



**CPS**

# **Crown Prosecution Service Code of Conduct**



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# Policy objective

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The CPS aims to become a world-class, independent prosecution authority that delivers a valued public service. As an organisation, the CPS values all its people, seeks to perform to a high standard and aims to inspire pride and work in partnership with colleagues, stakeholders and other agencies.

The Code of Conduct provides all employees with an understanding of what is expected of them whilst working for this Department and highlights their key responsibilities as a CPS employee and as a civil servant. It incorporates the principles of the Civil Service Code and highlights the standards that must be observed throughout and after their employment with the CPS. Employees should read and apply this Code in conjunction with any other CPS ethical principles or professional codes of conduct. It is the responsibility of all employees to read this Code and conduct themselves appropriately in accordance with it.

## Scope

All employees of the CPS are directly covered by the Code of Conduct. Agency workers, contractors and suppliers must be made aware of the CPS standards of conduct and work performance that is expected, and this will be reflected in any agreements/contracts.

## Review date

The policy will be reviewed by the Human Resources Directorate (HRD) after the first year of publication and thereafter every two years, or sooner where new developments in employment legislation or organisational needs necessitate such a review. Reviews will be carried out in consultation with the trade unions, managers and staff networks, working in partnership with the Equality and Diversity Unit and other key stakeholders. The next review will be undertaken in October 2008.

# 1. Introduction

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- 1.1** This Code of Conduct provides standards for all employees in order to maintain and promote public confidence in the integrity of the CPS. It sets out the standards of behaviour expected both at work and in the link between employees' work and their private lives. It takes into account the requirements of the Civil Service Code, the Civil Service Management Code and the general law, including Human Rights legislation, as well as what is regarded as good practice.
- 1.2** There are other policies and standards which supplement this Code, which staff are expected to familiarise themselves with. In terms of this Code, the following are particularly important: [Dignity at Work](#), [Health and Safety](#), [Internet and Email Usage](#), [Non Smoking](#), Guidance on [Drugs](#) and [Alcohol](#), [Employee Assistance](#), Managing Attendance, [Flexible Working](#) and [Special Leave](#). This highlighted list of policies and standards is not exhaustive or exclusive. In addition, employees may have their own professional codes that they will be expected to comply with.

## Reporting concerns

- 1.3** The CPS is committed to creating and sustaining an ethical work environment. If employees observe malpractice or any breach of this code, they should report it using the ['Whistleblowing'](#) policy. This policy is in keeping with legislation that protects employees acting reasonably and responsibly within the requirements of the Public Interest Disclosure Act.

## Breaches of this Code

- 1.4** If employees fail to comply with the standards set out in this Code (including the Civil Service Code) and the policies referenced within it, it may lead to action being taken under the disciplinary procedure. Serious breaches of the Code may be deemed as gross misconduct and in accordance with the [Disciplinary Policy](#) may lead to summary dismissal.
- 1.5** In the case of other types of workers, e.g. agency workers, contractors and consultants, breaches will be taken up with the external organisations responsible for the worker and may result in termination of the engagement or contract.

# 2. Roles and Responsibilities

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- 2.1** The roles and responsibilities of Directors, line managers and the HRD include, but are not limited to, the following:

## Directors/CCPs/Area or HQ Business Managers

- Fully supporting the implementation of the Code consistently throughout the organisation
- Leading by example in modelling behaviours, ways of working and practices that support the highest possible standards set out in the Code and the values underpinning it
- Maintaining a register of gifts and hospitality

## **Line Managers**

- Setting a positive example for their staff in terms of their managerial and professional behaviour in relation to this code
- Incorporating and promoting equality and diversity in all that they do
- Providing a copy of this Code to all new employees
- Ensuring that standards in this Code are established and communicated to their team and maintained
- Providing clarification on areas of the Code to improve staff understanding
- Assessing employee performance in relation to this Code and giving feedback
- Taking appropriate action at the earliest opportunity to deal with non-compliance with the standards in this Code
- Implementing standards of the Code equitably and in line with current legislation and best practice

## **Employees**

- Reading and understanding the Code and comply with all its expectations
- In complying with the Code, applying the core values of integrity, honesty objectivity and impartiality
- Asking for clarification on any aspects of the Code that they are uncertain about
- Incorporating and promoting equality and diversity in all that they do

## **Human Resources Directorate (HRD)**

- Communicating the Code
- Ensuring that appropriate training and updated programmes are implemented across the organisation
- Advising managers on all aspects of the Code to ensure they operate it in a fair and effective manner
- Advising employees on all aspects of the Code
- Providing a central resource for monitoring and reviewing the effectiveness of the Code
- Monitoring breaches of the Code, particularly where disciplinary action is taken, to identify trends and ensuring that any disproportionate impact on any particular group is highlighted and addressed.

