



## CODE OF CONDUCT FOR PUBLIC OFFICERS

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### ***Public Officers must:***

- ⇒ Not misuse public funds and must ensure that public money and other resources are used properly and efficiently and without waste.
- ⇒ Deal with the public and their affairs fairly, efficiently, promptly, effectively, courteously and sensitively to the best of their ability.
- ⇒ Keep accurate official records in a system which allows them to be accessed easily when required.
- ⇒ Handle information as openly as possible within the legal framework.
- ⇒ Maintain confidentiality where required.
- ⇒ Be accountable to department heads, Ministers, House of Assembly and the public.
- ⇒ Give truthful, accurate and full information.
- ⇒ Continue to observe obligations to the Code, in particular, confidentiality matters even upon leaving office.

### **Seven Principles of Public Life:**

1. **Selflessness**- Act solely in terms of the public interest
2. **Integrity**-Do not place themselves under any financial or other obligations to outside individuals or organisations
3. **Objectivity**-Make choices on merit only .
4. **Accountability**-Answerable to their decisions and actions to the public
5. **Openness**-Be open in all decisions and action that they take.
6. **Honesty**-Duty to declare any private interest.
7. **Leadership**– Promote and support these principles by leadership and example.

### **The rule of law**

#### **All Public Officers must:**

- ⇒ Make all decisions and acts on behalf of the Government lawful, rational, proportionate and procedurally fair.
- ⇒ Not exceed the powers of the law
- ⇒ Follow lawful and reasonable directions from Ministers and senior officers, in accordance with this Code.

### **Relationships with Ministers**

- ♦ *The Public Service in the Turks and Caicos Islands should be apolitical, impartial and professional.*
- ♦ *Public Officers must be responsive in implementing the Government's legitimate policies and programmes and not frustrate the policies, directions or actions.*

### **Public Officers must cooperate fully with other public officers to advance the public interest.**

### **Conflict of Interest**

#### Public Officers must

- ⇒ Avoid both actual and apparent conflicts between their private interest and their official functions that may impact on efficient and effective performance of their duties.
- ⇒ Not let their personal beliefs conflict with their official duties.

*If in doubt, seek the guidance of the Integrity Commission.*

### **Gifts and Hospitality**

Public Officers should not solicit gifts or hospitality in any circumstances and they must not attempt improperly to influence other public officers by gifts or hospitality. (See gifts and hospitality Code of Conduct and Integrity Commission Ordinance).

**Recruitment, appointment and promotion** in the Public Service should be made on the basis of merit, performance, seniority and experience, impartiality and integrity.

## Overview and enforcement of the Code?

The Code of Conduct (the Code) outlines the values required of the Public Service and what they mean in practice. Public Officers have an overriding duty to act in accordance with the best interests of the Turks and Caicos Islands and not in their own private interests (Constitution of the TCI). All Public Officers, particularly, Senior public officers must demonstrate leadership and set an example to the public as a whole.

**The role of the Public Service includes but not limited to** assisting with the formulation and implementation of the policies of Government as well as administering and providing efficient services to the public on behalf of the government.

### Public Officers are expected to:

- ⇒ Carry out their duties with integrity, honesty and impartiality. Failure to live up to these values can result in a breach of the code and may incur disciplinary penalties, dismissal and/or even criminal prosecution.
- ⇒ Be conversant with the Code of Conduct, TCI Constitution, the Integrity Commission Ordinance, the Public Finance Management Ordinance and the Public Service Ordinance and abide by the overarching duty to generally comply with the law.
- ⇒ Observe and uphold the **Seven Principles of Public Life** and be **guided by the Guide to identifying, avoiding and managing Conflict of Interests** respectively set out as **Appendices A and B** to the Code of Conduct.

## Acts of Corruption:

*Public Officers have a duty to:*

- ⇒ **Report a suspicion if they genuinely believe that corrupt acts are taking place.**
- ⇒ Be aware of circumstances that gives rise to conflict of interest and possible corrupt acts taking place.
- ⇒ Avoid any action which might give an appearance of corruption (**See Acts of Corruption**).

## Reporting Guidelines

Where a public Officer is instructed or otherwise believes that they are being required to act, whether by a senior officer, minister or other person in authority, in a way that is:

- ⇒ *Illegal, improper or unethical;*
- ⇒ *Is in breach of this Code of Conduct*
- ⇒ *May involve maladministration*
- ⇒ *Is inconsistent with their duties and obligations with the law.*

**It is the duty of the Public Officers to report these such matters above to their Heads of Department or Permanent Secretary, the Head of the Public Service or the Integrity Commission.**

*Public Officers who make such reports are protected by the Public Service Ordinance, and Whistleblower Protection provisions (Integrity Commission Ordinance) from any detriment in their employment as a result of making a report in good faith.*

- ♦ *Public Officers will be supported and protected in adhering to this Code.*
- ♦ *The Public Service shall be protected from partisan interference.*

**NB: The Government shall respect the integrity and impartiality of the Public Service.**

## Ethical Standard

**Public Officers must:**

- ⇒ Fulfil duties and obligations responsibly and maintain the highest ethical standards.
- ⇒ Make sound judgments based on the accepted principles of what is right and wrong.

**Public Officers must not:**

- ⇒ Ignore facts or relevant considerations when providing advice or making decisions.
- ⇒ Be reckless or negligent of foreseeable consequences
- ⇒ Act in a way that unjustifiably favours or discriminates against particular individuals or groups.
- ⇒ Misuse their position
- ⇒ Act whether on or off duty in a way which brings the Public Service into disrepute.

**NB: Specific ethical standards may govern particular professions.**

**Public Officers must:**

- ⇒ Set out the facts and relevant issues truthfully and correct any errors immediately.
- ⇒ Not deceive or knowingly mislead Ministers, the House of Assembly or others.
- ⇒ Have rights of freedom of speech and independence in the conduct of their private affairs.
- ⇒ Not engage in campaigning on behalf of a political party or candidate for public office.
- ⇒ Comply with restrictions on their political activities to avoid the actual or perceived conflict of interest.
- ⇒ Only speak on behalf of the Government when authorized to do so.
- ⇒ Not openly criticize their own organization, public policy or the government as a whole.