

CPS Code of Conduct

July 2015

Contents

1. Policy Summary and Scope of Policy – page 1
2. Introduction – page 2
3. Roles and Responsibilities – page 2
4. Policy Principles – page 3
5. Working with Others – page 3
6. Gifts and Hospitality – page 5
7. Conflicts of Interest – page 6
8. Confidentiality – page 7
9. Working within the Law – page 8
10. Private Financial Affairs – page 9
11. Other Employment – page 10
12. Casework – page 11
13. Personal Relationships at Work - page 11
14. Political Activities – page 12
15. CPS Employees as Witnesses – page 13
16. Jury Service – page 14
17. External Contact – page 14
18. Writing and Speaking Publicly – page 15
19. Drugs and Alcohol – page 16
20. Dress – page 17
21. CPS Employee Benefits – page 17
22. Use of CPS Assets and Facilities – page 17

Policy summary

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 of Policy

All CPS employees 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.

1. Introduction

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 Employees are expected to familiarise themselves with all other departmental policies and standards which supplement this Code. 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 an employee fails 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

2.1 Roles and responsibilities applying across all CPS and RCPO HR Policy and Procedures are detailed within the document Standard Terms and Information Applying to all HR Policy and Procedures. The additional roles and responsibilities which apply in relation to the Code of Conduct policy include, but are not limited to:

Directors/CCPs/Area or HQ Business Managers

- Maintaining a register of gifts and hospitality

Line Managers

- Providing a copy of this Code to all new employees
- Assessing employee performance in relation to this Code and giving feedback

Employees

- Applying the core values of integrity, honesty, objectivity and impartiality.

3. Policy Principles

3.1 There is a fundamental requirement for civil servants (including CPS employees) to be, and to be seen to be, objective, honest and impartial in the exercise of their duties. They must not allow their judgment or integrity to be compromised in fact or by reasonable implication. In particular:

3.2 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;

3.3 Employees 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;

3.4 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 (please refer to section 13 and the Political Activities Policy and Procedure for further information).

3.5 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.

3.6 Employees must not accept gifts, hospitality or benefits from a third party which might be seen to compromise their personal judgment or integrity in the course of their employment. (Please refer to Section 5 for further information).

3.7 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 Acas Code of Practice on Time Off for Trade Union Duties and Activities), or 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.

3.8 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 procedure.

4. Working with Others

4.1 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, Diversity and Dignity at Work

4.2 Employees are expected to behave in accordance with the Dignity at Work policy, which sets out CPS requirements and best practice in relation to working with colleagues within the CPS. All employees working for the CPS have a right to be treated with respect; employees must acknowledge and accept the responsibilities which accompany these rights. Employees are also expected to behave in accordance with the Equality Act 2010, and unlawful discrimination in any form will not be tolerated.

Rights

4.3 CPS employees have the right:

- to be treated fairly and with dignity, respect and courtesy by their 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 they bring to their role.

Responsibilities

4.4 All CPS employees have a responsibility to:

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

Relationships

4.5 CPS employees must comply with CPS policies and be aware of the responsibilities involved in working effectively with management, working as a manager and working with the public and other Criminal Justice System (CJS) agencies. The CPS has an impact across all the communities it serves and the agencies it engages closely with. To fulfil their role within the CPS effectively employees must be professional, mindful, objective, helpful and accountable for their actions and decisions in their dealings with the public and other CJS agencies.

External Contacts

4.6 In working with external contacts, it is important that employees:

- meet 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 their daily work and reflects the positive image which CPS wishes to convey (Please see section 19).

5. Gifts and Hospitality

5.1 Employees must not give the impression to any individual or organisation with whom they deal, that they have been, or may be, influenced by a gift, offer of hospitality, or other consideration, to show favour or prejudice to any person or organisation. Therefore, gifts, loans, fees, rewards, any advantages or offers of hospitality which might reasonably be seen to compromise, or have the potential to compromise, an employee's personal judgment or integrity should generally be refused. Further and more detailed guiding principles regarding gifts and hospitality can be found in the Gifts and Hospitality Guidance. Failure to comply may result in action being taken under the disciplinary procedure.

