

CIVIL SERVICE COMMISSION

CODE OF PRACTICE FOR STAFF

DUTIES AND RESPONSIBILITIES

1. Staff must comply with this Code of Practice. Staff should familiarise themselves with the contents of this Code and should act in accordance with the principles set out in it.
2. Staff are expected to carry out their role with dedication and a commitment to the core values of: integrity, honesty, objectivity and impartiality. In this Code of Practice:
 - 'integrity' is putting the obligations of public service above your own personal interests;
 - 'honesty' is being truthful and open;
 - 'objectivity' is basing your advice and decisions on rigorous analysis of the evidence; and
 - 'impartiality' is acting solely according to the merits of the case.

EXPECTED VALUES AND BEHAVIOURS

Integrity

You must:

- fulfil your duties and obligations responsibly;
- always act in a way that is professional¹ and that deserves and retains the confidence of all those with whom you have dealings;
- carry out your fiduciary obligations responsibly (that is make sure public money and other resources are used properly and efficiently);
- deal with customers and the public fairly, efficiently, promptly, effectively and sensitively, to the best of your ability;
- keep accurate official records and handle information as openly as possible within the legal framework; and

¹Including taking account of ethical standards governing particular professions.

- comply with the law and uphold the administration of justice.

You must not:

- misuse your position, for example by using information acquired in the course of your duties to further your private interests or those of others;
- accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity; or
- disclose information without authority. This duty continues to apply after you leave the Commission.

Honesty

You must:

- set out the facts and relevant issues truthfully, and correct any errors as soon as possible; and
- use resources only for the authorised public purposes for which they are provided.

You must not:

- deceive or knowingly mislead customers, Commissioners, Ministers, Parliament or others; or
- be influenced by improper pressures from others or the prospect of personal gain.

Objectivity

You must:

- provide information and advice on the basis of the evidence, and accurately present the options and facts;
- take decisions on the merits of the case; and
- take due account of expert and professional advice.

You must not:

- ignore inconvenient facts or relevant considerations when providing advice or making decisions; or
- frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from those decisions.

Impartiality

You must:

- carry out your responsibilities in a way that is fair, just and equitable and reflects the Commission's commitment to equality and diversity.

You must not:

- act in a way that unjustifiably favours or discriminates against particular individuals or interests.

Political Impartiality

You must:

- serve the Commission to the best of your ability in a way which maintains political impartiality and is in line with the requirements of this Code of Practice, no matter what your own political beliefs are;
- comply with any restrictions that have been laid down on your political activities by the Commission.

You must not:

- act in a way that is determined by party political considerations, or use official resources for party political purposes; or
- allow your personal political views to determine any advice you give or your actions.

Staff have a duty:

- to discharge their functions reasonably and according to the law; and
- to adhere to the Nolan Principles of Standards in Public Life and to recognise ethical standards governing particular professions.

This Code of Practice is part of the contractual relationship between you and your employer.

The Chief Executive has overall responsibility for propriety in a broad sense, including conduct and discipline.

ACCOUNTABILITY

3. Staff should be aware:
- of their accountability to the Commission which they serve;
 - of the respective roles of the sponsor department and the Commission as set out in the Memorandum of Understanding;
 - that the Minister responsible for the Commission is ultimately accountable to Parliament for its independence, effectiveness and efficiency.

The Commission has responsibilities as an employer as set out in the Memorandum of Understanding.

CONFLICTS OF INTEREST

4. Staff should abide by the rules adopted by the Commission in relation to private interests and possible conflict with public duty; the disclosure of official information; and political activities.

INTEGRITY/GIFTS/HOSPITALITY

5. Staff should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement and integrity. Under the Prevention of Corruption Act 1916, employees of public bodies (such as the Commission) may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt. Apart from trivial items (eg an inexpensive pen, calendar, diary and so on or minor refreshments eg tea and coffee), staff will only accept gifts or hospitality with the written agreement of the Chief Executive and staff will record all offers of gifts and hospitality related to their work other than trivial items, whether or not they are accepted, in the Commission's Register of Gifts and Hospitality.

RELATIONS WITH THE PUBLIC

6. Staff who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration. Staff should offer the public the highest standards of conduct and service.

CONFIDENTIALITY AND DATA PROTECTION

7. Staff owe a general duty of confidentiality to their employer under civil law. They are therefore required to protect official information held in confidence. This duty continues to apply after leaving the Commission. In particular, staff should be aware of their obligations under the Data Protection Act (1998) and Freedom of Information Act (2000). Guidance on this legislation can be obtained from the Information Commissioner (www.informationcommissioner.gov.uk).

OFFICIAL SECRETS ACT

8. The Official Secrets Act 1989 applies to any member of the public who has, or has had, official information in their possession. The Act makes unlawful disclosure of certain limited categories of information (for example security and intelligence, defence, international relations, and information which may lead to the commission of crime) a criminal offence. The Act applies explicitly to those staff of the Commission who are Crown servants, and to the staff of a small number of NDPBs listed in the Act.

STAFF CONCERNS ABOUT IMPROPER CONDUCT

9. If staff believe they are being required to act in a way which:

- is illegal, improper, or unethical;
- is in breach of a professional code;
- may involve possible maladministration, fraud or misuse of public funds; or
- is otherwise inconsistent with this Code of Practice;

they should either raise the matter through the management line or else approach in confidence the Chief Executive or the Chair of the Audit and Risk Committee. Staff may also raise a concern direct with a nominated official in the sponsor department. Staff should also draw attention to cases where:

- they believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved;
 - there is evidence of criminal or unlawful activity by others (criminal activity should also be reported to the police);
 - they are required to act in a way which, for them, raises a fundamental issue of conscience.
- 10 The Commission encourages its staff to raise, at the earliest opportunity, any matters of concern that they may have. The Commission will give full consideration to any matter of concern raised and will respond to concerns in an efficient and timely manner. The Commission will ensure that staff are not penalised for raising any matter of concern.
11. Where a member of staff has reported a matter covered in paragraph 9 above and believes that the response does not represent a reasonable response to the grounds of his or her concern, he or she may report the matter in writing to a nominated official in the sponsor department and to any appropriate regulatory authority.
12. Staff should be aware of the provisions of the Public Interest Disclosure Act 1998, which protects individuals who make certain disclosures of information in the public interest.

AFTER LEAVING EMPLOYMENT

13. Staff should continue to observe their duty of confidentiality (see paragraph 7 above) after they have left the employment of the Commission and should be aware of and abide by any rules on the acceptance of business appointments after resignation or retirement. (For staff who are seconded Civil Servants, chapter four of the Civil Service Management Code deals with this issue and should be consulted.)