## **Other Sources of Advice and Support**

Care First Support Services – confidential counselling service for employees

HR Advice Centre, Cardiff

Disabled Staff Network – the support network for disabled employees

LGBT – support network for Lesbian, Gay, Bisexual and Transgender employees

National Black Crown Prosecution Association (NBCPA) – a support network for Black and minority ethnic staff

Trade Unions – First Division Association (FDA) and Public and Commercial Services (PCS)

## 3. Principles

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- 3.1** There is a fundamental requirement for civil servants (including employees of CPS) to be, and to be seen to be, objective, honest and impartial in the exercise of their duties. They must not allow their judgement or integrity to be compromised in fact or by reasonable implication. In particular:
- 3.1.1** Employees must not misuse information which they acquire in the course of their official duties to the detriment of the CPS, nor without authority, disclose official information which has been communicated in confidence within Government, or received in confidence from others;
  - 3.1.2** They must not seek to frustrate the policies, decisions or actions of Government either by declining to take, or abstaining from, action which flows from ministerial decisions or by unauthorised, improper or premature disclosure outside the Government of any information to which they have had access as employees of CPS;
  - 3.1.3** Employees must not take part in any political or public activity which compromises, or might be seen to compromise, their impartial service to the Government of the day.
  - 3.1.4** Employees must not misuse their official position or information acquired in the course of their official duties to further their private interests or those of others. Conflicts of interest may arise from financial interests and more broadly from official dealings with, or decisions in respect of, individuals who share an employee's private interests (for example freemasonry, membership of societies, clubs and other organisations, and family). Where a conflict of interest arises, employees must declare their interest to senior management so that senior management can determine how best to proceed; and
  - 3.1.5** Employees must not accept gifts, hospitality or benefits from a third party which might be seen to compromise their personal judgement or integrity in the course of their employment.(Also see section 5).
- 3.2** Civil servants who are elected national, departmental or branch representatives or officers of a recognised trade union need not seek permission before publicising union views on an official matter if it directly affects matters defined as trade union duties and activities (in the Code of Practice on Time Off for Trade Union Duties and Activities). Also, in relation to the CPS as the employer, if it is of legitimate concern to their members as CPS employees. In all other circumstances they must conform to the standards set out in this policy.
- 3.3** It is not possible to cover every area of working life in this Code. It does not deal for example with such issues as isolated neglect of duty, failure to obey a reasonable instruction or other forms of misconduct which may be dealt with more appropriately under CPS disciplinary arrangements.

## 4. Working with Others

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### Core Principle

Every employee has the right to be treated with respect and dignity and has the responsibility to treat others with respect and dignity as well.

Failure to comply may result in action being taken under the disciplinary procedure.

### Equality and Diversity & Dignity at Work

**4.1.1** As an employee, you are expected to behave in accordance with the Equality and Diversity policy. The [Dignity at Work](#) policy sets out CPS requirements and best practice in relation to working with colleagues within the CPS. All employees working for the CPS have rights; employees must acknowledge and accept the responsibilities which accompany these rights.

### Rights

**4.2** As an employee of the CPS you have the right:

- to be treated fairly and with dignity, respect and courtesy by your managers and colleagues;
- to work in an environment free from any form of discrimination, bullying, harassment and victimisation; and
- to be valued for the skills, abilities and experience you bring to your role.

### Responsibilities

**4.3** As an employee working for the CPS your responsibilities are:

- to ensure that the rights of others are respected and upheld;
- to be polite and take a positive, responsive and considerate approach when dealing with the public, colleagues and /or other agencies;
- to support and encourage an environment which values all people and not to cause embarrassment, alarm or distress to another employee;
- to not bully or harass others, nor discriminate unfairly, unlawfully or institutionally on any grounds;
- not to demean, distress or offend the decency of others or engage in, or encourage, malicious gossip/jokes/rumour/innuendo;
- to maintain constructive and professional working relationships with your managers, staff and colleagues at all levels and those external to CPS that you come into contact with;
- to work to the standards of performance agreed with your line manager;
- to avoid actions which may adversely affect the reputation of the CPS;
- to maintain a professional approach to your work and colleagues; and
- to conduct yourself in accordance with the procedures and guidance set out in this Code.

