

ENVIRONMENT DIVISION

CODE OF ETHICS



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Purpose of the Code of Ethics

The Code of Ethics lays out the values and expected behaviours that will guide Environment Division employees and contractor in their daily work. These guidelines are essential in how we work together to ensure the public's trust in the integrity of the services we provide. The values outlined in the present Code are endorsed consistent with relevant legislation, and Government policies.

Chapter 1: Introduction

1. Objectives

The Environment Division Code of Ethics sets out the conduct expected of you as a public servant and Environment Division employee and contractor, in all activities related to your professional duties, as well as the values underlying those expectations. In agreeing to work for Environment Division, you agree to abide by the expected conduct and values outlined in this Code. By adhering to this Code, you help to strengthen the ethical culture of our department and to build public confidence in our work.

This Code was developed in consultation with employees, management and is yet to undergo consultation with Bargaining agents and other relevant stakeholders. When this is completed the Code will be finalized.

When ethical concerns arise, you are encouraged to discuss and resolve these matters in a timely manner with your immediate supervisor or with Chief Environment Officer. Ethical concerns must be handled in a fair and respectful manner, and, where appropriate, should be resolved informally.

2. Application

Adherence to this Code is a condition of employment for every person employed at Environment Division, regardless of level or position, and regardless of whether the type of employment is indeterminate, term, assignment, leave with or without pay, student, casual, seasonal or part-time. Any volunteers and interns in the Division are expected to respect its provisions.

By upholding these ethical standards, employees conserve and enhance public confidence in the honesty, fairness and integrity of the public service.

3. Consequences

An employee who does not comply with this Code may be subject to disciplinary measures, up to and including termination of employment.

4. Effective Date

*The **Environment Division Code of Ethics** was reviewed by the Permanent Secretary, Ms. Hildred Simpson approved by the Minister In May 2015.*

Chapter 2: Our Division

1. The Role of Environment Division

Environment Division is the Government's lead Coordination Agency on a wide range of environmental issues facing Antigua and Barbuda. As a science-based department, Environment Division addresses these issues through research, policy development, and guided by regulation and environmental laws. The Division also executes its Work Program by its own staff and through strategic partnerships with NGOs and the private sector. Programs are focused on conserving and where necessary restoring Antigua and Barbuda's natural environment; equipping citizens to make informed decisions on Land, water and climate conditions; and minimizing threats to citizens and their environment from pollution. The Division program further understands and respect that our focus reflects the increasingly evident interdependence between environmental sustainability, economic and ecosystem well-being.

A number of Acts and regulations provide the Division with its mandate and allow it to carry out its programs, which include:

2. Delivering on Our Mandate

Environment Division employees deliver program of Works around strategic outcomes:

Be Clean:

By the minimization of threats to Citizens and their environment from pollution including green House Gases;

Be Safe

by equipping Citizens to make informed decisions on changing Land, air, water and climate conditions;

Be Sustainable:

by conserving and restoring Antigua and Barbuda's natural environment for the well being present and future generations of persons, Plants and Animals.

Environment Division employees support sound environmental decisions and are respectful and supportive of colleagues and clients, enabling them to achieve results for Citizens.

3. The Role of the Minister

Antigua and Barbuda's democracy is founded on the constitutional principles of responsible government, in which the powers of the Crown are exercised by Ministers and Permanent Secretaries who are in turn accountable to Parliament. In our department, the Minister of the Environment plays a critical role in supporting our responsibility as employees to provide professional and accurate advice.

4. Role of the Permanent Secretary

The Role of the Ministry and the office of the Permanent Secretary is to provide oversight for all aspect of the work of the Division. This includes financial controls, Human resource development and technical oversight. The Ministry is staffed with professionals with a wealth of knowledge of Human resource management, labour issues, Knowledge of the Laws and policies that governs the work of the Government. The Ministry and the Office of the Permanent is an invaluable source of advice and professional support.

5. Responsibilities of Chief Environment Officer

Management of the Division has a particular responsibility to exemplify the values set out in this Code, and to support employees in this regard. Managers also have a responsibility to recognize and value the contribution of those who report to them and to foster workplace learning.

The Chief Environment Officer is responsible for fostering a strong culture of values and ethics in the Department, including the effective implementation and employee awareness of the Environment Division Code of Ethics and the Internal Disclosure Procedures for allegations of wrongdoing in the Department. The Chief Environment Officer is also responsible for ensuring non-partisanship in the provision of programs and services by the Department.

