



REPUBLIC OF **THE GAMBIA**
PERSONNEL MANAGEMENT OFFICE
New Administrative Building
The Quadrangle
Banjul



**THE CODE OF CONDUCT
FOR THE CIVIL SERVICE
OF THE GAMBIA**

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1. INTRODUCTION

Work ethics and values have an important role to play in the public administration of a nation primarily because they help shape and nurture the development of the highest possible standards of behaviour among civil servants. It is, therefore, imperative for all civil servants to reflect these positive work ethics and values in their work and conduct.

Vision 2020 has outlined a number of challenges that need to be overcome in the relentless pursuit of achieving our national development goals of **“transforming The Gambia into a financial centre, a tourist paradise, a trading export-oriented agricultural and manufacturing nation, thriving on free market policies and a vibrant private sector, sustained by a well-educated, trained, skilled, healthy, self-reliant, and enterprising population, and guaranteeing a well-balanced eco-system and a decent standard of living, under a system of Government based on the consent of the citizenry”**.

However, in achieving the above, one of the challenges identified in vision 2020, is the necessity of creating a society that practices high moral values and ethics. Therefore, as the administrative machinery of the nation and a microcosm of society, the Civil Service is expected to play a leadership role in realizing this aim and in reflecting the high ethical values of our society and Government. More so, like all vibrant and successful organizations, the Civil Service needs a value system which dictates the behaviour and performance of its members. At the same time, adherence to the core values of the Service, will nurture a disciplined, ethical and motivated workforce, capable of facilitating the accomplishment of the goals of vision 2020.

To facilitate the inculcation of the ethical values reflected in this document, the following three strategies will be employed:

1. The inclusion of a module on **“Values and Ethics”** in all the civil service training programmes offered by the Management Development Institute (MDI).

2. The encouragement of healthy competition at both organizational and individual levels for acquisition of various awards, medals and certificates as acknowledgement and reward for dedication and achievements; and
3. The imposition of firm and fair disciplinary measures to punish violation of the provisions of the code.

The code of conduct provides a set of guidelines on specific areas of conduct, applicable to civil servants.

1. In general, it requires all civil servants to uphold and practice seven fundamental ethical values and standards.

- 1. To demonstrate loyalty to the Government of the day and to the country.*
- 2. To place the public interest before private interest and to ensure that private advantage does not conflict with public duty.*
- 3. To avoid the use of public position for personal advantage.*
- 4. To serve with efficiency and industry and to perform tasks honestly and conscientiously.*
- 5. To avoid bringing outside pressures or personal relationships in pursuit of personal claims.*
- 6. To refrain from accepting gifts, presents and other favours that will compromise one's integrity and objectivity.*
- 7. To avoid divulging confidential information available to one in the course of the execution of his/her official duties.*

2. APPLICABILITY OF THE CODE

This code is applicable to all civil servants.

3. DEFINITION OF UNETHICAL CONDUCT

Unethical conduct includes those practices which are unquestionably immoral behavioural acts such as bribery and misappropriation of funds and such other activities as patronage, nepotism, conflict of interest, influence peddling, seeking of personal benefits by using official position, granting of favours to relatives and friends, leaking or misusing confidential Government information and engaging in unsanctioned political activity.

4.0 GENERAL PRINCIPLES OF CONDUCT

4.1 RELATIONSHIP WITH THE LEGISLATURE AND THE EXECUTIVE

A civil servant shall –

- 4.1.1 be faithful to the Republic and abide by the Constitution and the laws of the country in the execution of his/her daily duties;
- 4.1.2 place the public interest foremost in the execution of his/her duties;
- 4.1.3 loyally execute the policies of the Government of the day in the performance of his/her official duties as contained in the statutes and laws of the country;
- 4.1.4 ensure that he/she is not only familiar with the legal instruments governing his/her duties but abides by them;
- 4.1.5 co-operate with all constitutionally and statutorily established public institutions in promoting the public interest;
- 4.1.6 be entitled to his/her political views and may vote at elections, and he/she should, however not accept any office in any political party or join in demonstrations to publicly demonstrate support for one political party.