## Relationships

**4.4** As an employee of the CPS you must comply with CPS policies and be aware of the responsibilities involved in working effectively with your manager, working as a manager, working with the public, and other Criminal Justice System (CJS) agencies. The CPS impacts across all the communities we serve and the agencies we engage closely with. To fulfil our role within the CPS effectively, we must be professional, sensitive, objective, helpful and accountable for our actions and decisions in our dealings with the public and other CJS agencies.

## External Contacts

**4.5** In working with external contacts, it is important that you:

- meet or exceed agreed CPS standards of service in person, by phone, letter or email and are as transparent and clear as possible about decisions, the actions taken and the reasons for them;
- are dressed to an acceptable standard which is appropriate to your daily work and reflects the positive image which CPS wishes to convey (Please see 19.1).

## Integrity and Honesty

### 5. Gifts and Hospitality

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#### **Core Principles:**

Gifts, loans, fees, rewards, any advantages or offers of hospitality must generally be refused (unless it is an official recognition), especially if either of the following would be contravened by acceptance:

Your conduct must not foster the suspicion of any conflict between your official duty and your private interest;

You must not give the impression to any member of the public, to any organisation with whom you deal, or to your colleagues that you have been, or may be, influenced by a gift or consideration to show favour or disfavour to any person or organisation.

Failure to comply may result in action being taken under the disciplinary procedure.

- 5.1** We expect you to use CPS money and resources with absolute honesty and integrity and to demonstrate this at all times.
- 5.2** It is a breach of this Code for civil servants to accept a gift, loan, fees, any other advantage or offers of hospitality as a reward for either doing (or not doing) something in their official capacity or showing favour (or disfavour) to anyone in their official capacity or in the course of their employment.

## Trivial Gifts

- 5.3** This does not preclude the acceptance of gifts and benefits of a trivial or inexpensive nature, such as diaries etc from external sources. Any such reward offered to you, or if appropriate any member of your family, must be reported to your line manager and declared in the hospitality register. You should note that in such situations the burden of proof will rest on the person receiving the favours. The Area/HQ Business Managers will review the hospitality register on a six monthly basis.

## Foreign Governments

- 5.4** The CPS will consult the Foreign Office if an employee is offered a decoration or medal or other gift by a foreign government, which if refused may risk apparent discourtesy.

# 6. Conflicts of Interest

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### Core Principle

You must not put yourself in a position where your duty and your private interests conflict and if they do, you must declare it immediately to the Area/HQ Business Manager. You must be sensitive to the public perception that such a conflict could prevent the impartial performance of your duties, that your conflict of interests are not compatible with public service or that you may be suspected of improper behaviour.

Failure to comply may result in action being taken under the disciplinary procedure.

- 6.1** You may find that your personal life overlaps with your work or the work of the CPS. If your duty and your private interests conflict, or this has the potential to occur, you have a responsibility to disclose this to line management at the earliest opportunity. For example, if you are involved with an organisation with which the CPS conducts business, or, if you know of someone involved in a case with which you are dealing or that is being dealt with in your Area/Directorate, this must be declared to line management.
- 6.2** You must not use your position improperly to favour or disfavour someone based on your personal interests, relationships, friendships, associations, or the interests, relationships and associations of your friends, relatives and any one you have a close personal relationship with. You must follow the appropriate procedures when procuring a service or product on behalf on the CPS or dealing with any other contracts.

## Private Interest Groups

- 6.3** You should note that conflicts of interest may also arise from financial interests and more broadly from official dealings with, or decisions in respect of, individuals who share their private interests (for example Freemasonry, membership of societies, clubs and other organisations).

## Recruitment and Selection

- 6.4** When involved in recruitment and selection, in order to promote the principle of recruitment on merit and on the basis of fair and open competition, you must ensure that you:
- declare any matters which might impact on your suitability to carry out the duties of the post applied for, e.g. health or commercial interests;
  - declare any close relationships between candidates and panel members;
  - are open and honest on any applications and at any interview;
  - disclose any recent convictions and/or any criminal charges you may currently face, including cautions and reprimands;
  - disclose if you have links, in any way, with any actual or potential “clients/contractors” which may be seen as conflicting with your day to day work duties or the reputation of the CPS; and
  - do nothing to seek undue favour from employees of the CPS, or the Office of the Civil Service Commissioners, during the selection process.

## 7. Confidentiality

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### Core Principle

You must not breach confidentiality in the course of your employment, particularly personal or sensitive information. This does not apply to legitimate concerns about unlawful activities, fraud or malpractice or contravention of CPS policies and standards. The [Whistleblowing](#) procedure provides a framework for raising serious concerns about any aspect of the Department's work without fear of reprisal.

