

THE PUBLIC SERVICES COMMISSION CODE

(To be read in conjunction with the Public Services Commission (PSC) Civil Service Regulations 2015)

- 1.** The role of the Civil Service is, with integrity, honesty, impartiality and objectivity, to assist the duly constituted Government of the Isle of Man [*] in formulating its policies, carrying out decisions and in administering public services for which they are responsible.
- 2.** Civil servants are public servants and, subject to the provisions of this Code, they owe their loyalty to the Government which they serve.
- 3.** This Code should be viewed in the context of the duties and responsibilities set out for Ministers in the Ministerial Code.
- 4.** Civil servants should serve the Government in accordance with the principles set out in this Code and recognising:
 - the accountability of civil servants to the Minister ;
 - the duty of all civil servants to discharge public functions reasonably and according to the law;
 - the duty to comply with the law, including international law and treaty obligations, and to uphold the administration of justice; and
 - ethical standards governing particular professions.
- 5.** Civil servants should conduct themselves with integrity, impartiality and honesty. They should give honest and impartial advice to Ministers, without fear or favour, and make all information relevant to a decision available to them. They should not deceive or knowingly mislead Ministers, Tynwald, or the public.
- 6.** Civil servants should endeavour to deal with the affairs of the public sympathetically, efficiently, promptly and without bias or maladministration.
- 7.** Civil servants should endeavour to ensure the proper, effective and efficient use of public money.
- 8.** Civil servants should not misuse their official position or information acquired in the course of their official duties to further their private interests or those of others. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity.
- 9.** Civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers and to be able to establish the same relationship with those whom they may be required to serve in some future Government. They should comply with restrictions on their political activities.
- 10.** PSC civil servants should not, without authority, disclose official information which has been communicated in confidence within the Government. Nothing in the Code should be taken as overriding existing statutory or common law obligations to keep confidential, or to disclose, certain information. They should not seek to frustrate or influence the policies, decisions or actions of Ministers, by the unauthorised, improper or premature disclosure outside of Government of any information to which they have had access as civil servants.

- 11.** Where a civil servant believes he or she is being required to act in a way which:
is illegal, improper, or unethical;
is in breach of constitutional convention or a professional code;
is required to act in a way which, for him or her, raises a fundamental issue of conscience;
may involve possible maladministration; or
is otherwise inconsistent with this Code;
or if he or she becomes aware of other breaches of this Code,
he or she should report the matter to the Department's Accounting Officer. The Accounting Officer should report to the appropriate authorities evidence of criminal or unlawful activity brought to his/her attention.
- 12.** Where a civil servant has reported a matter covered in paragraph 11 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 the Chief Secretary.
- 13.** Civil servants should not seek to frustrate the policies, decisions or actions of the Government by declining to take, or abstaining from, action which flows from decisions by Ministers. Where a matter cannot be resolved by the procedures set out in paragraphs 11 and 12 above, on a basis which the civil servant concerned is able to accept, he or she should either carry out his or her instructions, or resign from the Civil Service.
- 14.** Civil servants should continue to observe their duties of confidentiality after they have left employment.

Note:

- [*]** The Code is written referring to Ministers and relates to civil servants working in Departments. Where civil servants are employed in Statutory Boards or Offices outside of Departments, reference to Ministers should be understood to include the Statutory Board or the Officer in Charge of the Office.