Sample Code of Conduct for Staff of Schools

**Appendix 2**

# Introduction

1. [*Name of the School*] (hereafter referred to as “the School”) is fully committed to the principles of honesty, integrity and fair play. It is therefore important for staff to handle the School’s business in a fair and impartial manner, and ensure that the School’s reputation will not be tarnished by any acts of dishonesty, impropriety or corruption. To this end, this Code of Conduct sets out the standard of conduct expected of all staff.

# General Principles

1. To uphold a high standard of integrity, staff shall:
2. ensure that their conduct would not bring the School into disrepute;
3. refrain from doing anything which may compromise or impair their integrity or impartiality in handling the School’s business;
4. adhere to any guidelines, instructions, regulations and procedures made by the Management Committee/Incorporated Management Committee[[1]](#footnote-1) (IMC) for conducting business and performing work for the School, and governing the conduct and integrity standards expected of staff; and
5. maintain an open, transparent and welcoming environment in the best interest of all stakeholders including students, parents and teachers.

[*Schools may include other suitable principles/core values.*]

# Compliance with Legislations and Professional Standards

1. Staff shall ensure policies and operations of the School are in full compliance with the relevant legislations and professional standards and requirements, in particular, the Education Ordinance (Cap. 279) and Education Regulations (Cap. 279A), circulars and advice issued by the Education Bureau (EDB), as well as any other guidelines and instructions issued by government departments and authorities for the implementation/enforcement of statutory requirements relating to the management and operation of schools.

# Prevention of Bribery Ordinance (Cap. 201)[[2]](#footnote-2)

1. Staff are agents of the school and governed by section 9 of the Prevention of Bribery Ordinance (POBO) (***Annex 1***). Under the POBO, any staff member who, without the permission of the Management Committee/IMC of the school, solicits or accepts an advantage as a reward for or inducement to doing any act or showing favour in relation to the school’s business, commits an offence. The person offering the advantage also commits an offence. The term “advantage” is defined in the POBO and includes any gift (both of money and in kind), loan, fee, reward, commission, office, employment, contract, service and favour, etc., except entertainment. It is also an offence under section 9(3) of the POBO for any staff member to use any document containing false information with the intent to deceive the school.
2. The School’s policy on the solicitation, acceptance and offering of advantages and entertainment by staff is set out in paragraphs 6-14.

**Solicitation and Acceptance of Advantages**

1. The School prohibits staff from soliciting or accepting any advantage from parents and persons or companies having official dealings with the School (e.g. suppliers and contractors). Solicitation or acceptance of advantages by staff from subordinates is also prohibited.
2. Staff may accept, but should not solicit, the following advantages when they are offered on a voluntary basis:
3. advertising or promotional gifts or souvenirs of a nominal value; or
4. discount or other special offers given by any person or company to them as customers, on terms and conditions equally applicable to other customers in general.

*[If the school considers acceptable under exceptional circumstances to allow staff to accept advantages from students or parents, special permission is recommended from the control perspective as the school can consider the circumstances of each case before granting the permission. If the school, after due consideration, wishes to give blanket permission for staff to accept defined advantage(s) under specified circumstances, it should impose restrictions as below:*

*(c) gifts offered on special occasions (i.e. graduation ceremonies, retirement, resignation), and subject to a maximum of $ \_\_\_\_\_\_in value.]*

1. If staff wish to accept any advantage not listed in paragraph 7, they should seek prior permission from the Management Committee/IMC or designatedauthority, such as Supervisor/Principal, using ***Form A*** (Sample at ***Annex 2***). Where it is impossible to obtain prior approval before acceptance, the staff should provide written justification to and apply for such permission from the Management Committee/IMC or designated authority within [*\_\_*] working days after acceptance of the advantage. In case of doubt, staff should refer the matter to the Management Committee/IMC for advice and instruction.