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 prejudice) to anyone in their official capacity or in the course of their employment.

Gifts

5.3 Gifts and benefits of a trivial nature, such as inexpensive promotional diaries, pens etc from an external source, which are offered as a result of the employee's position in the CPS, may be accepted. Gifts which are not trivial should generally be declined. However, employees may be allowed to accept gifts with the permission of the CCP or Deputy Director provided that acceptance of the gift is not deemed inappropriate following the application of the guiding principle as contained within the gifts and hospitality guidance, and the retail value is no more than:

- £25 for general items
- £50 for gifts to a team, to be kept by the entire team
- £75 for gifts from overseas governments or international organisations, such as NATO.

Hospitality

5.4 Modest working lunches and refreshments provided at a third party's office may be accepted. The guiding principles as set out in the gifts and hospitality guidance must be applied to all other offers of hospitality when considering whether it is appropriate to accept the offer.

Benefits

5.5 Benefits offered as part of the CPS benefits package may be accepted.

Reporting offers of gifts and hospitality

5.6 Any reward, gift or hospitality offered to an employee, or a member of their family, as a result of the employee's position in CPS, must be reported to line management, and declared in the gifts and hospitality register (excluding trivial gifts and minor working lunches/refreshments). Area/HQ Business Managers will review the gifts and hospitality register on a six-monthly basis.

Foreign Governments

5.7 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.

Entertainment Budgets

5.8 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.

6. Conflicts of Interest

6.1 Employees must not put themselves in a position where their duty and their private interests conflict and, if they do, they must declare it immediately to the Area/HQ Business Manager. Employees must be mindful of the public perception that such a conflict could prevent the impartial performance of their duties, that their conflicts of interest are not compatible with public service or that they may be suspected of improper behaviour. Failure to comply may result in action being taken under the disciplinary procedure.

6.2 Employees may find that their personal life overlaps with their work or the work of the CPS. If their duties and private interests conflict, or this has the potential to occur, employees have a responsibility to disclose this to line management at the earliest opportunity. For example, they know someone involved in a case with which they are dealing or that is being dealt with in their Area/Directorate, this must be declared to line management at the earliest opportunity.

6.3 Employees must not use their position improperly to favour or prejudice someone based on their personal interests, relationships, friendships, associations, or the interests, relationships and associations of their friends or relatives. Employees must follow the appropriate procedures when procuring a service or product on behalf of the CPS or dealing with any other contracts.

Private Interest Groups

6.4 Employees 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

6.5 All recruitment and selection within the CPS must comply with the Civil Service Commissioners' Recruitment Principles. When involved in recruitment and selection as a candidate, or where applicable, as a panel member, in order to promote the principle of recruitment on merit and on the basis of fair and open competition, employees must ensure that they:

- declare any matters which might impact on their suitability to carry out the duties of the post applied for, e.g. 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 they may currently face, including cautions and reprimands;
- disclose if they have links, in any way, with any external organisations/business contacts, including contractors, that they work with or will potentially be working with, which may be seen as conflicting with their 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

7.1 Employees must not breach confidentiality in the course of their employment, particularly in respect of personal or sensitive information. Failure to comply may result in action being taken under the disciplinary procedure. 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.

Breaches

7.2 Employees must not inappropriately disclose or misuse confidential information acquired in the course of employment that they know about Ministers, employees, contractors, individuals involved in a case, or other organisations working with the CPS.

7.3 Employees must not access or attempt to access protected information they are not authorised to have access to. Employees should only access protected information that they do have access to on a “need-to-know” basis.

Official Secrets

7.4 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.

7.5 All employees holding official information, on paper or in computerised form, are responsible for keeping it safely and in accordance with any security classification. They may not give or show any unpublished official document of any description, without the CPS' authority, to anyone who is not authorised to see it. Similarly, no unauthorised or premature communication of any information to which an officer has access in the course of official duties may be made to any person, including the media. Particular care must be taken at all times to avoid mentioning confidential official matters to anyone outside the office, or in such circumstances as to incur a risk of them being made public. All requests for information by the press should be referred to the Area Communications Manager/HQ Press Office.

