

MONTSERRAT PUBLIC SERVICE

**CODE
OF
ETHICS
AND
INTEGRITY**

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Foreword

Guidelines for Ethics and Integrity in the Montserrat Public Service

The Montserrat Public Service exists to provide high quality services to the public. It is therefore important that as Public Servants we endeavour to do so with high standards, behaviour and values that would reflect that the culture of the Public Service is changing.

My overall vision for the Public Service is for it to be modern and energetic in its approach, professional in its attitude and efficient in its service, with a set of principles and values which govern our personal behaviour, our relationship with each other, and our response to the public.

The Code of Ethics and Integrity fully outlines the principles that will guide our conduct. It has been developed through dialogue and has been discussed with and accepted by all facets of Government as well as the General Public. Through this medium, I wish to thank the team led by Sir Howard Fergus for their invaluable contribution to the consultations beginning with the Code of Ethics Workshop of November 2007.

I therefore encourage all Public Servants to adhere to the values and principles therein.

Each Public Servant is expected to have a copy of the Code which will be displayed publicly in each Office of Government and on the Government of Montserrat's website: <http://www.gov.ms>.

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Sarita Francis (Mrs)
Chief Establishment Officer

GOVERNMENT OF MONTSERRAT PUBLIC SERVICE

CODE OF ETHICS AND INTEGRITY

Ethics is that greyish zone of human behavior that lies between the law on the one hand and common courtesy on the other. It is not mandated by law. You don't have to be ethical. It is a moral obligation. (Eugene P. Bertin).

SECTION A

INTRODUCTION

The Government and people of Montserrat regard ethics and moral principles as essential foundations of good governance, and the public service is an integral arm of government. This Code of Ethics is applicable to all government workers who serve the public. Public servants make up a major part of the Montserratian workforce and they must be relied on to ensure that government operates in an efficient and effective manner for the benefit of the country. The Code is intended to provide a framework for their behaviour. Conscientious public servants already adhere to many of these guidelines so what the Code does is to formalise and articulate the expectations of the people and the purpose of the service.

The Code of Ethics establishes a set of principles and values which will enable public servants to deliver excellent service with the highest standard of courtesy, honesty, integrity, objectivity and impartiality and with due regard to the best value for money. The Code applies to all categories of public servants; it complements and is complemented by existing rules and regulations, including General Orders, which establish standards of conduct in the public service.

A strength of the Code lies in the fact that it resulted from a consultative process and incorporates the views and recommendations of public servants of all grades including representatives of their Association. Additionally, the process elicited ideas of politicians of all sides, opinion leaders and the citizenry in general. The Code can rightly be said to enjoy national endorsement.

Public servants are prepared to subscribe to the Code, but they are concerned that their employers provide the facilities and environment that are conducive to excellent service. They regard Ministers of government as public servants also, albeit of a special kind, and expect them to be exemplars of ethical conduct and integrity in their work. They are also concerned that their own rights as individual citizens be respected and protected. A section of the Code reflects these issues. What is really envisioned is a culture of public service characterised by the highest, ethical principles, integrity and professionalism. Accordingly, public servants expect national leaders with or without a corresponding Code of Conduct to discharge their office with acceptable standards of fairness, honesty and respect for individual autonomy.

The United Kingdom Committee on Standards in Public Life has enunciated Seven Principles of Public Service which express public expectations of the conduct of senior public servants - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These enjoy near universal acceptance and form a fundamental ethical framework for both appointed and elected officials. This Code of Ethics which is published to underpin the conduct of Montserrat's public servants reflects these bedrock principles and is a guide to professional, humane and democratic behaviour.

SECTION B

PRINCIPLES AND VALUES GOVERNING THE MONTSERRAT PUBLIC SERVICE

1. Honesty and Integrity

Public servants must:

- (a) Conduct the business of Government honestly and responsibly.
- (b) Attend work on time when scheduled, seeking leave only when necessary and in accordance with General Orders.
- (c) Use resources including time and internet facilities only for the authorised public purposes for which they are provided.
- (d) Be courteous and respectful while serving the public
- (e) Administer public money judiciously and efficiently with a view to obtaining best value for money and in accordance with Financial Orders.
- (f) Resolve any conflict that arises between private interests and official duties in favour of the public interest.
- (g) Not receive presents from any person in the form of money, entertainment or any service that may be regarded as geared to compromising their integrity. (Gifts that are of minimal value, infrequent and within the normal custom of courtesy and appreciation are permissible; and where there is doubt gifts may be received and a record kept within the department).
- (h) Not solicit or accept bribes from a person whom they are serving or intend to serve.
- (i) Present the facts and relevant issues truthfully when discussing or reporting on a matter and not seek to mislead Ministers, other members of the Legislative Council, colleagues and the public in general.
- (j) Abide by laws, regulations and established procedures when discharging their duties.

2. Accountability and Transparency

Public servants must:

- (a) Exercise prudence in the use of public funds, resources and utilities.
- (b) Not engage in unofficial activities or projects during official hours, or conduct such activities within office premises or using public property.
- (c) Be open and transparent when serving the public.
- (d) Use established criteria in appointments, promotions and dismissals and ensure that they do not grant preferential treatment or assistance to family or friends.

