

THE PUBLIC SERVICE ACT 2010

(Section 19)

CODE OF ETHICS AND CONDUCT FOR THE PUBLIC SERVICE 2010

IN EXERCISE of the powers conferred by section 19 of the Public Service Act 2002 (as amended) the Public Service Commission issues the following Code of Ethics and Conduct –

1. Short title and Commencement

- (1) This Code of Ethics and Conduct may be cited as the Public Service Code of Ethics and Conduct 2010 (hereinafter referred to as the “Code”).
- (2) This Code shall come into effect on the date of gazetting.
- (3) This Code replaces the Code of Conduct 2004.

2. Purpose of the Code

The purpose of this Code is to provide –

- (a) guidance to employees on the standards of behaviour required of them; and
- (b) a basis for more detailed codes that may be required to meet the particular circumstances of individual Ministries.

3. Principles

This Code is based on the following principles which encompass standards of integrity and conduct expected of all public servants. Public servants shall –

- (a) fulfil their lawful obligations to the Government with professionalism and integrity;
- (b) perform their official duties honestly, faithfully and efficiently, respecting the rights of the public;
- (c) contribute to a consultative and harmonious work environment and relationships to their colleagues; and
- (d) not bring the Public Service into disrepute through their private activities.

4. Obligations to Government

All employees shall –

- (a) perform their functions in an impartial, competent and transparent manner;
- (b) comply with all applicable laws, regulations, policies, instructions and procedures;
- (c) act with appropriate discretion;
- (d) maintain confidentiality about dealings with any Minister or other employees;
- (e) use official information for official purposes only;
- (f) refrain from making any public statement or from engaging in political activity contrary to the (Amendment) Act 2010 without the prior approval of the Chief Executive Officer;
- (g) not engage in any paid employment outside the Public Service without authorisation from Cabinet or the Commission for short term consultancy;
- (h) use public resources or funds in a lawful and proper manner; and
- (i) if on duty overseas, behave in a way that upholds the good reputation of Tonga.

5. Relationship with the Public

All employees shall –

- (a) adhere to and uphold the values of the Public Service;
- (b) be accountable for their actions;
- (c) ensure equality of opportunity in employment;
- (d) ensure employment decisions are based on merit;
- (e) deliver services fairly, effectively, impartially and courteously to the public and to visitors to Tonga;
- (f) treat everyone with respect and courtesy, and without harassment of any kind;
- (g) disclose and take all reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment; and
- (h) not ask for or accept a gift from any person concerned with any matter connected with the employee's official duties.

6. Workplace relationships

All employees shall –

- (a) establish co-operative workplace relations based on consultation and communication;
- (b) ensure the workplace is free from discrimination and recognises the diverse background of employees;
- (c) comply with all lawful and reasonable directions given by someone who has authority to give the directions; and
- (d) not use their duty, status, power or authority in order to gain or seek to gain a benefit or advantage for themselves or for any other person.

7. Personal behaviour

All employees shall –

- (a) avoid any activity, whether connected with their official duties or otherwise, which might bring their Ministry and the Public Service into disrepute;
- (b) avoid any activity which might jeopardise relationships with Ministers, clients or the general public;
- (c) avoid behaviour which might endanger or cause distress to their colleagues, or otherwise contribute to disruption of the workplace;
- (d) refrain from allowing workplace relationships to adversely affect the performance of official duties;
- (e) respect the privacy of individuals when dealing with personal information;
- (f) behave honestly and with integrity;
- (g) act with care and diligence;
- (h) not knowingly provide false or misleading information in response to a request for information;
- (i) not knowingly disclose to an unauthorised person, either orally or in writing, any information they have acquired through their official duties unless they have received official permission from the Chief Executive Officer or as provided by law;
- (j) not use illicit drugs;
- (k) not use alcohol in a way that adversely affects the performance of their duties or the performance of the duties of other employees;
- (l) not consume alcohol or smoke on Government work premises or property;
- (m) not consume kava on Government work premises or property except for special circumstances and with the authorization of the relevant Chief Executive Officer;
- (n) not be absent from their official duties during working hours unless they have permission or obtained official leave; and
- (o) wear work attire appropriate for their work environment.

8. Breach of Code

A breach of this Code will be deemed a breach of discipline pursuant to the Public Service (Disciplinary Procedures) Regulations as amended.

Mishka Tu'ifua
Chairperson, Public Service Commission