

THE JAMES JOYCE CENTRE



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Conflicts of Interest Policy for Employees

Conflicts of Interest Policy

The James Joyce Cultural Centre aims to pursue high standards of corporate governance as articulated in its Conflicts of Interest Policy for Employees. The Joyce Centre is one of a wider network of organisations in Ireland which collectively subscribe to high-level principles of ethical business behaviours which are in accord with company values. The Joyce Centre expects its employees to adhere to these ethical business behaviours, including avoiding, or/and managing, conflicts of interest.

Employees should read the Code of Conduct for Employees in conjunction with this policy document.

Scope of applicability of this policy:

The Employee Conflicts of Interest Policy applies to all employees of the James Joyce Cultural Centre, full-time, part-time, permanent, or temporary, and includes short-term contracted personnel who may be recruited, on occasion, for specific project work.

Volunteers, Interns, and work experience students, if any, and contractors, companies and individuals who provide services to the James Joyce Cultural Centre, will be directed to a copy of the conflicts of interest policy, and asked to acquaint themselves with its content, as they will be expected to hold themselves to the same high ethical standards as applies to employees of the Centre, while undertaking work in, or on behalf of, the Centre.

Definition of conflicts of interest

A conflict of interest is any situation in which an employee's personal interests or loyalties could prevent, or be perceived to prevent, the employee from making decisions in the best interests of the James Joyce Cultural Centre. Such an interest may be direct or indirect, and it can include interests of a person connected to the employee.

These situations present the risk that a person will make or support a decision based on, or affected by, interests which differ from the best interests of the James Joyce Cultural Centre. They must, therefore, be avoided, or managed accordingly.

For reasons of legal obligation, reputation and credibility, and the requirements of supporting organisations of the Centre, its educational charity status and its objectives in regard to providing educational public benefit, the James Joyce Cultural Centre must either avoid potential conflicts of interest, or manage conflicts that may arise. It is essential that the Centre manages, and is seen to manage, its operational and governance functions efficiently and effectively. In that context, it must also comply with its legislative obligations under Company law, and under Charity law, and comply with other legal and best practice policies to which the Company subscribes.

Acting with integrity

Employees are expected to act, and be seen to act, with the highest level of personal and professional integrity. This includes avoiding situations of conflict, or potential conflict, arising from differences which exist or might emerge between their personal interests and the interest of the James Joyce Cultural Centre.

Conflicts of interest Policy – Managing the process

The James Joyce Cultural Centre recognises that conflicts of interest can and do commonly occur, but that they do not need to present a problem to the company/charity, if they are disclosed, and openly and effectively managed.

It is the responsibility of employees to ensure that conflicts of ethical, legal, financial, business, personal or other interests be avoided, and that any such conflicts (where they do arise) do not interfere with their individual obligations to their employer, the James Joyce Cultural Centre.

The James Joyce Cultural Centre will manage conflicts of interest by requiring employees to:

- Avoid conflicts of interest where possible;
- Identify and record any actual or potential conflicts of interest;
- Carefully manage any conflicts which may arise;
- Follow this policy and respond to any breaches.

For purposes of assisting employees to recognise what might present a conflict of interest, the following are examples:

- Being a beneficial owner of, or being a family member or other connected person to, a key supplier of materials or professional services to the James Joyce Cultural Centre;
- Being involved in a recruitment process for a position at the James Joyce Cultural Centre, for which a close family member, or other close personal contact or connected person, is a candidate or otherwise has an interest;

Policy implementation, Conflicts of interest

The Board will

- 1) Establish a system for identifying, disclosing, and developing protocols for recording and managing conflicts of interest across the range of Centre business activity;
- 2) Initiate a Register of Conflicts of Interest, maintained by the Company Secretary, in which, through a process of self-disclosure, employees will be required to register actual or potential conflicts of interest;
- 3) Monitor employee compliance with the policy;
- 4) Undertake regular review of its Conflict of Interest Policy and protocols for registration of interests;
- 5) Review the system on an annual basis to ensure that policy and process is operating effectively.