Use of Official Information

7.6 The CPS must retain control over what information held by it 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.

7.7 Employees are expected to be prepared to make available official information which is not held in confidence within Government, in accordance with Government policy and departmental instructions. They must not, without relevant authorisation, disclose official information which has been communicated in confidence within Government or received in confidence from others. This duty of confidentiality also continues after employees leave Crown employment.

Sensitive Information

7.8 Employees are expected to store and use personal and/or sensitive information obtained during the course of their employment properly to prevent unauthorised access, and to have due respect for confidentiality. Employees have a responsibility to ensure that information gathered while working for the CPS, whether held electronically or by other means, is not used for commercial or personal gain or otherwise misused.

7.9 Employees must ensure that they:

- complete the mandatory Protecting Information e-learning course and assessment available on the Infonet;
- clarify with management what information the CPS treats as confidential;
- know who is entitled to have access to what information;
- use personal information obtained in the course of employment in accordance with the principles of the Data Protection Act 1998; and
- report to line management anyone, whether another employee, member of the public or a Minister, who attempts to put pressure on them to provide access to information to which that person is not entitled. (see Whistleblowing procedure).

8. Working within the Law

8.1 Criminal behaviour, whether or not committed at work or whether it directly relates to work, may result in a loss of trust and confidence, and bring the CPS into disrepute. Action may be taken under the disciplinary procedure where an employee has been involved in criminal activity. Involvement with the Police/Court/Other Agencies

8.2 Employees must disclose to line management or other appropriate person in the line management chain, at the earliest possible stage, any involvement with the police which results in their arrest, charge, summons, fixed penalty notices (excluding minor driving offences), reprimands or cautions being issued or if they are convicted or if any court orders or injunctions are issued against them. 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.

8.3 Any police actions, court orders or injunctions which involve close family or anyone living as a member of their household must also be reported to line management. Similarly, investigations into personal affairs, or affairs of their family, (or anyone living as part of their household) by other prosecution agencies or professional bodies e.g. the Law Society or Bar Council, must be reported.

Wilful failure to disclose such information that an employee is aware of, even where no charges are brought against them, may lead to disciplinary action should it subsequently be discovered.

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

- makes the employee 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.

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

9. Private Financial Affairs

9.1 Where an employee's private financial affairs is found to compromise their honesty or integrity, or bring the CPS into disrepute, this may result in action being taken under the disciplinary procedure.

Financial Status

9.2 Employees are expected to conduct their private financial affairs in a satisfactory manner. If they find themselves in financial difficulties to the extent that legal action is taken against them, or if they become bankrupt or insolvent, this must be reported to their Area Business Manager/ HQ Director as soon as possible.

Investments

9.3 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 within their employment 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

9.4 Employees must 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, civil partner, partner 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.

9.5 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

9.6 Employees 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 they come into contact within the course of their official duties where this would affect or compromise their honesty and integrity.

9.7 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

10.1 Employees may take on other work provided they declare their intentions before starting such work, it does not conflict with the performance of their duties or their role as a Civil Servant, and they have been given permission to do so. Failure to comply with the paragraphs in this section may result in action being taken under the disciplinary procedure.

Link with CPS Work or Position

10.2 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 Related Forms). Any such work must not:

- in any way have an adverse effect 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.

10.3 Any paid or unpaid private work must be done in an employee's own time and not when they are or should be working for the CPS. Employees are not permitted to carry out any paid or unpaid work whilst on special leave or a career break (unless the career break or special leave has been specifically agreed for that purpose or authorised by the Area/HQ Business Manager). Employees are generally not permitted to carry out any paid or unpaid work whilst receiving sick pay. However, there may be circumstances whereby an employee is considered unfit to conduct their duties for their role at the CPS, but is medically fit to continue working in other private work. In such circumstances, managers must carefully consider the facts that determine why an employee is able to work for one employer and not the other before taking any management action.

10.4 Employees must seek consent from their 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 they are already a member of one of these services on appointment with the CPS or wish to join any of the Cadet Forces, they should inform their Area/HQ Business Manager through line management.

