

Sample Code of Conduct for Parent Teacher Association

Introduction

This Code sets out the basic standard of conduct expected of all executive committee members (members) of the Parent-Teacher Association (PTA) and the policies on acceptance of advantage and conflict of interest in connection with the members' official duties.

Prevention of Bribery Ordinance (Cap. 201)

2. Under Section 9 of the Prevention of Bribery Ordinance (the Ordinance), any agent who, without the permission of his employer or principal, solicits or accepts an advantage as a reward or inducement for doing any act or showing favour in relation to the latter's business, commits an offence. The person offering the advantage may also commit an offence. The term "advantage" is defined in the Ordinance and includes money, gift, loan, fee, reward, employment, contract, service and favour. The term "agent" includes the executive committee members of the PTA, and the "principal" refers to the PTA itself.

3. It is also an offence under the Ordinance for any agent to use any document containing false information with the intent to deceive his employer or principal.

Acceptance of Advantages

4. It is the PTA's policy that members should not solicit or accept any advantage from any persons or companies having business dealings with the PTA (e.g. suppliers, contractors). However, members are allowed to accept (but not solicit) the following advantages when offered on a voluntary basis:

- (a) advertising or promotional gifts of a nominal value;
- (b) gifts given on festive or special occasions subject to a maximum limit of \$XXX in value;

- (c) discounts or other special offers from any person or company, on terms and conditions applicable to other customers, or
- (d) gifts or souvenirs of nominal value presented to the member acting on behalf of the PTA in official functions.

If a member wishes to accept any other advantage not listed in paragraph 4, he should seek permission in writing from the PTA.

5. A member should decline an offer of advantage if the acceptance could affect his objectivity in conducting the PTA's business or induce him to act against the PTA's interest, or where he believes the offeror has such an intention, or acceptance will likely lead to perception or allegations of impropriety.

Offering of Advantages

6. Members should not offer advantage to any director or staff of any company or organization for the purpose of influencing such person or company in any dealings, or any public official, whether directly or indirectly through a third party, when conducting the business of the PTA.

Entertainment

7. As defined in Section 2 of the Prevention of Bribery Ordinance, "entertainment" refers to food or drink provided for immediate consumption on the occasion, and of any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour, a member must not accept lavish or frequent entertainment from persons with whom the PTA has business dealings (e.g. suppliers or contractors) to avoid placing himself/herself in a position of obligation to the offeror.

Conflict of Interest

8. Members should avoid any conflict of interest situation (i.e. situation where their private interest conflicts with the interest of the PTA) or the perception of such conflicts. Private interest includes both financial and personal interests of the member and those of his/her connections including

family and other relations, personal friends, the clubs and societies to which he/she belongs, and any person to whom he/she owes a favour or obligated in any way. When an actual or potential conflict of interest arises (e.g. a member having interest in a company which has business dealings with the PTA), the member should make a declaration to the PTA in writing. Failure in doing so may give rise to criticism of favouritism, abuse of authority or even allegation of corruption.

Use of PTA Assets

9. Members should use the assets of the PTA solely for the purpose of conducting the PTA's business. Unauthorised use of the PTA's assets to make personal gain is strictly prohibited.

Records, Accounts and Other Documents

10. Members should ensure, to the best of their knowledge, that any records, accounts or other documents they submit to the PTA truly represent the events or transactions reported in the documents. Intentional use of documents containing false information to deceive or mislead the PTA, regardless of whether the member may obtain any gain or advantage, may constitute any offence under the Ordinance.

Confidentiality of Information

11. Members should not disclose any classified information of the PTA without authorization or misuse any information of the PTA. Those who have access to or in control of such information should at all times ensure its security and prevent any abuse, unauthorized disclosure or misuse of the information. Special care should be taken when handling any personal data to ensure compliance with the Personal Data (Privacy) Ordinance (Cap. 486) and the PTA's data privacy policy.

Misuse of Official Capacity

12. A member should not misuse his official capacity to benefit himself, his relations or any other persons with whom he has personal or social

ties, or render favour to any person or organisation.

Compliance with the Code

13. It is the personal responsibility of every member of the PTA to understand and comply with the Code. Any member who is in breach of the Code will be subject to disciplinary action, including termination of service. In cases of suspected corruption or criminal offences, a report will be made to the ICAC or the appropriate law enforcement authorities.