[*Schools should refer to and comply with EDB Circular No. 14/2003 on the general principles on “Acceptance of advantages and donations by schools and their staff”, which is subject to review and update by EDB from time to time and can be accessed at the EDB Homepage via the following path:*

[*EDB Homepage (www.edb.gov.hk) > School Administration and Management > Financial Management > Notes to School Finance > References on Acceptance of Advantages and Donations by Schools and Their Staff*](http://www.edb.gov.hk/en/sch-admin/fin-management/notes-sch-fin/ref-donation-acceptance/index.html)]

[*Sample letter and notice to inform suppliers/contractors and parents of the school’s policy on acceptance of advantages are at* ***Annexes 3 and 4*** *respectively.*]

1. Even if the offeror does not have any official dealings with the School, a staff member should decline an offer of advantage if the acceptance could affect his objectivity in conducting the School’s business, induce him to act against the School’s interest or place him under an improper obligation, or where he believes the offeror has such an intention, or the acceptance will likely lead to the perception or allegation of impropriety or conflict of interest. Staff should ensure that the acceptance of any advantages can stand up to public scrutiny and will not bring the School into disrepute.

# *Gifts/Souvenirs Presented to Staff in Their Official Capacity*

1. A gift/souvenir presented to a staff member in his official capacity is deemed as an offer to the School (e.g. a gift/souvenir presented to a staff member who represents the School to participate in an event or to officiate at a ceremony). In principle, staff should as far as possible decline to accept advantages offered/presented to them by virtue of their official position. Where this cannot be done due to protocol reasons or the need to avoid causing offence or embarrassment or inconvenience (such as a gift/souvenir offered/presented to a staff member when attending a ceremonial occasion in his official capacity), he/she should report the acceptance to the School and follow the guidelines set out at ***Annex 2*** and ***Form A*** for the disposal of the gifts/souvenirs received. Such permission should be applied for within [*\_\_*] working days after acceptance of the gift/souvenir.

# *Acceptance of Entertainment*

1. As defined in section 2 of the POBO, “entertainment” means the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with or provided at the same time as the provision of food or drink.
2. Staff should not accept lavish, unreasonably generous, or frequent entertainment, or indeed any entertainment which is likely to give rise to any perceived or actual conflict of interest, put the staff in an obligatory position in the discharge of their duties, compromise their impartiality or judgement, or bring them or the School into disrepute bearing in mind public perception. When offered entertainment, a staff member should consider whether the entertainment offered could be regarded as:
3. excessive – taking into account its value, substance, frequency and nature;
4. inappropriate – taking into account the relationship between the staff and the offeror (e.g. the offeror is bidding for the School’s contract); or
5. undesirable – taking into account the character or reputation of the host or known attendees.

[*Schools may insert additional guidelines on acceptance of entertainment and the reporting requirements*.]

# Offering of Advantages

1. Staff are prohibited from offering advantages to any director or staff of any organisation, for the purpose of influencing such person or organisation in any dealings, or any public official[[3]](#footnote-3) when conducting the business of the School[[4]](#footnote-4).
2. Staff should as far as possible refrain from offering souvenirs to others during the conduct of official activities. However, if it is unavoidable due to operational, protocol or other reasons, the number of souvenirs to be offered should be kept to a minimum and the exchange of souvenirs should be made from organisation to organisation. Souvenir items should not be lavish or extravagant and souvenirs inscribed with the School’s logo or name are preferred.

# Managing Conflict of Interest

1. Managing conflict of interest is important to good governance. If not properly managed, it could give rise to criticism of favouritism, abuse of authority or even allegation of corruption, and undermine the integrity of staff, their decisions and eventually the reputation of the School.

# *Conflict of Interest*

1. A conflict of interest situation arises when the “private interests” of a staff member compete or conflict with the interests of the school or the official duties of the staff member. Private interests include financial and other interests of the staff member himself, and those of his connections including family and other relations, personal friends, associations, clubs and societies to which he belongs to, and any person to whom he owes a favour or to whom he may be obligated in any way. Use of official position and use of official information are some common areas in which conflict of interest may arise between official duties and private interests of a staff member. Some common examples of conflict of interest situations are set out in ***Annex 5*** but they are by no means exhaustive.