Failure to comply may result in action being taken under the disciplinary procedure.

### Breaches

- 7.1** You must not inappropriately disclose or misuse confidential information that you know about Ministers, staff, contractors, individuals involved in a case, or other organisations working with the CPS.
- 7.2** You must not access or attempt to access information you are not authorised to have or which is not relevant to your role or post.

### Official Secrets

- 7.3** The Official Secrets Act 1989 applies to all civil servants. By signing your contract of employment you are agreeing that you will not disclose information acquired through official duties to any unauthorised person or authority. This obligation continues indefinitely, even after your employment comes to an end.

## Use of Official Information

**7.4** The CPS must retain control over what information can be published externally and therefore employees who wish to take part in any outside activity which involves using information which is not in the public domain or experience gained at work, must first seek permission, via line management, from their Area/HQ Business Manager.

## Sensitive Information

**7.5** We expect you to store and use personal and/or sensitive information properly to prevent unauthorised access, and to have due respect for confidentiality. You have a responsibility to ensure that information gathered while working for the CPS whether held electronically or by other means should not be used for commercial or personal gain or otherwise misused.

**7.6** *You must ensure that you:*

- clarify with management what information the CPS treats as confidential;
- know who is entitled to have access to what information;
- use personal information in accordance with the principles of the Data Protection Act 1998; and
- report to your manager, anyone, whether another employee, member of the public or a Minister who attempts to put pressure on you to provide access to information to which they are not entitled. (see [Whistleblowing](#) procedure)

## 8. Working within the Law

### Core Principle

You must work within the law. Unlawful or criminal behaviour, whether or not committed at work or whether or not it directly relates to your work, may result in loss of trust and confidence and bring the CPS into disrepute.

Failure to comply may result in action being taken under the disciplinary procedure.

### Involvement with the Police/Court/Other Agencies

**8.1** You must disclose to line management at the earliest possible stage, any involvement with the police which could, or does, result in an arrest, charges, summons, fixed penalty notices excluding minor driving offences, reprimands or cautions being issued or if you are convicted or if any court orders or injunctions are issued against you. Employees do not need to disclose fixed penalty notices for minor driving offences, such as speeding tickets, defective light etc, except where the conviction results in disqualification, which must always be reported to line management. Any police actions, court orders or injunctions which involve close family or anyone living as a member of your household must also be reported to line management. Similarly, investigations into personal affairs, or affairs of their family, (or anyone living as part of your household) by other prosecution agencies or professional bodies e.g. HM Revenue and

Customs, the Law Society or Bar Council, must be reported. Wilful failure to disclose such information that you are aware of, even where no charges are brought against you, may lead to disciplinary action should it subsequently be discovered.

**8.2** The Department is not restricted simply to considering criminal offences committed at work or directly related to an employee's work. Any criminal offence may lead to disciplinary action. The extent to which the criminal offence may affect employment depends on whether the conduct and behaviour:

- makes the member of staff unsuitable for their type of work; and/or
- may reflect adversely on the Department's public image or ability to perform its function – e.g. offences involving driving with excess alcohol which, according to the circumstances disclosed, may constitute gross misconduct.

Staff sentenced to immediate imprisonment may be dismissed without notice or compensation in lieu of notice.

## 9. Private Financial Affairs

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### **Core Principle**

Your personal/private financial affairs must not affect or compromise your honesty or integrity and must not bring the CPS into disrepute.

Failure to comply may result in action being taken under the disciplinary procedure.

### **Financial Status**

**9.1** You are expected to conduct your private financial affairs in a satisfactory manner. If you find yourself in financial difficulties to the extent that legal action is taken against you, or if you become bankrupt or insolvent this must be reported to your Area Business Manager/ HQ Director as soon as possible.

### **Investments**

**9.2** Employees may freely invest in shareholdings and other investments or securities unless the nature of their work is such as to require constraints on this. They must not be involved in taking any decision which could affect the value of their private investments, or the value of those on which they give advice to others; or use information acquired in the course of their work to advance their private financial interests or those of others.

### **Business Interests**

**9.3** Employees must therefore declare to the CPS any business interests (including directorships) or holdings of shares or other securities which they or members of their immediate family (spouse, including partner where relevant, and children) hold, to the extent to which they are aware of them, which they would be able to further as a result of their official position. They must comply with any subsequent instructions from the CPS regarding the retention, disposal or management of such interests.

- 9.4** Employees must not receive government contracts or be a partner or director in such enterprises, unless they have fully declared their interest in the contract and have written permission through the Area/HQ Business Manager, with advice from the HR Director.