3. Impartiality and Objectivity

Public servants must:

- (a) Give courteous and efficient service to all members of the public regardless of colour, creed, gender, age, race or status.
- (b) Not discriminate against customers including public officers in the execution of their duties.
- (c) Give honest, timely and impartial advice to Ministers of Government and other members of the Legislative Council.
- (d) Be loyal to the government of the day and be politically neutral in their day-to-day functions.
- (e) Comply with the guidelines which have been laid down on political activities in General Orders or any other official document.
- (f) Not use their influence to further personal and other ends which are not part of government policy, in the course of their duty.

4. Professionalism

Public servants must:

- (a) Seek to acquire the knowledge, skills and competences necessary for the efficient discharge of their duties.

- (b) Adhere to their respective professional Codes of Conduct, if they are members of professional bodies such as doctors, lawyers, pharmacists, airport-workers, media workers.
- (c) Set targets by which to guide and monitor their performance.
- (d) Familiarise themselves with the machinery of government and the way it functions.
- (e) Not be influenced by social and political affiliations in the performance of their duties.
- (f) Treat all customers with respect and dignity and observe their rights under the constitution.
- (g) Comply with lawful and reasonable directions from persons of legitimate authority and behave in a way that brings credit to their position and enhances the reputation of the public service.
- (h) Ensure that what they write and say is positive, truthful and constructive in content and tone.

5. Pursuit of Excellence

Public servants must:

- (a) Strive to achieve the highest standard of performance.
- (b) Use their time, skills and expertise to attain the approved goals of the department.
- (c) Strive to acquire new knowledge and skills continuously and use them effectively.
- (d) Recognise the need for training and seek to obtain it.
- (e) Be models and exemplars of the principles and values embodied in the Code, at the management level.
- (f) Encourage and recognise creativity and initiative among subordinates in the performance of their duties.

6. Confidentiality

Public servants must:

- (a) Not disclose, in any form, official information or documents acquired in the execution of their duties unless under proper authority or required by law to do so.

- (b) Be confidential in all matters relating to secret and classified information during and after their term of office in the public service.
- (c) Not seek to influence or frustrate the policies, decisions or actions of government by the unauthorised, improper or premature disclosure of any information to which they have had access as public officers.
- (d) Be trusted to respect the legitimate confidences of Ministers and colleagues.

7. Deportment and Behaviour

Public servants must:

- (a) Maintain good personal hygiene and dress in respectable attire in accordance with acceptable norms of the public service as stipulated in Establishment Circulars.
- (b) Not embarrass colleagues or members of the public by their dress, speech and behaviour.
- (c) Not smoke where it is likely to inconvenience others and at any rate not in the workplace.
- (d) Not engage in activities such as gambling, drinking alcohol and substance abuse in such a way as to make them liable to judicial action, affect their performance on the job, or cause a hazard to themselves or to others, and certainly not in the workplace.
- (e) Not commit rape, sexual battery and molestation or any sexual assault.
- (f) Avoid contact which may be regarded as sexual harassment including:
 - (i) pressure for sexual activity or sexual favour with a fellow employee;
 - (ii) intentional physical contact which is sexual in nature such as unwelcome touching, pinching, patting and grabbing;
 - (iii) sexually suggestive speech and sending e-mails with sexual tone and content.

SECTION C

RIGHTS AND RESPONSIBILITIES

- (a) Management must:
 - (i) endeavour to provide public servants with the necessary resources and facilities to enable them to perform at their maximum in the public service.
 - (ii) provide public servants with a safe working environment as far as possible.
 - (iii) give honest and timely feedback on the performance of public servants.
 - (iv) effect an appraisal system which includes the public servant's participation in assessing his/her performance.
 - (v) provide appropriate access and facilities to accommodate the physically challenged at public offices.
- (b) Management should assist public servants with their preparation for retirement with appropriate orientation and training as necessary.
- (c) The Department of Administration in collaboration with Department Heads must ensure that all public servants receive a copy of the Code and sign a receipt.
- (d) Public servants have the right to:
 - (i) association whether by representation of Unions or Staff Associations.
 - (ii) the expectation of a government which upholds integrity and ensures that they are treated justly and accorded privileges commensurate with their position.
 - (iii) seek legal counsel if they feel they have been unjustly treated.
 - (iv) seek opportunities for personal and professional development.
- (e) Public servants have the fundamental right to be affiliated with any religious, civil or political group, but should not engage in political advocacy in public offices.
- (f) Public servants who become aware of actions by their colleagues which they believe conflict with the Code should counsel them in an effort to secure conformity, failing which they should refer the matter to their line manager and thereafter seek advice if necessary from Permanent Secretary, Human Resource Management.

- (g) If the matter (at f) is not perceived to be adequately and expeditiously dealt with, it should be reported to the Chief Establishment Officer using the correct channels.

SECTION D

CONCLUSION

The basic aim of the Code of Ethics is to facilitate efficient, effective and courteous delivery of services to the public. All public servants are therefore expected to observe it as part of their contractual relationship with the Government of Montserrat. The consultative process out of which the Code emanated should help to ensure wide-spread commitment to the standards of behaviour and values on which it is based. Failure to comply can be a ground for discipline in accordance with procedures laid down in General Orders Public Service Regulations.