# *Avoidance and Declaration of Conflict of Interest*

1. A fundamental integrity requirement is that all staff should **avoid** situations which may compromise (or be seen to compromise) their personal judgement or integrity at work or lead to conflict of interest.
2. There are circumstances in which a tie of kinship or friendship, or some other association or loyalty which does not give rise to a financial interest, can influence the judgement of a staff member in discharging his official duties, or may reasonably be perceived as having such an influence. As such, a staff member’s duty to avoid or declare a conflict of interest goes beyond the disclosure of interests that are definable in pecuniary terms.
3. When a situation involving a conflict of interest cannot be avoided, staff should as soon as possible use ***Form B*** in ***Annex 5*** to make full disclosure of all relevant interests which conflict, may conflict or may be seen to conflict with their official duties.

***Handling of Declared Conflict of Interest***

1. For staff members who have made a declaration, the Management Committee/IMC or designated authority will then decide on the appropriate course of action to be taken to mitigate the conflict, such as releasing the staff member from his involvement in the task or permitting the staff member to continue undertaking the work (Part B of ***Form B*** in ***Annex 5***). All declarations and mitigation actions taken should be properly recorded. If staff have doubts concerning the handling of conflict of interest situations, they should consult the Management Committee/IMC.

# Misuse of Official Position

1. Staff should act impartially. They should not use their official position for personal gains or according preferential treatment to organisations or persons with whom they have connections. Moreover, they should not use or permit the use of their official position or title in a manner that is intended to coerce or induce another person to provide any benefit for themselves or their relations, friends or associates, or that could reasonably be construed to imply that the School sanctions or endorses their personal activities.

# Confidentiality of Information

1. Staff should not disclose any classified or proprietary information of the School without authorisation or misuse any information of the School (e.g. using the information for personal gains or the benefit of others).
2. Staff who have access to or are in control of such information (e.g. personal data, questions for admission tests, tender/quotation information) should at all times ensure its security and prevent any abuse, unauthorised disclosure or misuse of the information. Staff should not openly discuss any personal data or information about students (e.g. their performance) or their families (e.g. family particulars) in the presence of other unrelated parties.
3. Staff should continue to observe their duty of confidentiality after they have resigned/retired from the School. They should not use, or take advantage of any classified or proprietary information obtained in the course of their official duties.

# Records, Accounts and Other Documents

1. Staff should ensure, to the best of their knowledge, that any records, receipts, accounts or other documents they submit to the School, give a true representation of the events or transactions reported in the documents.
2. Intentional use of documents containing false information to deceive or mislead the School, regardless of whether or not the staff may obtain any gain or advantage, may constitute an offence under section 9(3) of the POBO.

# Use of School’s Resources and Information

1. Staff should ensure that the School’s funds are used in a prudent and responsible manner to safeguard the School’s interests. They should only approve funds for any project/activity/expenditure items which fall within the ambit of the funds and can achieve the purpose of the funds.
2. Staff in charge of or having access to any information not made available to the public, assets of the School, including funds, property, information, and intellectual property should use them solely for the purpose of conducting the School’s business. They should make the best use of the School’s assets and resources in terms of money, property, goods or services economically and diligently. Any misappropriation of the School’s properties or unauthorised disclosure of proprietary information of the School for personal use or personal gain is strictly prohibited, and may amount to a criminal offence.

**Outside Duties**

1. A staff member should avoid any outside activity which may interfere with the performance of his duties, distract his attention from the duties or give rise to conflict of interest. If a full-time staff member wishes to take up outside duties, either on a regular, part-time or ad hoc basis, he should obtain the prior written approval of the Management Committee/IMC or designated authority. Part-time staff member should register his other employment or service with the School. The Management Committee/IMC or designated authority will consider whether the outside duties would pose a perceived or actual conflict of interest with the staff member’s duties in the School.

[*Aided schools should refer to and comply with the relevant guidelines in the Codes of Aid and School Administration Guide when handling outside duties of school staff, which can be accessed at the EDB Homepage via the following paths:*

[*EDB Homepage (www.edb.gov.hk) > School Administration and Management > Regulations*](http://www.edb.gov.hk/en/sch-admin/list-page.html)]

# Loans

1. Staff should not accept a loan from or through the assistance of parents, persons or organisations having official dealings with the School; or use a subordinate or a junior officer as a guarantor for a loan or a hire purchase agreement; or act as a guarantor for a superior or senior officer. There is, however, no restriction on borrowing from a licensed bank or financial institution.