The Chief Environment officer and other Managers within the Division are subject to this Code.

6. Our Role as Environment Division Employees

As dedicated professionals whose work is essential to our national well-being, Environment Division employees are committed to serving the public interest and upholding the trust of Citizens. We serve the Citizens and their communities, under the direction of the elected government and in accordance with the laws of Antigua and Barbuda, recognizing that a professional and non-partisan public service is integral to our function at the Division.

Chapter 3: Our Values

The following values are the underlying basis of the conduct expected of you as a public servant and Environment Division employee. Managers and employees alike are expected to integrate these values into their decisions, actions, policies, processes and systems, and to act accordingly. Likewise, all those employed by Environment Division can expect to be treated in accordance with these values by the management of the Division.

A. Public Service Values

1. Respects for the Ministerial and Civil Service

Antigua and Barbuda parliamentary democracy and its Civil Service are fundamental to serving the public interest. Environment Division employees recognize that elected officials are accountable to Parliament, and ultimately to the Antigua and Barbuda people, and that a non-partisan public service is essential to our democratic system. Respecting our system of democracy means:

- *Respecting the rule of law and carrying out our duties in accordance with legislation, policies and directives in a non-partisan and objective manner.*
- *Loyally carrying out the lawful decisions of our leaders and supporting ministers and Ministry leaders in their accountability to Parliament and Citizens.*
- *Providing decision-makers and civil society with all the information, analysis and advice they need, always striving to be open, candid and impartial.*

2. Respect for People

Treating all people with respect, dignity and fairness is fundamental to our relationship with the Antigua and Barbuda public and contributes to a safe and healthy work environment that promotes engagement, openness and transparency. Individuals shall not discriminate against members of the public or in their relationships with colleagues or members of other professional institutions on the basis of race, ethnicity, gender, gender identity/gender expression, age, religion, national origin, sexual orientation or disability. The diversity of our people including persons with disability, youth and other vulnerable section of our population and the ideas we generate are the source of our innovation. Respecting people means:

- *Treating every person with respect and fairness.*
- *Valuing diversity and the benefit of combining the unique qualities and strengths inherent in a diverse workforce.*

- *Helping to create and maintain safe and healthy workplaces that are free from harassment and discrimination.*
- *Working together in a spirit of openness, honesty and transparency that encourages engagement, collaboration and respectful communication.*

3. Integrity

Integrity is the cornerstone of good governance and democracy. By upholding the highest ethical standards, employees conserve and enhance public confidence in the honesty, fairness and objectivity of the Division. Acting with integrity means:

- *Acting at all times in a manner that will bear the closest public scrutiny, an obligation that may not be fully satisfied by simply acting within the law.*
- *Never using one's official role to inappropriately obtain an advantage for ourselves or to advantage or disadvantage others.*
- *Taking all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between one's official responsibilities and one's private affairs in favour of the public interest.*
- *Acting in such a way as to maintain our employer's trust.*

4. Stewardship

Environment Division employees are entrusted to use and care for public resources responsibly, for both the short-term and long-term. Responsible stewardship means:

- *Effectively and efficiently using the public money, property and resources we manage.*
- *Considering the present and long-term effects that our actions have on people and the environment.*
- *Acquiring, preserving and sharing knowledge and information as appropriate.*

5. Excellence

Excellence in the design and delivery of public service policy, programs and services is beneficial to every aspect of our Citizen's life. Engagement, collaboration, effective teamwork and professional development are all essential to a high-performing organization. Professional excellence means:

- *Providing fair, timely, efficient and effective services taking into consideration the Ability of Citizens to receive these services;*
- *Continually improving the quality of policies, programs and services we provide.*
- *Fostering a work environment that promotes teamwork, learning and innovation.*

B. Environment Division Values - “This is who we are”

*At the Environment Division, we recognize that the environment is vital to the identity and well-being of citizens. We recognize that “**we belong to the Environment and that it is who we are**”. We value the contribution of the natural and social sciences in making responsible decisions about the environment. We are committed to demonstrating integrity, trust and mutual respect in our working relationships. We value the dedication and teamwork of our people, and strive to provide high-quality service to the public. We act on these values by:*

