

Ever since man has lived in a community with other human beings he has had in one form or another, consciously or subconsciously, to regulate his relationship and interaction with other members of society. The society, as a medium in which man evolves and progresses, is composed of a complexity of relationships that can be studied according to the different social groups which include various sectors such as professionals, women's group, religious organizations, associations etc.

With social progression and the division of labour it became necessary for man to specialize in different areas of production which in turn required a high level of organisation and responsibility before the rest of society. It was from that moment that rules of conduct or codes of ethics became relevant to producers as well as consumers of goods and services. The same level of accountability and responsibility is expected of the Public Service as it fulfil its mandate.

The focus of this article will specifically target the principles that should form the basics for a code of conduct for public servants in the performance of their duties. A public service code of conduct should be based on three (3) fundamental principles:-

- Public servants should fulfil their obligations to the Government with professionalism and integrity;
- Public servants should perform their official duties honestly, faithfully and efficiently, respecting the rights of the public and their colleagues;
- Public servants should not bring the Public Service into dispute through private activities.

CODE OF ETHICS IN CIVIL SERVICE

Firstly, public servants have a legal obligation to serve the government. They are obligated to carry out Government policy and do so in such a manner that it will stand up to the test of public scrutiny. Public servants should ensure that their personal interests, belief or activities do not in anyway interfere with or appear to interfere with this obligation.

According to one very prominent Antiguan career public servant "the job of the Public Servant is to make the Minister look good." In other words the Minister's job is made easy when the Public Servant does his job well.

The Antigua and Barbuda Constitution Order 1981, Section 78 (1) states "*Where any Minister has been assigned responsibility for any department of government, he shall exercise direction and control over the department; and, subject to such direction and control, the department shall be under the supervision of a Permanent Secretary whose office shall be a public office.*"

This in principle along with other complementary legislation clearly places the Minister at the top of the overall hierarchical structural within the ministry or department and the officers thereto attached under his direction. The public servant, therefore, is obliged to serve his Minister with integrity and above all within the confines of the law. This does not mean that the job of the public servant is done blindly in a mechanical, intuitive and

unintellectual manner. Neither does it mean that the public servant is barred from having an independent and completely divergent view from that of the minister's but at the same time it is presumed and understood that the Minister acts on behalf of and in the interest of a majority and therefore cannot allow the implementation of general policies to be determined by individual subjective persuasions.



In the political system that we have inherited from English colonialists (Westminster or democratic parliamentary system) the public servant is expected to serve the government of the

day unlike in the United States where it is common for the tenure of top serving officials to come to an end with each administration. The public servant in his actions must seek to ensure that he maintains the confidence of the Minister by establishing a professional and impartial relationship. In other words during the execution of his functions there should be no absence of political neutrality and professionalism. In order to build upon and maintain a strong support for good governance it is vitally important that political neutrality is a cornerstone in the structure of acceptable conduct within the Public Service.

Although there may be occasions when a public servant may feel or even express conflicting views regarding policies to be implemented inaction is not a discretionary power to be exercised by him. The public servant has, on many levels, the responsibility for policy implementation and is in fact a part of the executive arm of government in so far as the Cabinet

is responsible for policy making and the public servant for implementation. At the same time there is an obligation on the part of the public servant (using correct protocol) to provide honest, impartial and comprehensive advice to the Minister on matters within their competence that could have profound consequences. Even if the advice is not accepted at that moment it does not relieve the public servant of his duty to demonstrate good will and drive in the performance of his duties.



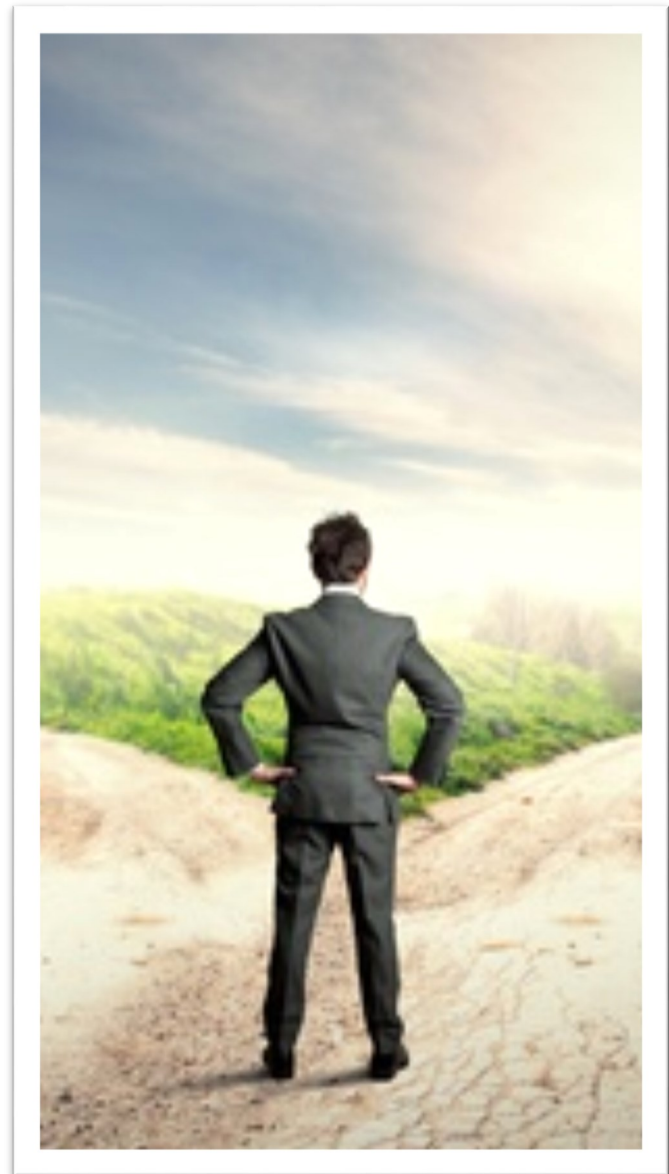
Importantly, if the public servant finds himself in a situation where subjectivity prevents him from lawfully complying with instructions he must never act in a manner that will undermine the policy of the Government and further, he should advise his superiors of these difficulties so that appropriate measures be put in place to address the matter.

Another very serious aspect of the public servants' duties that must be accorded some attention relates to pronouncements and public discourse on

government policy. As with any other member of society the public servant enjoys all the rights and privileges established under the Constitution. However, one must recognise that their rights cannot be allowed to infringe on those of others. The rights of the public servant should not be perceived as the antithesis to the rights of the individual, rather there should some degree of coexistence and balance between them. There should not appear to be any compromise of ethics. The public servant should never try to manipulate, distort or without authorization publicize information accessible to him due to the nature of his work.

Information should be kept confidential and commentary, especially on sensitive and classified matters, should always be left to specifically designated officers who have direct responsibility for such matters.

Public servants must, therefore, be mindful at all times of the significance of their responsibilities and duties and of their legal obligations to serve professionally and impartially as they carry out the policies of Government.



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Code of Ethics in the Civil Service