# Indebtedness

1. Staff should avoid putting themselves into a position where their financial burden, in particular debts, may have become unmanageable or may bring the School into disrepute. Where a staff member’s indebtedness results in impairment of his work performance or increased financial vulnerability, the School will follow up as appropriate, including imposing administrative action.

# Gambling

1. Staff should avoid engaging in gambling of any kind with parents and persons having official dealings with the School.

**Managing Relationship with Parents**

1. The School’s core values, policy on acceptance of advantages and entertainment, and management of conflict of interest will be communicated clearly and timely (e.g. at the beginning of a school year and during festival seasons) in writing (e.g. school notice) to parents and reiterated on suitable occasions (e.g. teacher and parent meetings). Staff should impress on parents that their voluntary services are enlisted out of their free will and passion for serving the students. The service should in no way be perceived or taken that the School would reciprocate with preferential treatment to their children or that it would constitute an edge for their children over other students in any aspects. There should not be pressure created for parents to feel obligated to provide voluntary services to the School.

# Compliance

1. Staff should understand and comply with this Code when performing duties and work for the School. Those who are in breach of this Code could be subject to disciplinary action, including termination of appointment. Staff should also report any irregularities observed in the course of their duties to [*the Management Committee/IMC or designated authority, as appropriate*]. All such reports should be treated in the strictest confidence.

[*Aided schools should refer to and comply with relevant guidelines in the School Administration Guide when considering disciplinary action against staff with misconduct.*]

1. In case of suspected corruption or other criminal offences, a report should be made to the ICAC or the appropriate law enforcement agencies.

# Review

1. This Code is subject to review and revision from time to time by the School.

# Enquiry

1. Any enquiries, comments or suggestions in relation to this Code may be referred to the Management Committee/IMC or the designated authority, as appropriate.

**Extracts of the Prevention of Bribery Ordinance (Cap. 201)**

# *Annex 1*

**Section 9 – Corrupt transactions with agents**

(1) Any agent who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his –

(a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal’s affairs or business; or

(b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal’s affairs or business,

shall be guilty of an offence.

(2) Any person who, without lawful authority or reasonable excuse, offers any advantage to any agent as an inducement to or reward for or otherwise on account of the agent’s –

(a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal’s affairs or business; or

(b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal’s affairs or business,

shall be guilty of an offence.

(3) Any agent who, with intent to deceive his principal, uses any receipt, account or other document –

(a) in respect of which the principal is interested; and

(b) which contains any statement which is false or erroneous or defective in any material particular; and

(c) which to his knowledge is intended to mislead the principal,

shall be guilty of an offence.

(4) If an agent solicits or accepts an advantage with the permission of his principal, being permission which complies with subsection (5), neither he nor the person who offered the advantage shall be guilty of an offence under subsection (1) or (2).

(5) For the purposes of subsection (4) permission shall –

(a) be given before the advantage is offered, solicited or accepted; or

(b) in any case where an advantage has been offered or accepted without prior permission, be applied for and given as soon as reasonably possible after such offer or acceptance,

and for such permission to be effective for the purposes of subsection (4), the principal shall, before giving such permission, have regard to the circumstances in which it is sought.

**Section 2 – Interpretation**

**“Advantage” means:**

(a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;

(b) any office, employment or contract;

(c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;

(d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;

(e) the exercise or forbearance from the exercise of any right or any power or duty; and

(f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554), particulars of which are included in an election return in accordance with that Ordinance.

**“Entertainment” means:**

the provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

**Guidelines for Handling Gifts/Souvenirs**

# *Annex 2*

**Given to Staff in their Official Capacity**

All gifts/souvenirs received by staff in their official capacity should be forwarded to the [*Management Committee/Incorporated Management Committee or designated authority, as appropriate*] for disposal in the following manner:

1. If the gift/souvenir is of perishable nature (e.g. food, drink), it may be shared among staff and students.
2. If the gift/souvenir is a useful item (e.g. stationery, office items), it may be kept for use by the School.
3. If the gift/souvenir is suitable for display (e.g. a painting, vase, trophy), it may be displayed at appropriate locations of the School.
4. If the gift/souvenir is of low value, it may be donated as a prize in functions organised by the School.
5. If the gift/souvenir is a personal item of low value, such as a plaque or pen inscribed with the name of the recipient presented on special occasions (e.g. staff retirement, graduation), it may be retained by the recipient.
6. If the gift/souvenir is of low value and distributed to all participants in public activities, such as a ball pen, file folder or key clasp, etc., it may be retained by the recipient.
7. Any gift/souvenir of high value should be returned to the offeror.