Identification and disclosure of conflicts of interest

An actual, potential, or perceived conflict of interest must be identified by each employee and entered in the James Joyce Cultural Centre Register of Conflicts of Interest. The Register will be maintained by the Company Secretary, who will record all relevant information as identified by the employee. It will be the responsibility of the actual or potential employee to identify and supply the detail of the actual or potential conflict of interest.

Should an actual conflict of interest be identified, the Board or its delegated committee members will determine what steps, if any, other than recording, are required to address the issue. Any steps taken will be dependent on a risk management process of assessment, based on potential damage to the company.

Confidentiality of disclosures

The Board of the James Joyce Cultural Centre will adhere to a strict protocol of ensuring confidentiality associated with disclosure of information by individual employees in respect of conflicts of interest, actual or potential.

The information provided will be processed in line with the data protection principles as set out in the Data Protection Act and in accordance with the James Joyce Centre GDPR policy.

Access to details of information disclosed will be restricted to the Company Secretary, and, if necessary, made available to the Chairperson and to Directors of the Board. If required by law, details will be made available to appropriate authorities.

Employees, on appointment, and as may arise thereafter, are required to:

- Advise the Company Secretary in writing of any conflict of interest which exists, or which may exist, between them and their responsibility to carry out without inappropriate influence their duties in respect of the business of the James Joyce Cultural Centre;
- Declare, as soon as possible, in writing to the Company Secretary any new conflict that arises during their employment;
- If a potential and previously unforeseen conflict is seen to emerge at any time, or at the beginning of a meeting, or during the meeting, or at any time of a business-related discussion, the employee should immediately declare an interest and ask to be excused. The Board will consider the matter and take whatever actions it determines to be appropriate within its conflicts of interest policy and process for managing such conflicts.

Actions for management of conflicts of interest

Employees must disclose in writing, in accordance with company requirements, any conflict, or potential conflict of interest, which exists, or which may arise.

To this end, the Company will maintain a Register of Conflicts of Interest, the process of registration managed by the Company Secretary, in which employees may disclose any conflicts of interest which they know to exist.

Conflicts of interest for Employees

In the event of an actual conflict of interest being disclosed, the Board of the James Joyce Cultural Centre will determine what action should be taken, with considerations including the following:

- Whether the conflict of interest can be avoided, or/and simply documented;
- What, if any, alternative options might exist to avoid the conflict;
- Whether the conflict will, realistically, impair the disclosing person's capacity to impartially participate in decision-making process; and,
- Possibility of the conflict of interest creating an appearance of improper conduct that might impair confidence in, or impact on the reputation of the Company.
- Company/charity objectives, and resources.

In exceptional circumstances, such as where a conflict is of significant concern, or likely to prevent an employee of the Company /charity, from being able to offer the Board confidence in their ability to offer the Company full and continuous service thereafter as an employee, the Board of the James Joyce Cultural Centre may decide that it is appropriate for the person with the relevant conflict to resign from their position, and so request their resignation.

Failure to comply with registration of conflict of interest

It is obligatory for employees to complete the registration process of self-disclosure. The Company recognises that in the main, employee declaration of interests will be NIL.

If it is found that the person has failed to disclose an actual conflict of interest, the board will take appropriate action. The board, will however, take mitigating circumstances into consideration, dependent on the nature of the matter at issue and reasons for failure to disclose it.

If a person suspects that a company/charity employee has failed to disclose a conflict of interest relevant to the James Joyce Cultural Centre, they must discuss the issue with the person, and notify the Company Secretary who is responsible for maintaining the Register of conflicts of interest.

Compliance with Conflicts of Interest policy, for employees.

If the Board of the James Joyce Centre has reason to believe that a person subject to this policy has knowingly failed to comply with the policy, it will investigate the circumstances and take appropriate action.

Contact

Questions or clarification about the conflicts of interest policy for employees of the James Joyce Cultural Centre should be directed to the Company Secretary, 35, North Great Georges Street, Dublin 1.

Approved by Board 29 February 2024

