

## **CODE OF CONDUCT**

### **FOR EMPLOYEES OF THE VALUATION TRIBUNAL (May 2020)**

#### **1. Introduction**

1.1 This Code sets out, in written form, the standards of Conduct to which the staff the Valuation Tribunal ("the Tribunal") should adhere to in the performance of their duties.

1.2 The Tribunal is an independent body set up under the Valuation Act 1988, and continued by the Valuation Acts 2001 – 2015, to hear appeals against decisions of the Commissioner of Valuation on the valuation of commercial properties for rating purposes. The Tribunal also hears appeals made by owners of derelict sites against the determination by local authorities of the market value of these sites under the Derelict Sites Act 1990. Since the commencement of the Urban Regeneration and Housing Act 2015, the Tribunal also hears appeals on the determination by local authorities of the market value of vacant sites under that Act.

1.3 In order to fulfil its functions it is essential that each Tribunal employee strives to perform his / her duties in accordance with the highest ethical standards. This Code of Conduct has been developed to promote and encourage these standards.

1.4 This Code sets out the ethical standards that members of the public, those engaging with the Tribunal in carrying out its functions, Tribunal members and other staff can expect of individual Tribunal employees. Adherence to this Code safeguards the reputation of the Tribunal and promotes and maintains public and stakeholder confidence in the manner in which the Tribunal discharges its functions.

1.5 Each Tribunal employee is expected to comply with this Code and to abide by the values upon which it is based. It is not feasible to have a Code of Conduct that will specifically provide for all situations that may arise. As a result, all employees of the Tribunal have a responsibility to ensure that all of their activities, whether covered by this Code or not, are governed by acceptable moral and ethical principles.

The manner in which employees of the Tribunal conduct themselves is largely a matter of personal integrity and self-discipline.

1.6 The objectives of this Code of Conduct are to:

1.6.1 clearly set out the ethical principles in accordance with which the Tribunal will carry out its functions

1.6.2 demonstrate an on-going commitment by the Tribunal staff to the highest standards of ethical behaviour

1.6.3 promote public and stakeholder confidence and trust in the Tribunal

1.6.4 prevent the development or acceptance of unethical practices

1.7 This Code will be reviewed as and when any deficiencies are identified and in any event every 5 years.

1.8 This Code should not be read in isolation and should be read in conjunction with specific policies of the Tribunal which may be published from time to time.

1.10 Support and training will be given to Tribunal employees where necessary to ensure that these principles are not compromised.

## **2. Integrity**

2.1 Tribunal employees must not use their position for personal gain. Any employee who has, or may be perceived to have (for example through a connected person), a pecuniary or beneficial interest in, or material to a particular matter or appeal under consideration shall declare that interest, withdraw from processing any such appeal and not seek to influence any person or Tribunal member in relation to that appeal.

2.2 Tribunal employees shall not use Valuation Tribunal resources or time for personal gain or for the benefit of persons / organisations unconnected with the Tribunal or its activities.

2.3 No Tribunal employee or person connected with a Tribunal employee may give or accept gifts, benefits, sponsorship or hospitality, preferential treatment which might affect or appear to affect the ability of the donor or recipient to exercise independent judgement in relation to the Tribunal's functions or activities.

2.4 Tribunal employees will claim expenses only as appropriate to business needs and in accordance with good practice in the public sector generally. Details of travel and subsistence payments to Tribunal employees are published in the Valuation Tribunal Annual Report.

## **3. Conflicts of Interest**

3.1 The activities of the Tribunal must be conducted in an objective manner and be seen to be so conducted. A conflict of interest may arise where a Tribunal employee's relationships, interests (including business, professional and / or employment interests) or attitude influences or might be perceived as influencing an appeal or being in conflict with the objectives and activities of the Tribunal.

3.2 If you should find yourself in a position of actual or potential conflict of interest, where there may be a perception of bias or where your impartiality in carrying out your duties may be potentially affected, you should immediately disclose the existence of the conflict of interest to the Registrar.

3.3 As it is recognised that the interests of a Tribunal employee and persons connected with him / her can change at short notice, an employee is expected, in cases where he / she processes documents in an appeal in which they may have a conflict of interest, not to read more of them than may have been inadvertently read, and to notify the Registrar of the Tribunal at the earliest opportunity.

## **4. Information and Confidentiality**

4.1 Tribunal employees should treat as confidential all information obtained through their role with the Tribunal and must only use confidential information for the lawful and proper performance of their duties.

4.2 Tribunal employees, by the nature of their work, are privy to information which may be unproven, sensitive and controversial, or of commercial value or interest. Tribunal employees shall not disclose to a third party, having no direct association with the Tribunal, any information or material obtained by him / her while performing or as a result of having performed any activities as a Tribunal employee. This prohibition does not apply to information, which is demonstrably already in the public domain.

Information coming within the meaning of this paragraph includes but is not limited to:

4.2.1 Commercially sensitive information such as information on businesses submitted to the Tribunal

4.2.2 Personal information

4.2.3 Information received in confidence by the Tribunal

4.2.4 Research which is not yet published

4.2.5 Confidential legal advice obtained by the Tribunal

4.2.6 Personal information within the meaning of the Data Protection Acts

4.3 Tribunal employees will not engage with the media about the work of the Tribunal except with the prior approval of the Registrar. Should any direct or indirect contact be made by a member of the media to a Tribunal employee that person should be referred to the Registrar.

4.4 Employees are expected to act professionally and exercise due care at all times in the storage and transmission of mail and documents and the disposal of records, whether electronic or paper.

4.5 On conclusion of their employment in the Valuation Tribunal, employees will return to the Tribunal all electronic devices, manuals, letters, notes, notebooks, reports and other material of a confidential nature.

## **5. Fairness**

5.1 Tribunal employees are expected at all times to be committed to fairness and respect in carrying out the Tribunal's regulatory dealings, in its dealings with each other, its members, with those engaged to assist in its work and with individuals whose appeals the Tribunal must consider.

5.2 Tribunal employees will treat all parties with courtesy and respect and must not advocate or act on behalf of any person involved in proceedings or disputes being considered by the Tribunal.

## **6. Responsibility**

6.1 This Code of Conduct will be circulated to all Tribunal employees and the Registrar of the Tribunal will ensure the recipients acknowledge the receipt and understanding of same.

6.2 The Tribunal may prepare any other appropriate document(s) providing practical guidance and direction on such areas as gifts and entertainment and on other ethical considerations which arise routinely.

## **7. Breaches of the Code**

7.1 Where any Tribunal employee becomes aware of any event, circumstance or conduct which might constitute a breach of this Code of Conduct they are required to bring this to the attention of the Registrar. Failure to do so may itself constitute a breach of this Code of Conduct.

7.2 The question as to whether an employee of the Tribunal has acted in breach of the Code shall be determined by the Registrar of the Tribunal in the absence of agreement. Where the Tribunal employee wishes to appeal the determination or a failure by the Registrar to determine the matter, it shall be referred to an independent arbitrator for determination.

This Code was prepared by the Registrar of the Tribunal on the 25<sup>th</sup> May 2020.