**Report on Advantages Received**

**FORM A**

 [*The school may consider specifying the timeframe for reporting acceptance of advantages (e.g. within \_\_ working days after such acceptance).]*

**Part A** – **To be completed by recipient**

To: (Management Committee/Incorporated Management Committee (IMC) (for Principal)/ Supervisor/Principal (for staff)\*)

|  |  |
| --- | --- |
| Description of Offeror *:* *Name & Title :* *Company :* *Relationship (Business/Personal) :* | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Occasion on which the Advantagewas/is to be received : |  |
| Description & (assessed) value of the Advantage : |  |

|  |  |
| --- | --- |
| **Suggested Method of Disposal :** | **Remark** |
| ( ) | To be Retained by the Recipient |  |
| ( ) | To be Retained for Use/Display in the Office |  |
| ( ) | To be Shared among Staff and Students |  |
| ( ) | To be Reserved as Lucky Draw Prize at School/Staff Functions |  |
| ( ) | To be Returned to Offeror |  |
| ( ) | Others (please specify) : |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Recipient)

(Date)

-------------------------------------------------------------------------------------------------------------------

**Part B – To be completed by Management Committee/IMC/Supervisor/Principal**\*

To : (Name of Recipient)

 The recommended method of disposal is ***approved / not approved***\*. The advantage concerned should be disposed of by way of : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Chairperson (or the Management Committee/IMC)/ Supervisor/Principal\*)

(Date)

\* Please delete as appropriate.

**Sample Letter to Suppliers/Contractors regarding**

# *Annex 3*

**Policy on Acceptance of Advantages by School Managers/Staff**

(Date)

Dear Sir/Madam,

**Policy on Acceptance of Advantages by School Managers/Staff**

I am pleased to inform you that our School has a clear policy on the solicitation and acceptance of advantages by Managers/staff in their official dealings.

It is a must that we have to maintain a team of clean and honest School Managers/staff at all times. Therefore, it is our policy that no Managers/staff shall solicit or accept gifts, money or any other form of advantages in their course of duty respectively without the special permission of the [*Management Committee/Incorporated Management Committee or designated authority, as appropriate*].

All our Managers/staff are committed to this policy and are fully aware that any breach of the policy will result in disciplinary action. Where the situation warrants, the case will even be reported to the Independent Commission Against Corruption for further action.

As a major stakeholder, we earnestly request your support to our commitment of managing our School in a fair and just way. Should any member of our Managers/staff approach you for an advantage, please let me know immediately.

Thank you for your cooperation.

Yours sincerely,

Head of School

**Sample Notice to Parents regarding
Policy on Acceptance of Advantages by School Managers/Staff**

***Annex 4***

(Date)

Dear Parents,

# Policy on Acceptance of Advantages by School Managers/Staff

I am pleased to inform you that our School has a policy on the solicitation and acceptance of advantages by Managers/staff in their official dealings.

In order to maintain a high moral standard of our Managers/staff and to set a good example to our students, it is our policy that no Managers/staff in our School should solicit or accept gifts, money or any other form of advantages in the course of their duty. Although we understand that offering advantages by parents is a gesture of goodwill, the acceptance of which, however, may turn it into a common practice. This may in turn cause speculations by outsiders and bring disrepute or embarrassment to the School and its Managers/staff as well as the parents. May I therefore appeal to you to refrain from offering advantages to our Managers/staff and join hands with us in managing our School in a fair and just way. Should any member of our Managers/staff approach you for an advantage, please let me know immediately.

Thank you for your cooperation.