10.5 Employees are strictly forbidden to be 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.

10.6 CPS employees are ineligible to sit as lay Magistrates/Justices of the Peace. Their spouses/civil partners/partners and close relatives(i.e. father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step children, or persons who have any of those relationships with a partner - this includes relatives by adoption) may not be eligible to sit as Magistrates/Justices of the Peace in the same local justice area. In addition, employees leaving CPS employment may be ineligible to sit in these positions for 2 years after leaving the CPS. For further advice, individuals are advised to contact their local advisory board as detailed in the “Becoming a Magistrate -Guidance for Prospective Applicants” on GOV.UK.

10.7 Employees must inform their line manager of their hours worked outside CPS, so that the Department's obligations under the Working Time Regulations can be fulfilled. It is the individual's responsibility to inform HMRC of their appointment.

Post-CPS Appointments

10.8 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. When an employee leaves the CPS they may need to supply full details of the proposed employment and details of any official dealings with their prospective employer. Full details are provided in the Business Appointment Rules available on HR Knowledge Centre.

Judicial or Public Appointments

10.9 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. Please refer to the Special Leave Policy for further details on the rules regarding the acceptance of fees for participating in such activity. Failure to comply with the rules concerning acceptance of fees when participating in judicial or public appointments may result in disciplinary action.

10.10 Once an appointment is secured, employees must inform their line manager. Employee's holding a judicial appointment must record the appointment via the HR Knowledge Centre.

11. Casework

11.1 For the CPS to exercise its duties independently and impartially, free from allegations that casework decisions may have been subject to improper influence, employees must declare any personal knowledge of the parties. Failure to do so may result in action being taken under the disciplinary procedure.

11.2 Employees must declare as soon as they become aware, if in the course of their duties, they handle case papers where the parties (whether as defendants, victims, witnesses, judges or defence lawyers) are personally known to them.

12. Personal Relationships at Work

12.1 Employees must declare any situation where their impartiality, objectivity, integrity or honesty may be, or could be perceived to be, compromised due to them being related to or having a close

personal relationship with someone at work. Failure to do this may result in action being taken under the disciplinary procedure.

People Management Decisions

12.2 Employees must not be involved in appointments or be involved in decisions relating to discipline, appraisal, promotion or pay where they are related to, or have a close personal relationship with, an applicant.

12.3 Where it can be avoided, employees who are married couples, civil partners, partners, close relatives and other employees with close relationships, should not be employed in the same unit. Such relationships will need to be given consideration along with mobility rules, the duty to provide reasonable adjustments and the Employee Resourcing Policy, when posting/allocating employees in a team, particularly when in the same line management structure.

12.4 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.

12.5 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.

12.6 Employees 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 necessary for personal, operational, management or public interest reasons.

13. Political Activities

13.1 Employees must not compromise their political neutrality and must comply with the rules relating to political activity. Failure to do so may result in action being taken under the disciplinary procedure.

Political Categories

13.2 In considering a request to engage in any political activity, management will need to establish the employee's actual and potential involvement and assess this against the post held. 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 Political Activities policy and procedure.

13.3 Granting of permission will be considered by the Area Business Manager/Level E for HQ staff when an employee applies through line management. If permission is granted to participate in any political activity the employee must be aware of the standards of conduct which include:

- ensuring personal views do not influence the way an employee carries out their 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.

13.4 Permission to participate in political activities may be withdrawn at any time and without prior notice, but giving reasons in writing, if there is a change in relevant circumstances.

13.5 If an employee is not granted permission to participate in any political activities they must ensure that their impartiality in any political matter remains beyond question.

13.6 Employees must not take part in their official capacity 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

14.1 Employees who are identified as witnesses are required to provide relevant information and assistance to relevant authorities where it is reasonable and appropriate to do so. Failure to do so, without reasonable justification, may result in action being taken under the disciplinary procedure.

Investigations and Legal Proceedings

14.2 CPS employees must co-operate, wherever it is reasonable to do so, with all CPS instigated investigations (whether internal or external), including independent investigations commissioned by the Director of Public Prosecutions and investigations undertaken by other relevant authorities such as the Independent Police Complaints Commissioner. They have a general duty to support the proper administration of justice, by ensuring that they give investigators, prosecutors and defendants full and proper assistance in their search for information in the course of those investigations.