- *Leading by example, showing environmental responsibility in our own operations;*
- *Encouraging innovation and initiative in our people, and a culture of learning in our department;*
- *Operating in a way that is consistent with public service values;*
- *Working collaboratively and respectfully with other departments, and stakeholders and enhancing the efforts of all partners and stakeholders.*

Chapter 4: Wrongdoing

1. Disclosure of Wrongdoing

There are three (3) separate but interrelated legislations which govern conduct of employees within the Environment Division. If you have information that could indicate a serious breach of this Code, you can bring the matter, in confidence and without fear of reprisal, to the attention of your immediate supervisor, to the Senior Officer for Complaints, or to the Chairman of the Integrity Commission. Employees who make a disclosure under these pieces of legislation are legally protected from any reprisal against them for having come forward with information related to any wrongdoing in the public service.

1. The Integrity in Public Life Act, 2004

Every person in public life shall observe the Code of Conduct, which can be found in the Second Schedule of the act, failure of which is subject to a fine and possible imprisonment. If a person is of the belief that any person in the public life is in breach of the Code of Conduct, they may make complaint in writing detailing the breach. The details should include when and by whom the breach was committed. To increase the likelihood of the success of a complaint, evidence should be provided that supports the accusations levelled in the complaint along with a sworn statement.

The Act provides protection for whistleblowers. This means that members of the public or even employees of the Environment Division will not face any consequences for coming forward with information that leads to the discovery of a breach of a Code of Conduct by a staff member. If as an employee of the Division, you have a complaint to report it must be submitted to your immediate supervisor, the Senior Officer for Complaints or the Integrity Commission as provided for in this Act.

2. The Freedom of Information Act, 2004

This Act describes the occasions in which a person may disclose information to the Information Commissioner or any other authority on the wrong doing of a public authority. These include:

- *Threats to the health and safety of an individual, public or the environment*
- *Criminal activity*
- *Non-compliance with legal obligations*
- *Miscarriages of justice*
- *Corruption, dishonesty or serious mal-administration*
- *Abuses of authority or neglect in the performance of an official duty*
- *Injustice to an individual*

The act provides that the informant shall not be subject to legal proceedings if the information was reported in good faith and the individual thought them to be true. If the person does make a report maliciously they are liable of a criminal offence and are subject to fines or imprisonment

3. The Prevention of Corruption Act, 2004

This Act defines corruption and the range of behavior by a public official that will constitute an offence under this Act. These include:

- *Performing or failing to perform duties in the interest of obtaining personal benefit for him/herself or some other persons*
- *Requesting or accepting any personal interest, benefit or advantage for the purpose of influencing the performance or non-performance of their duty*
- *Offering or giving a public official any property, benefit or advantage to influence them in the performance or non-performance of their duty*

- *Allowing private interests to conflict with or influence the performance of one's public duties*
- *Using classified information obtained in the course of his/her duties in an improper manner*
- *Improper usage of property belonging to a public body for his/her benefit or some other person*
- *Offering benefits to gain the admittance of public officials in obtaining contracts with public bodies or particular contract prices*
- *Offering property, advantage or benefit to public officials in another State to influence the performance of their public functions*

The public official in a position of influence that has received property, benefit or advantage must prove that it was not given or received corruptly. It is not a defense for the public official or the individual who offered the benefit to prove that

- *The public official didn't have the power or opportunity to perform or fail to perform the duty*
- *The public official accepted the inducement with no intention to perform or fail to perform their duty the public official did not perform or fail to perform their duty*

2. To whom do I direct a complaint?

All complaints are directed to the Chief Environment Officer or Deputy Chief Environment Officer.

3. Disclosures from the Public

Any member of the public who has information indicating that an Environment Division employee has committed a serious breach of this Code may raise the matter with the Chief Environment Officer, Minister, the Permanent Secretary (see our complaint reporting policy).

Chapter 5: Conflict of Interest,

1. The Definition of a Conflict of Interest

In the context of this Code, a conflict of interest arises when you have a private interest that may improperly influence the performance of your official duties and responsibilities as an Environment Division employee, or if you use your position for

personal gain. A real conflict of interest exists at the present time, an apparent conflict of interest could be perceived by a reasonable observer to exist, whether or not it is the case, and a potential conflict of interest could reasonably be foreseen to exist in the future.

2. Preventing and Dealing with Conflict of Interest Situations

Environment Division employees maintain public confidence in the objectivity of the Department by preventing and avoiding situations that could result in a real, apparent or potential conflict of interest. You are encouraged to seek guidance from senior staff for advice.

