



*Tonga*

# **CODE OF CONDUCT FOR THE PUBLIC SERVICE**

**Chapter 04.36.1**

**2016 Revised Edition**





# CODE OF CONDUCT FOR THE PUBLIC SERVICE

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# CODE OF CONDUCT FOR THE PUBLIC SERVICE<sup>1</sup>

*Made under section 19 of the Public Service Act*

Commencement [28 June 2004]

## 1 Purposes of the Code of Conduct

The Code of Conduct has the following purposes 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 Departments.

## 2 Principles of the Code of Conduct

All employees shall observe the following conduct —

- (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.

### **3 Relationship with the Government**

- (1) The first principle of the Code of Conduct is concerned with employee's obligations to the Government in the performance of their official duties. The first priority for employees is to carry out Government policy. In doing so, they are expected to act in a manner that will bear the closest public scrutiny.
- (2) All employees of the Public Service shall —
  - (a) perform their functions in an impartial and competent manner;
  - (b) ensure there is transparency in the performance of their functions;
  - (c) observe and comply with all applicable laws, regulation, policies and procedures;
  - (d) act with appropriate propriety, discretion and loyalty to the Government;
  - (e) maintain confidentiality about dealings with any Minister or employees of a Department;
  - (f) use official information only for official purposes;
  - (g) refrain from making any public statement or from engaging in political activity without the prior approval of the Head of Department; and
  - (h) use public resources and public money in a lawful and proper manner.

### **4 Relationship with the Public**

- (1) The second principle of the Code is concerned with the general obligations of employees to give satisfactory service, to respect the rights of the public and Departmental colleagues, and to refrain from conduct that might lead to conflicts of interest or integrity.
- (2) All employees of the Public Service shall —
  - (a) deliver services fairly, effectively, impartially and courteously to the public and to visitors to Tonga;
  - (b) ensure equality of opportunity in employment;
  - (c) treat everyone with respect and courtesy and without coercion or harassment of any kind;
  - (d) disclose and take all reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment;
  - (e) not ask for or accept a gift from any person concerned with any matter connected with the employee's official duties; and
  - (f) wear work attire appropriate for their work environment.

## 5 Workplace relationships

- (1) The third principle of the Code of Conduct is concerned with the general obligations of employees to give satisfactory service, to respect the rights of Government and Departmental colleagues.
- (2) All employees of the Public Service shall —
  - (a) be accountable for their actions;
  - (b) ensure employment decisions are based on merit;
  - (c) establish co-operative workplace relations based on consultation and communication;
  - (d) ensure the workplace is free from discrimination and recognizes the diverse background of employees;
  - (e) comply with all lawful and reasonable directions given by someone who has authority to give the directions;
  - (f) 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;
  - (g) not engage in any paid employment or occupations outside the Public Service that conflicts with the performance of their duties unless the employee gains the written permission of the Cabinet;
  - (h) not accept any remuneration, fee or reward, beyond their salary and allowances for performing any service in connection with the Public Service for the Government or for any other person, unless it is approved by Cabinet; and
  - (i) treat everyone with respect and courtesy and without coercion or harassment of any kind;

## 6 Personal Behaviour

- (1) The fourth principle of the Code of Conduct is concerned with the obligation of employees not to compromise their Department or the Public Service through their personal behaviour.
- (2) All employees of the Public Service shall —
  - (a) avoid any activities, whether connected with their official duties or otherwise, which might bring their Department and the Public Service into disrepute, or jeopardize relationships with Ministers, clients or the general public;
  - (b) adhere and uphold the values of the Public Service;
  - (c) behave honestly and with integrity;
  - (d) act with care and diligence;
  - (e) not provide false or misleading information in response to a request for information;

- (f) not to disclose to an unauthorized person, either orally or in writing, any information they have acquired through their official duties unless they have received official permission from the Head of Department or as provided by law;
- (g) not use illicit drugs;
- (h) not use alcohol in a way that adversely affects the performance of their duties or the performance of the duties of other employees;
- (i) not consume alcohol on Government work premises; and
- (j) not be absent from their official duties during working hours unless they have permission or obtained official leave.

## **7 Breach of Code of Conduct**

Any breaches of this Code of Conduct will be deemed a breach of discipline pursuant to the Public Service (Disciplinary Procedures) Regulations.<sup>2</sup>

## ENDNOTES

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<sup>1</sup> GS 9/2004

<sup>2</sup> Cap. 04.36.2