## **Borrowing/Lending Money and Gambling**

- 9.5** You must never personally or acting as an agent or business, borrow from or lend money to other employees, members of the Criminal Justice system or any person with whom you come into contact with in the course of your official duties, that may (or be seen to) affect or compromise your honesty and integrity.
- 9.6** It is forbidden to gamble at work or on official premises, although national lottery syndicates and occasional office sweepstakes or raffles may be allowed at management discretion.

## **10. Other Employment**

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### **Core Principle**

You may take on other work provided you declare your intentions before starting such work, it does not conflict with the performance of your duties or your role as a Civil Servant and you have been given permission to do so.

Failure to comply may result in action being taken under the disciplinary procedure.

### **Link with CPS Work or Position**

- 10.1** You must seek written permission from your Area/HQ Business Manager before taking up a second form of employment or other engagement, whether paid or unpaid, e.g. as an agent, or director to a company. (Please see Appendix 1). Any such work must not:
- in any way have an adverse affect on official work either because of its nature or because it contravenes or potentially contravenes the Working Time Regulations or health and safety regulations;
  - bring any conflict of loyalty or interest to your position as a civil servant;
  - conflict or potentially conflict with the interests of the CPS or damage or potentially damage public confidence in the CPS; or
  - include work as a director (other than as a government nominee) in a company holding a contract with the CPS unless they have express permission from the HR Director.

### **(Also see 9.4)**

- 10.2** Any paid or unpaid private work must be done in your own time and not when you are or should be at work, or for example, when you are receiving sick pay, on special leave or a career break (unless the career break has been specifically agreed for that purpose or authorised by the Area/HQ Business Manager.), etc.
- 10.3** You must seek consent from the Area/HQ Business Manager through line management before enrolling in the voluntary reserve or auxiliary forces, extending an engagement or entering into

a fresh one. If you are already a member of one these services on appointment with the CPS or wish to join any of the Cadet Forces, you should inform the Area/HQ Business Manager through line management.

**10.4** You are strictly forbidden to be directly or indirectly engaged:

- as a barrister or solicitor in private practice without permission from the Area Business Manager/Chief Crown Prosecutor/relevant HQ Director;
- as a solicitor or agent for any party in any criminal proceedings; or
- as a special constable.

## Post CPS Appointments

**10.5** The Business Appointment Rules provide for the ongoing scrutiny of some appointments which former civil servants propose to take up in the first two years after they leave the Service. Therefore, when you leave the CPS you need to supply full details of the proposed employment and details of any official dealings with your prospective employer.

## Judicial or Public Appointments

**10.6** Where CPS employees take up judicial or public appointments, they must not make a profit from so doing or use CPS resources for this purpose. Thus, the judicial or public appointment duties must be undertaken either as special paid leave during work time with no fee from the public body or as special unpaid leave for which they can get the fee but not salary from the CPS for that time, or outside office hours (e.g. weekends, evenings or annual/flexi leave arrangements and for part time employees, when they are not required to be at work) with fees claimed from the public body concerned. The arrangements must be agreed with the line manager and recorded as such when the time off is taken.

# Impartiality

## 11. Casework

### Core Principle

For the CPS to exercise its duties independently and impartially, free from allegations that casework decisions may have been subject to improper influence, you must declare any personal knowledge of the parties.

Failure to comply may result in action being taken under the disciplinary procedure.

**11.1** You must declare as soon as you become aware, if in the course of your duties, you handle case papers where the parties (whether as defendants, victims, witnesses, judges or defence lawyers) are personally known to you.

## 12. Personal Relationships at Work

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### Core Principle

You must declare any situation where your impartiality, objectivity, integrity or honesty may be compromised due to your being related to or having a close personal relationship with someone at work, or there is a perception that a personal relationship at work may compromise you.

Failure to comply may result in action being taken under the disciplinary procedure.

### People Management Decisions

- 12.1** Ideally, you must not be involved in appointments or be involved in decisions relating to discipline, appraisal, promotion or pay where you are related to or where you may have a close personal relationship with an applicant.
- 12.2** Subject to the mobility rules, postings and allocation of managers and employees within the CPS is at the discretion of management. Particular considerations apply in the case of married couples, civil partners, partners, close relatives and other employees with close personal relationships in the same line management structure. The CPS considers that where it can be avoided, employees in these categories should not be employed in the same unit.
- 12.3** However, it may be possible for such couples/partners to work in the same geographical area especially where the individuals concerned are in an isolated rural location or an area of high unemployment, or where they are in roles that are hard to fill, if this can be arranged without detriment to the work of the CPS.
- 12.4** The CPS may transfer from any post any person whose close personal relationship to another employee is likely, in the opinion of the CPS, to prejudice discipline or to be detrimental in any way to the interests of the CPS or the public it serves while they remain in that post.
- 12.5** Individuals, who marry, register a civil partnership or form close personal relationships during employment in the same unit, and who are of the same grade, will not be expected to move to separate work areas unless circumstances arise which make such a change appropriate for personal, operational, management or public interest reasons.