As employees, we can prevent conflicts from arising between our public duties and private interests by:

- 1. Taking all reasonable steps to recognize, prevent, report and resolve any real, apparent or potential conflicts of interest between our official responsibilities and our private affairs;*
- 2. Refraining from having private interests that could be affected by government decisions and actions in which we participate;*
- 3. Not knowingly taking advantage of or benefiting from information that is obtained in the course of our official duties and that is not available to the public;*
- 4. Refraining from the direct or indirect use of, or allowing the direct or indirect use of, federal government property, including property leased to the government, for anything other than officially approved activities;*
- 5. Not assisting private entities or persons in their dealings with the government, where this would result in preferential treatment of the entities or persons;*
- 6. Not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome; and*
- 7. Maintaining the impartiality of the public service and not engaging in any outside activity that impairs or could be seen to impair our ability to perform our duties in an objective manner.*

3. Social Media and Conflicts of Interest

With the permanent and pervasive nature of information technology, public servants should be particularly sensitive to real, apparent or potential conflicts of interest that may arise from messages and information transmitted via the Internet and other media.

4. Confidential Reports

All senior officers must report their assets and interests. This Confidential Report must be made by March each year.

4.1 Assets

Employees are required to evaluate their assets, taking into consideration the nature of their official duties and the characteristics of their assets. If there is any real, apparent or potential conflict of interest between your official duties and your assets, you must report the matter.

4.2 Outside Employment or Activities

Employees may engage in employment outside the public service and take part in outside activities unless the employment or activities are likely to give rise to a real, apparent or potential conflict of interest or would undermine the impartiality of the Department or the objectivity of the employee.

You are required to provide a report to the Chief Environment Officer when your outside employment or activities might subject you to demands incompatible with your official duties, or cast doubt on your ability to perform your duties in a completely objective manner. The Chief Environment Officer may require that the outside activities be modified or terminated if it is determined that there is any conflict of interest.

4.3 Gifts, Hospitality and Other Benefits

You are expected to use your best judgment to avoid situations of real, apparent or potential conflict of interest by considering the following criteria on gifts, hospitality and other benefits while keeping in mind the full context of this Code.

As an employee, you must not accept any gifts, hospitality or other benefits that may have a real, apparent or potential influence on your objectivity in carrying out your official duties or that may place you under obligation to the donor. This includes activities such as free or discounted admission to sporting and cultural events, travel or conferences.

The acceptance of gifts, hospitality and other benefits is permissible if they:

- are infrequent and of minimal value;*
- are within the normal standards of courtesy or protocol;*
- arise out of activities or events related to the official duties of the employee concerned; and*
- do not compromise or appear to compromise the integrity of the employee concerned and/or of Environment Division.*

Employees are to seek written direction from the Chief Environment Officer where it is impossible to decline gifts, hospitality or other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to the Division to warrant acceptance of certain types of hospitality.

5. Avoidance of Preferential Treatment

As an employee, you are responsible for demonstrating objectivity and impartiality in the exercise of your duties and in decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations, or any other exercise of responsibility.

This means that you are prohibited from granting preferential treatment or advantages to family, friends, or any other person or entity. You are not to offer extraordinary assistance to any entity or persons already dealing with the federal government without the knowledge and support of your supervisor. You also are not to disadvantage any entity or persons dealing with the federal government because of personal antagonism or bias. Providing information that is publicly accessible is not considered preferential treatment.

7. Resolution

With respect to the arrangements necessary to prevent real, apparent or potential conflict of interest, or to comply with the requirements set out above, it is expected that issues will be resolved through discussion and agreement between the employee and the Chief Environment Officer. An employee who disagrees with the final advice may seek to address the matter through the office of the Permanent Secretary and or the Minister.

Annex 1: Summary of rules for Established Officers¹

The Environment Division Code of Conduct and Ethics is based on The Civil Service Act and its Regulations. The Code applies to all staff and consultants working at the Division. In general, it specifies the values that public officers are expected to uphold in the Public Service.