4.2 RELATIONSHIP WITH THE PUBLIC

A civil servant shall –

- 4.2.1 serve the public in an unbiased and impartial manner in order to create confidence in the Public Service;
- 4.2.2 be polite, helpful and reasonably accessible in his/her dealing with the public, at all times treating members of the public as customers who are entitled to receive high standards of service;
- 4.2.3 have regard for the circumstances and concerns of the public in performing his/her official duties;
- 4.2.4 not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, colour, age, disability, religion, political views, conscience, belief, culture or language;
- 4.2.5 recognize the public's right of access to information, excluding information that is specifically protected by law or that is classified or restricted.

4.3 RELATIONSHIPS AMONG EMPLOYEES

A civil servant shall –

- 4.3.1 co-operate fully with other employees to advance the public interest;
- 4.3.2 execute all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution and/or any other law;
- 4.3.3 refrain from favouring relatives and friends in work-related activities and from abusing his/her authority;
- 4.3.4 use the appropriate channels to air his/her grievances or to make representations;

- 4.3.5 be committed to the optimal development, motivation and utilisation of his/her staff and the promotion of sound labour and interpersonal relations;
- 4.3.6 deal fairly, professionally and equitably with other employees, irrespective of race, gender, ethnic or social origin, colour, age, disability, religion, political views, conscience, belief, culture or language;
- 4.3.7 refrain from indulging in party political activities whilst performing his/her duties in the workplace

4.4 PERFORMANCE OF DUTIES

A civil servant shall –

- 4.4.1 strive to achieve the objectives of his/her institution in an effective and efficient manner;
- 4.4.2 be creative in thought and in the execution of his/her duties, seek innovative ways to solve problems and to enhance effectiveness and efficiency within the context of the law;
- 4.4.3 be punctual in the execution of his or her duties;
- 4.4.4 execute his/her duties in a professional and competent manner;
- 4.4.5 not engage in any transaction or action that is in conflict with or infringes on the execution of his/her official duties;
- 4.4.6 accept the responsibility to avail himself/herself of ongoing training and self-development programmes throughout his/her career;
- 4.4.7 be honest and accountable in dealing with public funds and shall utilize Government property and other resources effectively, efficiently, and only for authorised official purposes.

- 4.4.8 in the course of his/her official duties, report to the appropriate authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes an offence;
- 4.4.9 give honest and impartial advice at all times, based on all available/relevant information, when asked for such assistance by higher authority.

4.5 PERSONAL CONDUCT AND PRIVATE INTERESTS

A civil servant shall –

- 4.5.1 during official duties dress and behave in a manner that enhances the reputation of the Public Service;
- 4.5.2 not use or disclose any official information for personal gain;
- 4.5.3 not, without approval, undertake remunerative work outside his/her official duties or use office equipment for such work.

5.0 DEFINITION OF TERMS

5.1. Gross Misconduct

Gross misconduct is a conduct which seriously damages the credibility and integrity of both the staff member and the Civil Service.

5.2 Misconduct

Misconduct is behaviour which breaches any of the principles of the Code.

5.3 Misdemeanour

A misdemeanour is an unlawful act or an unacceptable behaviour.

6.0 MATTERS GIVING RISE TO DISCIPLINARY PROCEDURES BEING IMPLEMENTED

6.1 Introduction

Ethical Codes of Conduct are only meaningful if their violations attract appropriate sanctions or penalties. The list here under describing the nature of violation is by no means exhaustive.

6.1.1 Gross Misconduct

1. Lack of integrity or dishonesty of a civil servant.
2. Failure by a superior or senior Officer to take reasonable steps or precaution to ensure that civil servants under his/her control demonstrate integrity and devotion to duty.
3. Failure by a civil servant to use best judgement in the performance of his/her official duties.
4. Refusal to comply with a posting order.
5. Wilfully recording incorrect time of arrival or departure in the daily attendance register.
6. Failure to produce a medical certificate signed within two days; where a civil servant absents himself/herself from duty on grounds of illness.
7. Persistent and unauthorized leave of absence.
8. Failure to return to work from leave or leaving one's post without proper handing over notes.
9. Being disrespectful or discourteous in word, action, or demeanour or wilfully disobeying any lawful order issued orally or in writing by a senior Officer or a person in charge.