## 13. Conduct – Political Activities

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### Core Principle

You must not compromise your political neutrality and you must comply with the rules relating to political activity.

Failure to comply may result in action being taken under the disciplinary procedure.

### Political Categories

- 13.1** In considering a request to engage in any political activity, management will need to establish your actual and potential involvement and assess this against the post you hold. To help in this assessment there are three categories governing the type and level of involvement in any political activity whilst working for CPS. These categories are: politically free; politically restricted and intermediate. Further details, including the appeals process can be found in the Personnel Management Manual (Volume 2, Chapter 2) ([Political activities](#)).
- 13.2** Granting of permission will be considered by the Area Business Manager/ HQ Director when an employee applies through line management. If you are given permission to participate in any political activity you must be aware of the standards of conduct which include:
- ensuring your personal views do not influence the way you carry out your official work;
  - not participating in activities whilst on duty or on official premises; and
  - taking every care not to bring any embarrassment to the CPS or Ministers or bring either into disrepute.
- 13.3** Permission to participate in political activities may be withdrawn at any time and without prior notice but giving reasons, if there is a change in relevant circumstances.
- 13.4** If you are not granted permission to participate in any political activities you must ensure that your impartiality in any political matter remains beyond question.
- 13.5** Employees must not take part in their official or private capacities in surveys or research projects, even on a non-attributable basis, if they deal with attitudes or opinions on political matters or matters of policy.

## 14. CPS Employees as Witnesses

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### Core Principle

You are advised to be cooperative in providing information and support to other authorities.

Failure to comply may result in action being taken under the disciplinary procedure.

### Investigations and Legal Proceedings

- 14.1** As a Crown Servant, you have a general professional duty in all cases where the prosecution is being brought by a Crown body, to draw official information (i.e. any information or document which you obtain as a result of your work, whatever the source of information or document) which you believe may be relevant to the investigation or prosecution of a criminal offence to the attention of the CPS. You also have a duty to support the administration of justice, by ensuring that you give investigators, prosecutors and defendants full and proper assistance in their search for information about the alleged offence.
- 14.2** If you are going to be a witness in legal proceedings or in the internal workings of another organisation within the Criminal Justice System e.g. police disciplinary proceedings, this should be referred, via line management to your Area/HQ Business Manager. Consideration will be given to employees who are vulnerable. (e.g. due to threats of domestic violence or hate crime)
- 14.3** If you receive a request for information from a party involved in a private prosecution or agree to be a witness, you should consult your Area/HQ Business Manager.

### Civil Cases

- 14.4** If the request to make a statement or give evidence is not connected with the handling of a particular criminal case and comes within either of the following circumstances it should be referred, via the Area/HQ Business Manager to the HR Directorate for advice:
- the case is a civil one in which the CPS is, or is likely to be a party to the proceedings, e.g. a personal injury claim against the CPS; and
  - the case is a civil one on which the CPS is not a party to the proceedings but the member of staff is approached in their official capacity, e.g. they are asked to give evidence about another employee's work with the CPS on a claim against a previous employer.

## 15. Jury Service

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### Core Principle

You must declare your employment with the CPS and any knowledge of any of the parties involved. You must inform your line manager if you are asked to do jury service.

Failure to comply may result in action being taken under the disciplinary procedure.

- 15.1** On receipt of, and in response to a jury summons, you must identify yourself to the Summoning Officer and the Courts as an employee of the CPS and raise any concerns about sitting on a jury. One week before you are due to sit, you must contact the court at which you are to serve to alert them to the fact that you are a CPS employee and check whether there are any cases where the CPS is not the prosecuting authority. Unless otherwise instructed by the Court, you should attend for jury service as advised.
- 15.2** If you are summoned during or after your employment with the CPS and are sitting on a jury where the CPS is the prosecuting authority or the case is familiar, or you know, in any way any of the individuals involved in the case in which you are sitting, then this must be declared at the earliest opportunity.

