

**CRU Code of Business Conduct
for Employees of the Commission**

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CODE OF BUSINESS CONDUCT

1. INTRODUCTION

The Commission for Regulation of Utilities ('the CRU') is the independent body responsible for overseeing the regulation of Ireland's energy and water sectors. The CRU was initially established and granted regulatory powers over the electricity market under the Electricity Regulation Act, 1999. The enactment of the Gas (Interim) (Regulation) Act, 2002 expanded the CRU's jurisdiction to include regulation of the natural gas market, while the Energy (Miscellaneous Provisions) Act 2006 granted the CRU powers to regulate electrical contractors with respect to safety, to regulate to natural gas undertakings involved in the transmission, distribution, storage, supply and shipping of gas and to regulate natural gas installers with respect to safety. The Electricity Regulation Amendment (SEM) Act 2007 outlined the CRU's functions in relation to the Single Electricity Market (SEM) for the island of Ireland. This market is regulated by the CRU and the Northern Ireland Authority for Utility Regulation (NIAUR). The Energy Act 2016 (no. 12 of 2016) was signed by the President on the 30 July 2016, and provides for various amendments of the Electricity Regulation Act 1999, the Gas Act 1976, the NORA Act 2007 and the Sustainable Energy Act 2002 and the Registration of Title Act 1964. The CRU is working to ensure that consumers benefit from regulation and competition in the energy sector. The introduction of the Petroleum (Exploration & Extraction) Safety Act 2010 added to the functions of the organisation. In addition, the Water Services Act 2013 and the Water Services (No.2) Act 2013 has seen the CRU become the economic regulator of the Irish public water and wastewater sector.

The CRU has developed this Code of Conduct for employees of the Commission as required under:

State Bodies Guidelines (March 1992);
Section 2.1 of the Code of Practice for the Governance of State Bodies (2001 and revised & updated by the Department of Finance June 2009);
Section 8 of the Gas (Interim) (Regulation) Act 2002;
Compaines Act 2014

This Code of Conduct also takes into account the relevant provisions and requirements of, amongst others, the Ethics in Public Office Acts 1995 and 2001, the Employment Equality Acts 1998 – 2011, the Equal Status Acts 2000 - 2011, Safety, Health and Welfare Act 2005, the Freedom of Information Acts 1997 - 2014, the Electricity Regulation Act 1999, the Gas (Interim) Regulation Act 2002 (as amended) and the Data Protection Acts 1988 to 2018.

The CRU Code of Conduct is an important element of the overall framework within which all CRU employees are required and expected to work in order to ensure that the function of the CRU is carried out effectively. It sets out the standards required of all in the discharge of their duties. These standards of conduct and these values are set in the context of a commitment to excellence and a high quality public service, which strives to maintain high levels of performance and personal responsibility. The Code aims to establish an agreed set of ethical principles and prevent the development of acceptance of unethical practices.

2. OBJECTIVES

The objectives of the Code are:

- to set out an agreed set of ethical principles
- to promote and maintain confidence and trust
- to prevent the development or acceptance of unethical practices
- to promote the highest legal, management and ethical standards in all the activities of the CRU
- to promote compliance with best current practice in all the activities of the CRU and
- to set out the standards and behaviour expected of employees of the Commission

3. GENERAL PRINCIPLES

Each employee of the Commission is required to observe the following fundamental principles as set out in this document and ensure that the CRU's values of

- Integrity
- Impartiality
- Professionalism
- Transparency
- Effectiveness

are constantly reinforced and developed throughout the organisation. In order to achieve these values the following fundamental principles are applicable throughout the organisation:

3.1 Integrity

1. Disclosure of Interests
Section 9 & 10 of the Gas (Interim) (Regulation) Act 2002 contains provision governing matters relating to disclosure of interests in respect of employees of the CRU
2. Employees of the CRU holding designated positions must comply with obligation under the Ethics in Public Office Acts 1995 & 2001 and the Standards in Public Office Act 2001
3. Under the CRU's Code of Conduct in relation to interest, staff members are prohibited from buying or dealing or having shares or other forms of securities in energy companies without the specific consent of the Commission. Such consent will be automatically and immediately withdrawn in the event of the organisation applying to the Commission for a licence, or applying to purchase all or a substantial part of a licensee's shares / business, such that the CRU license is substantially controlled or co-controlled by the organisation, and represents a significant interest for the organisation
4. Exclusive Service
During their term of employment employees should not engage directly or indirectly in any other business, trade or professions, save with the express consent of the CRU

3.2 Information

1. Employees of the Commission are required to respect the confidentiality of sensitive information held by the Commission. This will constitute material such as commercially sensitive information, personal information and information received in confidence by the Commission.
2. Employees of the Commission will observe appropriate consultation procedures with third parties where it is proposed to release sensitive information in the public interest.
3. Employees of the Commission will comply with all relevant statutory provisions.

4. Employees of the Commission will observe the strictest confidentiality in relation to all discussions and decisions taken at meetings of the Commission.
5. Obligations in relation to non-disclosure of privileged or confidential information do not cease when employment with the Commission ends.

