations***

Members shall -

- ensure the Council discharges its obligations as a sub-board of the HEA;
- comply with controls to prevent fraud that have been put in place by the HEA including adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses for business travel;
- make all reasonable efforts to attend all Council meetings; and
- recognise that the acceptance of positions following membership of the Council can give rise to the potential for conflicts of interest and to confidentiality concerns. A Member shall continue to respect the confidentiality of sensitive material held by the Council in any dealings he/she may have following the termination of his/her membership of the Council.

### ***Standards***

The Council acknowledges -

- the duty of all to conform to highest standards of business ethics;
- the duty of any member to inform the Director of the Council if they have been found guilty of professional misconduct. In the event of such disclosure, the Council will inform the Minister of State with responsibility for appointing members and request that the Minister revoke the member's appointment to Council.

### ***Fairness***

The Council will, working with the HEA -

- support the HEA in its statutory responsibility to ensure compliance with equality legislation;
- maintain its commitment to fairness in all its activities; and

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<sup>2</sup> Members should not disclose to third parties specific details set out in papers to Council or the HEA Standing Committee for Research and Graduate Education, but may seek the views of third parties on matters before the Council or Standing Committee.

- value stakeholders of the Council and treat all equally.

### ***Work/External Environment***

The Council will, working with the HEA -

- place the highest priority on promoting and preserving the health and safety of Executive staff and;
- ensure that research community concerns are fully considered.

### ***Communications***

Members shall -

- adhere to a policy that only the Chair, Director, or their nominee speaks on behalf of the Council to the media;
- recognise that communication of decisions taken by the Council is to be conveyed by the Executive; and
- ensure that any correspondence received by Members relating to their work as Members should be referred to the Executive for appropriate response.

### ***Responsibility***

- This Code of Business Conduct and a policy document on disclosure of interests will be circulated to all Members, management and employees for their retention;
- the above recipients will acknowledge receipt and understanding of same; and
- the Executive will circulate an explanatory booklet prepared by the HEA providing practical guidance and direction on such areas as gifts and entertainment and on other ethical considerations which arise routinely.

### ***Review***

The Council will review its Code of Business Conduct, including in parallel with the HEA.

ENDS

Updated March 2018

## APPENDIX 1

### Irish Research Council

#### Disclosure and Management of Conflicts of Interest

##### *Introduction*

The Irish Research Council is committed to transparency in the allocation of funding and in the wider conduct of its business. The Council will implement procedures that aim to assure the highest standards of ethical practice in the discharge of its functions.

##### *How the Council allocates funding*

The Council operates research scholarship, fellowship and principal investigator-led funding programmes across all disciplines. Excellence is the core criterion for all Council funding programmes. The Council provides advice to the Executive on the development of current and new funding programmes to meet the needs of the higher education and research system, including in relation to the criteria for such programmes. With the exception of the Council's New Foundations programme<sup>3</sup>, decisions on applications for all funding programmes are determined by international peer review. Council members receive a summary report following completion of the assessment and selection process which includes details of the number of applications, success rates, and the number of awards to be made having regard to the available budget.

**It is recognised that the scale of the research community in Ireland is such that it is in practice impossible for Members to avoid writing references for, supervising, or mentoring applicants for Council funding schemes. Doing so is not regarded as a conflict of interest since decisions on funding allocation are made independently of the Board and without the Board's knowledge about decisions regarding individual applications.**

##### *Exceptional circumstances – funding decisions*

Ordinarily, the Council does not decide or approve the funding outcomes for individual programmes. In exceptional circumstances, it may be necessary for the Executive to bring matters relating to proposed funding allocations, including individual applications, to the attention of Council. In such circumstances, any Council member who faces a potential conflict of interest (see statement on *overriding test* below) in relation to any such individual application will disclose same and recuse themselves from the discussion.

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<sup>3</sup> New Foundations is a small grant programme for knowledge exchange, with applications assessed on the basis of national rather than international peer review. Members of the Board do not act as assessors or have knowledge of who the assessors are.

### *Potential Conflicts of Interest*

During the term of Members<sup>4</sup> of Council or committees, actual or potential conflicts of interest may arise. Conflicts of interest include those that arise where a Member's personal or professional interests come into conflict with the Council's work. Such interests include but are not limited to the following:

- Commercial interests
- Institutional interests (i.e. where a conflict arises between the interests of Council and the interests of an institution where the Member is in the employ of that institution, advises that institution, or holds a non-executive governing role in that institution)
- Research interests. The research interests of Council members related to Council business include the following circumstances, where the Council member is
  - A proposed supervisor or mentor under an application for a Council early-career award
  - A supervisor or mentor on a Council early-career award
  - An applicant or co-applicant, or potential applicant or co-applicant, to a Council funding programme
  - A funded PI or co-PI on a Council award

Conflict(s) of interest is/are deemed to apply to Members when a third party with whom the Member shares a close relationship has an interest in Council business, including a research interest. These relationships include close family relationships or persons with whom the Council Member shares a household.

**The overriding test for establishing conflict of interest is the following: any interest which a reasonable person might think could influence the judgement of a Member or could lead to bias.**

Notwithstanding the independence of decision making processes and in the interests of avoiding any perceived or potential conflict of interest, members should normally recuse themselves from any discussion of current award programmes for which they are applying. In particular, such members should recuse themselves from the discussion when the design, revision, development or implementation of any new funding scheme to which they intend to apply comes before the Board for approval.

### Council Members' Register of Interests

A register of interests for Council members will be maintained and updated annually. The register will comprise details of the following interests of Council members as at January 1<sup>5</sup> each year:

- All research awards held
- Any research applications submitted and pending
- Council-funded postgraduates supervised

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<sup>4</sup> Members refers to both Council members and members of committees established by Council.

<sup>5</sup> As at January 1 effective 2019 going forward. The register is being established in 2018.

- Council-funded postdoctoral researchers mentored
- Company or organisational directorships
- Any memberships of institutional or other governing boards

*Disclosure and steps to be taken*

Council Members should use the *Standing Item on Disclosure of Potential Conflict of Interest* to disclose a potential conflict of interest. Alternatively, any such interest can be disclosed in writing to the Chair and Director of Council in advance of a meeting.

For Council committees, the same requirements apply. Committee members should declare any conflict or potential conflict in accordance with the standing agenda item regarding conflicts, or in advance of the meeting in writing to the Chair of the committee.

In all cases, where there is any doubt about potentially conflicting interests, Members are advised to seek the advice of the Chair of the meeting.

Members will not participate in the discussion or determination of matters in which they have any conflict of interest and should withdraw from the meeting room.