## Public Relations

## 16. Contact with the Media

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### Core Principle

While you are generally expected to promote the policies and reputation of the CPS and act as our ambassador, dealing with the media is a specialist role and only those specifically authorised may do so.

Failure to comply may result in action being taken under the disciplinary procedure.

- 16.1** Unless explicitly authorised, contact with the press and media is conducted through the Press Office. If you are approached by a member of the media seeking information or comments on a CPS case or any other official matter, the request should always be declined and the caller referred to the Area Group Communications Manager/HQ Press Office.
- 16.2** If you are asked to take part in a programme about the work of the CPS you must not agree, or enter into any detailed discussion before you have requested permission from line management and sought advice from the Area Group Communications Manager/ Area/HQ Business Manager/HQ Press Office. This applies whether the invitation is to speak as a private individual, as a civil servant or anonymously.

### 16.3 *Ensure that you:*

- get permission from your Area Group Communications Manager/Area Business Manager/HQ Directors to speak, write or give interviews to the media;
- never bring the CPS into disrepute by publishing material which is confidential, or against the interests of the CPS, or its employees, or in any other way through the press or media; and
- refer all enquiries from the national press to the Press Office and from the local press to the Area Group Communications Manager, in the first instance.

*Please see 3.2 regarding trade union officials.*

## 17. Writing and Speaking Publicly

### **Core Principles**

Using official information or experience should always be with permission, should never bring the CPS into disrepute (but see Whistleblowing procedure) and should be charged on behalf of the CPS, if appropriate.

Failure to comply may result in action being taken under the disciplinary procedure.

- 17.1** Staff who wish to write books, articles or letters about the work of the CPS, using their work experience, must not approach publishers or have articles printed without written permission from the Director of Public Prosecutions (DPP) or designated officer. If you are invited to give lectures, speeches, or broadcasts in a private or official capacity, you may do so subject to the rules relating to standards of conduct set out in sections 7 and 13 of this Code, relating to confidentiality and political activity. You should take care to ensure that all events are suitable platforms for the CPS and that it is right to disclose information. You must always bear in mind your position as a Civil Servant and not do anything to bring the CPS into disrepute.

*Please see 3.2 regarding trade union officials.*

### **Use of Official Information**

- 17.2** Prior approval needs to be obtained beforehand from your Area Business Manager/HQ Director if use is to be made of official information or material in a private capacity. Any preparation as well as delivery must be in your own time. You may not retain any fee if you make use of official information or material, either privately or officially, but you may accept a fee on behalf of the CPS.

### **Invoicing**

- 17.3** Additionally, where you participate in an official capacity, you must consider the appropriateness of full or part charging (at salary level) on behalf of the CPS if an event is funded by a not for profit organisation. If it is decided not to charge the organisation funding an event, but the organisation nevertheless offers a fee, you may accept it on behalf of the CPS. Fees or charges accepted on behalf of the CPS should be made payable to CPS and submitted to the Finance Directorate.

## 18. Drugs and Alcohol

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### Core Principle

You should comply with CPS guidance on [Drugs](#) and [Alcohol](#)

Failure to comply may result in action being taken under the disciplinary procedure.

- 18.1** The CPS views the addiction to drugs and/or alcohol as a condition which requires help and treatment. Managers will provide sympathetic support, help and encouragement should you acknowledge a problem and demonstrate a commitment to rehabilitate. However you must:
- refrain from drinking alcohol in working hours or during your lunch breaks on occasions when you may expect to have contact with members of the public, the court service, police or other outside agencies or in the workplace;
  - not buy, sell, be in possession of, or be under the influence of or take illegal drugs or any other illegal substances at any time, as this is gross misconduct. Similarly, you must take only those drugs which have been medically prescribed to you or can be purchased over the counter in a pharmacy. You should not abuse any medically prescribed drug(s); and
  - any drinking of alcohol whilst at work should be avoided where possible and if consumed, there should be no discernible effect on your appearance, work performance or behaviour.

## 19. Dress

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- 19.1** The CPS expects all its employees to dress appropriately at all times, wherever they are located, with a high standard of cleanliness and personal hygiene being observed at all times. In particular, you must dress appropriately if you are attending or liable at short notice to attend court or represent the CPS in an official capacity, or have appropriate dress available.

## 20. CPS Employee Benefits

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### **Core Principle**

You must not misuse or abuse benefits you receive as an employee.

Failure to comply may result in action being taken under the disciplinary procedure.