3.3 Obligations

1. Employees of the Commission will fulfil all regulatory and statutory obligations imposed on them as set out in all relevant legislation.
2. Employees of the Commission will comply with detailed tendering and purchasing procedures as well as prescribed levels of budgets for sanctioning any relevant expenditure.
3. Employees of the Commission are required to comply with controls to prevent fraud including adequate controls to ensure compliance with prescribed procedures in relation to claiming of expenses.

3.4 Loyalty

1. Employees of the Commission acknowledge the responsibility to be loyal to the Commission and to be fully committed to all its activities.
2. Employees of the Commission acknowledge their duty to conform to the highest standards of business ethics.

3.5 Fairness

1. The CRU is committed to complying with employment equality and equal status legislation.
2. The CRU is committed to fairness and impartiality in all its business dealings

3.6 Work/External Environment

1. In accordance with the Safety, Health & Welfare Act 2005, the CRU has a safety statement in place and continues to implement appropriate measures to protect the safety, health and welfare of its employees and that of visitors to its office.

3.7 Gifts

1. The receipt of gifts, as distinct from hospitality, by employees of the Commission from those with whom they have official dealings must be governed by the highest standards. The overriding concern is that the actions of any employee of the Commission be above suspicion and not give rise to any conflict of interest, and that their dealings with commercial and other interests should bear the closest possible scrutiny.
2. The term "gift" includes any benefit, which is given to an employee of the Commission free of charge or at less than its commercial price. Gifts of modest value (e.g. diaries, pens, etc.) may be accepted and retained
3. Employees of the Commission may not solicit gifts, directly or indirectly
4. Employees of the Commission may not approach any business with which they have contact through their official duties seeking sponsorship or support for any club, association, trade union or other organisation
5. Employees of the Commission should not accept special facilities or discounts on private purchases from suppliers/industry partners with whom they have business dealings.

3.8 Hospitality

1. The receipt of hospitality by an employee of the Commission from those with whom they have official dealings must be governed by the highest standards. The overriding concern is that the actions of an employee of the Commission be above suspicion and not give rise to any conflict of interest, and that their dealings with commercial and other interests should not give rise to any actual or perceived conflict of interest
2. Employees of the Commission may accept what would be regarded as routine hospitality, such as a business lunch.
3. Subject to the above point, it is recognised that participation in certain events such as industry conferences and seminars can be of particular value where they support the establishment of relationships or enhance the Commission's knowledge or understanding of a particular area. For such events, the hospitality element should be incidental to the event and relevant business information is expected to be gained through attendance. Prior written authorisation from the Chairperson should be obtained to accept invitations of this kind and they should be recorded
4. Invitations of a social kind (e.g. sporting /cultural events) should be declined.
5. Hospitality that includes travel or overnight accommodation must not be accepted.
6. Where an invitation has been received for multiple or group attendance, prior consent must be sought from the Chairperson.
7. In cases of doubt, where an employee or manager is concerned about issues relating to the acceptance of hospitality, the matter should first be discussed with, the HR Manager, and if need the Chairperson.

3.9 Responsibility

1. The Commission will circulate this Code of Business Conduct to all members of the Commission for their retention.
2. Recipients are required to acknowledge receipt and understanding of the code.
3. Upon commencement of employment with the Commission staff members will be asked to read this policy and acknowledge receipt and understanding of the code by signing the confirmation of compliance.
4. Obligations in relation to non-disclosure of privileged or confidential information do not cease when employment with the Commission ends.

4. Standards and Behaviour

This section sets out the standards required of employees in the discharge of their duties. These standards of behaviour will support a high quality public service based on high levels of personal performance and responsibility.

In the performance of their duties employees must:

1. 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.

2. Observe appropriate behaviour at work by:
 - dealing with the public and/or visitors sympathetically, fairly and promptly
 - treating colleagues including consultants with respect

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 or gifts or hospitality as outlined above
 - avoiding conflicts of interest

4. Support and be loyal to the CRU by:
 - supporting colleagues and the CRU in the performance of its functions
 - promoting the goals and objectives of the CRU and not undermining any of them through action or omission
 - seeking to resolve grievances and concerns through agreed channels (please refer to the CRU's Grievance procedure for further details)
 - ensuring any actions taken maintain public confidence in the CRU and its good name

Consultation Process

CRU is committed to observing a consultation process with stakeholders in the course of its activities

Failure to Comply

This code forms part of the terms and conditions of employment of all employees. Employees are expected to comply with the code at all times. Breaches of the code will constitute a breach of the terms and conditions of employment and may result in disciplinary sanction up to and including dismissal. The Commission will formally review and approve this Code on an annual basis.



An Coimisiún
um Rialáil Fóntas
Commission for
Regulation of Utilities

Code of Conduct for Employees of the Commission – Confirmation of Compliance

Employee's name: _____

I confirm that:

- I have read and am fully aware of the Code of Conduct for Employees of the Commission and,
- I comply, and will continue to comply, with the Code and will confirm compliance with the Code as and when required.

Signed: _____

Date: _____