Yours sincerely,

Head of School

**Examples of Conflict of Interest Situations**

***Annex 5***

***Procurement***

1. A staff member has a financial interest in or is closely related with a company which is a supplier of goods or contractor of service (e.g. maintenance contractor, education materials supplier) to the school.
2. A staff member evaluates and selects a supplier/contractor from a number of bidders, and he, his spouse, family member, relative or personal friend, has a financial interest in one of the bidders, e.g. a bidder is operated by his spouse.
3. A staff member who is responsible for contract administration solicits services from contractors of the school for his personal interests (e.g. request the contractor to provide renovation service for his or his relative’s home).

***Staff Recruitment***

1. A Principal appoints his relative or friend to take up a post in the school without following the established recruitment procedures.
2. A staff member interviews and recruits his relative or friend applying for a job in the school.

***Student Admission/Assessment***

1. A staff member interviews and recommends admission of a student who is his or his close friend’s child or relative.
2. A staff member influences the admission interview result or performance assessment of a student who is his or his close friend’s child or relative.

***Confidentiality of Information***

1. A staff member leaks confidential information relating to the school’s operations (e.g. questions set for admission interview, maintenance plans) to favour his friends or relatives.

***Others***

1. A staff member enters into business relationship with parents, or performs outside work for parents or students (e.g. private tuition), or takes up part-time jobs for contractors of the school.
2. A staff member leases or sells his property to the school.

[*The school may include more conflict of interest examples.*]

**Declaration of Conflict of Interest by Staff**

**FORM B**

**Part A** – **Declaration** *(To be completed by Declaring Principal/Staff Member\*)*

To : (Management Committee/Incorporated Management Committee (IMC)/ Supervisor/Principal\*)

I would like to report the following existing/perceived\* conflict of interest situation arising during the discharge of my official duties:

|  |
| --- |
| **Persons/companies with whom/which I have official dealings**  |
|  |
| **My relationship with the persons/companies (e.g. relative)** |
|  |
| **Relationship of the persons/companies with our School (e.g. supplier)** |
|  |
| **Brief description of my duties which involved the persons/companies (e.g. handling of quotation/tender exercise, processing student admission)** |
|  |

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Name of Declaring Principal/Staff Member\*)

 (Date)

**Part B** – **Approval** *(To be completed by Management Committee/IMC/* Supervisor/*Principal\*)*

To : (Declaring Principal/Staff Member\*)

(a) The information contained in your declaration form of (Date) . is noted. It has been decided that:

❑ You should refrain from performing or getting involved in performing the work, as described in Part A, which may give rise to a conflict.

❑ You may continue to handle the work as described in Part A, provided that there is no change in the information declared above, and you must uphold the School’s interest without being influenced by your private interest.

❑ Others# (please specify): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) The justification(s) for the measure(s) as described in Part B(a) above is/are: \_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Chairperson (or the Management Committee/IMC)/ Supervisor/Principal\*)

(Date)

\* Please delete as appropriate.

# Examples of other measures: (i) relinguish the personal/private interest (e.g. divest of the investment involved); (ii) continue to handle the work but an independent officer would be assigned to participate in, oversee or review part or all of the decision-making process

1. According to the Education Ordinance (Cap. 279), all aided schools are required to set up Incorporated Management Committee (IMC, 法團校董會) to manage the school. Direct Subsidy Scheme schools and specified schools may, according to their own needs, decide on whether or not to establish an IMC. A school without an IMC shall be managed by its Management Committee. [↑](#footnote-ref-1)
2. The description and explanation of the legal requirements under the Prevention of Bribery Ordinance (POBO) in this Sample Code of Conduct are necessarily general and abbreviated for ease of understanding. Users of this Sample Code of Conduct are advised to refer to the original text of the POBO or seek legal advice on particular issues where necessary. The ICAC will not accept any responsibility, legal or otherwise, for any loss occasioned to any person acting or refraining from action as a result of any material in this Sample Code of Conduct. [↑](#footnote-ref-2)
3. Examples of public officials include officers of the Education Bureau, Social Welfare Department, Equal Opportunities Commission, Hong Kong Examinations and Assessment Authority, etc. [↑](#footnote-ref-3)
4. Offer of advantages to public officials under the circumstances specified in Sections 4 or 8 of the POBO may constitute an offence. [↑](#footnote-ref-4)