

**CODE  
OF  
CONDUCT**

**OF**

**THE GAMBIA  
CIVIL SERVICE**

The Personnel Management Office  
The Quadrangle  
Banjul  
The Gambia

## **PURPOSE**

This code is meant to guide civil servants in order that they may avoid conduct which may undermine the integrity and effective rendering of the services for which they are employed. For the proper functioning of government, public trust and confidence in the integrity of the public service are crucial. The maintenance of this public trust and confidence, requires the achievement of high standards of ethical conduct among public officials. This code should not, therefore, be regarded as a restrictive and punitive device but as a set of guidelines to good performance.

## **APPLICABILITY OF THE CODE**

This code is applicable to all civil servants i.e. officials appointed by or with the concurrence of the Public Service Commission.

## **DEFINITION OF UNETHICAL CONDUCT**

Unethical conduct includes those practices which are unquestionably criminal 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.

## **GENERAL PRINCIPLES OF CONDUCT**

1. A public office is a public trust. Serving one's country in a public office is therefore an honour and a privilege. Civil servants, like other citizens are subject to the laws of the country. They should ensure that their activities do not bring discredit upon their positions and disrepute upon the Government.

2. The first duty of a civil servant is to give his undivided attention to rendering the service for which he is employed at all times when that service has a claim upon him.
3. Every individual, on accepting a civil service post, should understand that he has undertaken to be fair and impartial in his dealings with the public.

*NOTE: In this document the words "he", "him", or "his" are meant to apply to either sex.*

He should, therefore, completely subordinate his self-interest to the public good in all circumstances in which there might be the possibility of any conflict of interest. Justice should manifestly and undoubtedly be seen to be done as government's reputation depends to a great extent upon what the public believes about the sense of fair play among civil servants.

4. Civil servants should avoid actions that might result in, or create the appearance of:-
  - a. Using public office for private gain;
  - b. Giving improper preferential treatment to any group or person;
  - c. Impeding government efficiency; or
  - d. Adversely affecting the confidence of the public in the integrity of the civil service.
5. Any person employed in the civil service is the servant of the State and not of an individual superior. He however, owes a duty to the latter in the proper carrying out of all legal orders. If for any reason, a civil servant feels it necessary, because of his

conscience, to question orders from a superior, he should, if possible, first express his concern to him before seeking guidance from higher authorities through established channels.

6. Civil servants should not because of their sex, religious or ethnic origin discriminate, favour, victimise or wilfully abuse their authority to harass subordinates and the public.
7. Civil servants should at all times make every effort to ensure that public resources are administered in the most effective and efficient manner.

## **GUIDELINES**

The following specific guidelines are given as supplement to and in further elaboration of the above general principles of conduct.

### **1. Laws, Rules and Regulations**

A civil servant should ensure that he has adequate understanding of the laws, rules and regulations which pertain to his ministry/ department and that he administers them to the best of his ability with fairness to all. It is the duty of his superior to make these available to him.

### **2. Public Duty and Loyalty**

The primary loyalty of a civil servant must be to the Head of state and the government of the day. He should do nothing which would create in the mind of the ordinary citizen a lack of confidence in the honest and impartial administration of the service.

He should not give any grounds for the impression that he can be improperly influenced in the performance of his duties. He should do a full day's work for a full day's pay.

### 3. **Conflict of interest**

A civil servant should not:-

- a. engage in any transaction or have a financial or other personal interest which is incompatible with the proper discharge of his duties. It is incumbent upon the individual civil servant to disclose to his Permanent Secretary or Head of Department particulars of any investment or share holding which he may possess in any company or any other direct or indirect interest in such company or undertaking. Such information should be updated regularly.
- b. place himself in a position where he is under obligation to give special consideration or favour to any person.
- c. engage in any outside work or undertaking that interferes with the performance of his duties as a civil servant or which misuses the information acquired in the course of his official duties.
- d. use or allow the use of government property for activities not related to his official work.
- e. participate in any decision on an application for licence, loan grant, award or contract from his close relatives.
- f. do anything which places his personal interest above the public interest.

4. **Disclosure of confidential information**

A civil servant should not disclose to any individual group or organisation within or outside the country, either orally or in writing, any confidential information acquired by virtue of his position in the civil service, unless he has received official permission. He shall not, unless legally obliged to do so, disclose any information which may be injurious to national security or to the interest of individuals, groups or organizations.

5. **Public comment**

A civil servant should not engage in public criticism of government or departmental policy. He should avoid expressing publicly his personal views on matters of political controversy or on government policy. He may, however, give speeches, lectures or write articles and conference papers after obtaining the prior permission of his superior authorized to grant such permission (i.e. Head of Department or Permanent Secretary and in the case of the latter, Secretary General).

6. **Political activity**

A civil servant's political activity should not be such as would impair public confidence in the performance of his official duties. Thus while a civil servant is entitled to his own political views and may vote at elections, he should not accept any office, paid or unpaid, permanent or temporary, in any political party or organization, nor may he make speeches, join in demonstrations or in any other way indicate publicly his support for any political party, organization, person, or policy, nor shall he be required to do so in the course of his duties.

## 7. **Acceptance of gifts and entertainment**

A civil servant should not solicit or accept, directly or indirectly, any gift tangible or intangible, favour, entertainment or anything of monetary value from any person. (Exceptions to this rule are for example unsolicited advertising material, gifts between friends and relatives, and conventional hospitality).

## 8. **Relationship with the public**

It is the duty of every civil servant to serve the public with fairness, respect and proper courtesy. Civil servants should make every effort to discourage any form of public inconvenience.

## 9. **Disciplinary action**

Any civil servant who wilfully disregards this code of conduct is liable to appropriate disciplinary action.

## **PUNISHMENTS**

The Public Service Commission Regulations set out the punishments which may be ordered as a result of disciplinary offences. The following notes will give some idea of the precise punishments that apply to specific offences.

### 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.

Reasons could be for serious misconduct, malpractices and 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.

Reasons could be abolition of post, frequent lateness, absenteeism, unsatisfactory work and conduct, or mal-administration in the case of senior managers. In any case the officer would be given a month's notice or paid a month's salary in lieu of notice and paid leave due?

3. **Demotion**

The officer's designation, grade and salary would be altered resulting in a reduction in salary.

4. **Reduction in salary**

Salary is reduced within a grade but an officer's grade would remain the same.

5. **Deferment of increment**

Increments are normally awarded annually until the officer reaches the maximum of the grade. On deferment, which can be for a period of up to twelve months, the date of restoration becomes the new incremental date and thus he would lose out financially.

6. **Fine not exceeding one month's salary**

If an officer were suspected of having committed an act of misconduct or dishonesty, and the Commission was of the view that his presence in the Department could interfere with police

or other investigations, or allow him to have access to official documents connected, with the investigation, he could be suspended from duty on half salary.

### **Interdiction on not less than half salary**

If steps were being taken to dismiss an officer in the interests of the service, or if charged with a criminal offence, he would not receive any increment due during the period of interdiction; he would not be allowed to travel out of The Gambia without the permission of the PSC; and he 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 dismissal, he would be paid arrears of salary and given any increment due.

If the officer were found guilty of a criminal charge, he 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 45 years and his 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 compulsory retirement.

The Permanent Secretary, Personnel Management Office, would then write to the officer suggesting that he retires voluntarily in accordance with the Pensions Act 1950. Alternatively, he 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 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 retirement.

9. **Reprimand**

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

10. **Surcharge**

In particular where damage has been done to Government property.

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