10. Where the Government sustains a loss, shortage or any financial or material damage as a result of dishonesty or negligence by a civil servant.
11. Failure to disclose private interest in a situation where an employee is called upon to deal with any matter or issue in which he/she has a personal interest.
12. To be found guilty of a criminal offence by a court of law (other than a minor traffic offence).
13. To conceal or compound an attempt to steal, defraud or to commit an act contrary to the interest of Government.
14. To use subordinate or other staff for activities not directly connected with their official duties.

6.1.2 Misconduct

1. To conduct any business or unauthorized transactions whilst on duty or in Government premises.
2. To behave rudely or discourteously to members of the public whether verbally or in writing.
3. To fail to present a neat and business-like appearance at any time while on duty.
4. To take an active part in political activity, which is inconsistent with or reflects adversely upon the independence and impartiality required of public servants.

7.0 PENALTIES FOR VIOLATION OF ETHICAL CODE

The Public Service Regulations set out the punishments which may be ordered as a result of disciplinary offences. The types of punishments are as follows:

1. DISMISSAL FROM THE SERVICE

This is the most severe punishment since it entails forfeiture of all pension and/or gratuity to which an Officer may be entitled.

This punishment is only administered in extremely serious cases viz;

- (a) serious misconduct;
- (b) malpractices and
- (c) criminal conviction

2. TERMINATION OF APPOINTMENT

An Officer would be entitled to pension and or gratuity. The pensions Authority may however reduce such benefits by a certain percentage.

This punishment is administered in cases of:

- (a) persistent lateness and absenteeism;
- (b) unsatisfactory performance of duties or functions; and
- (c) improper conduct or behaviour

3. DEMOTION:

This is when an Officer's designation, grade and salary are altered downwards.

4. REDUCTION IN SALARY:

This is when an Officer's salary is reduced, but his/her grade remains the same.

5. DEFERMENT OF INCREMENT

Deferment of increment is when an Officer is denied the annual financial increment on his/her salary.

6. SUSPENSION

If an Officer were suspected of having committed an act of grave misconduct or dishonesty, and the Head of Department was of the view that his/her presence in the Department could interfere with police or other investigations, or allow him/her to have access to official documents related to the investigation, he/she could be suspended from duty without salary.

7. INTERDICTION

If steps were being taken to dismiss an Officer in the interests of the Service, or if charged with a criminal offence, he/she would not receive any increment due during the period of interdiction; he/she would not be allowed to travel out of The Gambia without the permission of police authority; and he/she would be paid not less than half salary.

If the Officer were found not guilty of the criminal charge, or if disciplinary action did not result in his/her dismissal, he/she would be paid arrears of salary and given any increment due and reinstated.

If the Officer were found guilty of a criminal charge, he/she would be dismissed and would not be paid any arrears of salary.

8. COMPULSORY RETIREMENT

If, as a permanent civil servant, an Officer had attained the age of 50 years and his/her work performance was considered unsatisfactory or below standard, the Head of Department/Permanent Secretary could submit a case to the

Permanent Secretary, Personnel Management Office, for his/her compulsory retirement.

The Permanent Secretary, Personnel Management Office, would then write to the Officer suggesting that he/she retires voluntarily in accordance with the Pensions Act 1950. Alternatively, he/she would be retired compulsorily by Government.

The Officer would be free to appeal to the Commission within fourteen days from the date of the Personnel Management Office's letter. In this case, the Permanent Secretary, Personnel Management Office, would have to submit representations to the PSC with his/her observations and comments of the Head of Department/Permanent Secretary for consideration.

If the Officer decided not to appeal, the Permanent Secretary, Personnel Management Office, would proceed and obtain the Commission's approval for his/her retirement.

9. REPRIMAND

A strong warning letter if an Officer's behaviour, or an act committed by him/her, was not considered to justify a tougher penalty.

10. SURCHARGE:

Is when damage has been done to Government property and the Officer responsible is requested to pay for the cost of the damage.