- 20.1** The CPS has in place a number of benefits and policies which will assist you, financially, when carrying out your duties e.g. season ticket loans, assistance with childcare costs and in some cases reimbursement of travel and subsistence. These benefits must be used only in accordance with the CPS procedures.
- 20.2** You may buy surplus government items which are offered for sale unless you are associated with their disposal or have access to special knowledge about the items or they are not for your own personal use.
- 20.3** You must notify the Area Business Manager/HQ Director of any change to personal details or other information which may affect your entitlement to CPS employee benefits or the Civil Service Pension scheme benefits.

## 21. Use of CPS Assets and Facilities

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### **Core Principle**

You must respect and protect all CPS assets and facilities, including the work environment, physical objects, cash, data, information and intellectual property, at all times, using them in a responsible and lawful manner, never using them privately unless you have permission.

Failure to comply may result in action being taken under the disciplinary procedure.

### **Private Use**

- 21.1** All CPS assets and facilities, including equipment such as office telephones, mobile phones, PCs, laptops, printers, internet, stationery, photocopiers, fax machines, etc are provided for use during the course of work and must not be used for private purposes, unless you have been given permission by management.

### **Telephone calls**

- 21.2** Limited personal calls may be made in work time if they are essential. Whether or not CPS telephones are used, they must be brief and must not be a regular occurrence, unless there is a special reason for which permission has been sought. Personal phone calls outside the UK or

personal reverse charge calls are not allowed on CPS telephones. In exceptional cases where these are allowed, they must be paid for in full. Please see the policy on monitoring telephone calls.

## **ICT Network**

**21.3** As a user of the ICT network, occasional personal use is permitted provided it does not interfere with your work duties or the business of the CPS. You should expect no privacy when using the CPS ICT Network and the CPS reserves the right to monitor and record, at any time, all Infonet, Internet and email usage (including deleted items). You are expected to use the internet, Infonet and email facilities in compliance with our policy on the use of the internet and email.

## **CPS Property**

**21.4** All CPS resources must be used with care to avoid wastage, loss or damage. All CPS property must be returned on leaving employment or if transferred/promoted into a role in which it is not required. Theft of CPS property will be treated as a disciplinary offence and may also lead to prosecution.

## **Official Passes**

**21.5** Official passes must be returned when employees leave the CPS or if they are suspended from work. Official passes must not be taken out of the UK and the loss/theft of a pass must be reported immediately via line management to the Area/HQ Business Manager.

## **Entertainment Budgets**

**21.6** Entertainment expenditure must be authorised in advance by the budget holder and used in circumstances where there is commensurate value to the CPS, to provide refreshments for civil servants at conferences or meetings, to entertain civil servants at official functions or develop contacts which will prove useful and valuable to the CPS.

## **Crown Copyright**

**21.7** Under the Copyright, Designs and Patents Act, copyright in any works made by civil servants in the course of their employment (or that has been commissioned by an outside contractor and assigned to the CPS), is Crown copyright and there will not be any entitlement to remuneration if such works are published or marketed. This includes research, reports, designs, drawings, software, etc created in the course of employment, which will remain Crown copyright and must not be removed from CPS premises or passed on to third parties by any employee acting in a private capacity without the express consent of the Area/HQ Business Managers.

**21.6** In the case of work produced independently in the employee's own time relating to their official duties, consideration will be given to whether any official time was used, whether it is based on Crown copyright sources or if there are any security implications.

**21.7** If an employee produces work independently in the employee's own time, unrelated to their official duties but wishes to incorporate extracts of Crown copyright material, they need to get permission from the Stationery Office.

## Appendix 1 ([form available on the infonet](#))

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### Request for approval to take on outside employment

Name: \_\_\_\_\_

Level: \_\_\_\_\_

Branch/HQ

Directorate: \_\_\_\_\_

Name of employer and address at which you expect to work:

Nature of employment:

Expected hours of work:

Total hours of work per week: (including at CPS)

**I confirm that I am aware of the principles governing outside employment and appointments as laid down in the Code of Conduct . If this additional employment involves my working near to 48 hours or more per week, I undertake to inform my CPS line manager immediately.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Recommendation of Unit Head / HQ Team Leader

I **\*do/do not** recommend that approval is granted in this case for the following reasons:

Name: (CAPITALS) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

To be completed by Area Business Manager/HQ Business Manager for HQ staff

Your request to take on outside employment has been \*approved/ approved in part /refused  
(as above or, if different, see below)

\* delete as appropriate

### Area Business Manager/ HQ Business Manager

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: (CAPITALS) \_\_\_\_\_

Level: \_\_\_\_\_

**This form should now be returned to the National Pay and Benefits Business Centre (DX: 729100 Nottingham 48) to be placed on personal file.**