Guiding Principles for Public Officers

The Code specifies the values that public Officers are expected to uphold in the Public Service. All officers in the Public Service, should uphold values that reflect a Service that:

- *is apolitical, impartial and professional;*
- *maintains the highest ethical standards;*
- *recruits and promotes persons based on merit;*
- *is responsive to the Government in implementing the Government's policies and programmes;*
- *provides a workplace that is free from discrimination and promotes the fair treatment of officers;*
- *delivers services fairly, effectively, impartially and courteously to the public;*
- *establishes relations in the workplace that value communication, consultation, co-operation and input from employees on matters that affect their workplace;*
- *Provides conditions conducive to the good health and welfare and safety in the workplace*
- *focuses on achieving results and managing performance;*
- *provides a system of preserving employee privacy;*
- *Officers shall conduct themselves with integrity, impartiality and honesty and shall;*
- *not deceive or knowingly mislead Ministers, Parliament, Permanent Secretaries or the public.*

¹ Taken from the Civil Service Act CAP 87

OUR MODE OF DEALING WITH PUBLIC AND OTHERS

Officers shall endeavour to deal with the affairs of the public sympathetically, efficiently, promptly and without bias or maladministration, being courteous and respectful in words and demeanour to members of staff and to the public. Officers shall endeavour to ensure the proper, effective and efficient use of public funds; officers are strictly accountable in respect of the use of those funds in accordance with the provisions of:

- a) The Financial Management Act and Audit Act (2011);*
- b) Any Rules made under the Financial Management and Audit Act; and*
- c) The Financial Administration (Financial) Rules,*
- d) The Accounting Manual (2007)*

Public Officers shall not

- a) misuse their official position or information acquired in the course of their official duties to further their private interests or those of others; or*
- b) receive benefits of any kind from a third party that might reasonably be seen to compromise their personal judgment or integrity.*
- c) Officers shall conduct themselves in a manner that will ensure the efficient and effective discharge of their duties.*
- d) Officers shall comply with restrictions on their political activities in accordance with the Act or Regulations.*
- e) Public officers shall conscientiously perform their duties and obligations and impartially assist, advise and carry out the lawful policies of the Government.*
- f) Officers shall not, without authority, disclose official information that has been communicated in confidence within with Ministry or department, Cabinet or received in confidence from others.*

CODE OF DISCIPLINE IN THE PUBLIC SERVICE

In this Code, “misconduct of a serious nature” means conduct that warrants the dismissal of the offending person and in addition to the misconduct specified, including the following:

- a) absence from duty without leave or approval;*
- b) conviction of a criminal offence punishable by a term of imprisonment;*
- c) failure to report or disclose any information that ought reasonably to be reported or disclosed where the consequence of that failure amounts to a grave injustice;*
- d) unauthorized disclosure of information pertaining to the Government;*
- e) habitual intoxication or possession, use or distribution of illegal drugs while on duty;*
- f) reporting for duty or performing duties while under the influence of alcohol or illegal drugs;*
- g) failure to observe any laws, orders, rules or regulations governing the Public Service;*
- h) falsification of accounts or records, either manual or electronic;*
- i) willful mutilation, alteration or destruction of property including official documents or records, either manual or electronic;*
- j) the threatening of a fellow officer or any person or threatening the destruction of any property while on duty;*
- k) the causing of grievous bodily harm;*
- l) the unauthorized possession of a firearm or other device that can be considered an offensive weapon; (m) acceptance of bribes or other inducements;*
- m) misappropriation of public funds;*
- n) major loss of or damage to property of the employer;*
- o) failure to perform the duties assigned to the office;*
- p) negligence in the performance of duty;*
- q) sexual harassment;*
- r) failure to maintain official records where the consequence amounts to a grave injustice;*

Misconduct involving 3 or more of the matters listed herein as matters of misconduct of a minor nature in paragraph (a) to (g) within a period of 2 years;

“Misconduct of a minor nature” means misconduct that does not warrant dismissal and includes the following:

(a) Use of obscene, abusive or insulting language while on duty;

(b) Malingering on duty;

(c) Failure to maintain official records as required;

(d) Insubordination;

(e) Unpunctuality without just cause;

(f) Loss of or damage to property of the Crown other than that considered as a misconduct of a serious nature;

(g) Misuse of the Government’s intranet, the internet and any other information and any other information technology network;

Annex 2: Bargaining Agreement for Non- Established Workers;

Non – Established workers are governed by a collective bargaining agreement. This agreement is reviewed periodically as a result of negotiations between the Government and the Union. The agreement is on a file – of the above mentioned named and a copy of this will be available for all employees to review.