14.3 If an employee is asked to give formal evidence involving the disclosure of official information in an interview, in a written statement, or in court they should seek advice from the Area Business Manager/HQ Director. Some official information is protected in law, including that which must be protected in the public interest. It may be that the information in the employee's possession is protected in this way 'Official information' means "any information or document which can be obtained as a result of the employees work, whatever the source of information or document.'

14.4 If an employee is 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 their Area/HQ Business Manager. Where employees who are identified as witnesses are vulnerable (e.g. due to threats of domestic violence or hate crime) and may be exposed to risk by acting as a witness, consideration will be given to whether it is appropriate for them to act as a witness, or whether any support or protection can be made available to enable them to act as a witness.

14.5 If an employee receives a request for information from a party involved in a private prosecution or agrees to be a witness they should consult their Area/HQ Business Manager.

15. Jury Service

15.1 Employees must declare their employment with the CPS and any knowledge of any of the parties involved, if called for jury service. Failure to do so may result in action being taken under the disciplinary procedure. Employees must inform their line manager if asked to do jury service.

15.2 Guidance for Summoning Officers published by Her Majesty's Court and Tribunal Service (HMCTS) (concerning deferral and excusal applications for jury service) explains the procedures that courts should follow when an employee of the CPS is called for jury service.

15.3 All prospective jurors will receive a summons form asking the prospective juror if they work, or have worked, for a prosecuting authority. CPS employees called for jury service must ensure that they declare their employment with the CPS and, if they normally work at the court to which the summons refers, they should state so in the "workplace" section of the form.

15.4 If the CPS employee is a prosecutor the court summoning officer is likely to check whether there is a non-CPS trial fixed for the week that they have been asked to attend. If there is a non-CPS case, then the juror is likely to be allocated to that case. If not, the juror is likely to have their jury service deferred to a later date.

15.5 Responsibility for taking the appropriate action to re-assign or defer the prospective juror as a result of being informed that a prospective juror works, or has worked, for the CPS lies with the Court and Tribunal Service. Therefore, unless otherwise instructed by the Court, CPS employees should attend for jury service as originally advised.

15.6 Should an employee find that, despite having made it clear to the court that they are employed by the CPS, they are still being required to serve as a juror on a trial prosecuted by the CPS they should comply with the court's decision but notify Policy Directorate of the fact.

15.7 CPS employees who are called for jury service are eligible for special leave with pay for the duration of the time the employee spends on jury service.

16. External Contact

Contact with the Media

16.1 While CPS employees 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. The rules outlined below apply to all CPS employees, including where comment is sought from an employee acting in their capacity as a representative of a professional body (Please see 3.7 regarding trade union officials). Failure to follow those rules may result in action being taken under the disciplinary procedure.

16.2 Unless explicitly authorised, contact with the press and media is conducted through the Press Office. If an employee is 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 Communications Manager/HQ Press Office.

16.3 If an employee is asked to take part in a programme about the work of the CPS they must not agree or enter into any detailed discussion before they have requested permission from line management and sought advice from the Area Communications Manager/ Area/HQ Business Manager/HQ Press Office. This applies whether the invitation is to speak, write or give interviews to the media as a private individual, as CPS employee, as a civil servant, as a representative of a professional body or anonymously.

16.4 Employees must ensure that they:

- get permission from their Area 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 Communications Manager, in the first instance. (Please see 3.7 regarding trade union officials).

Contact with the Public

16.5 In line with the Government agenda on transparency and in accordance with the advice laid down by the Information Commissioners Office (ICO), official workplace email addresses and names of employees at Level B2 and above will, unless there is a specific reason to exempt it, be disclosed to the public, where appropriate, upon request.

16.6 As a public body, the CPS must clearly demonstrate its commitment to transparency and openness whilst at the same time balancing this commitment with the duty to protect all employees. Where an employee feels that they are receiving vexatious correspondence, there is a genuine threat to their personal safety, or is of the view that this openness is being abused, they should notify their Area/HQ Business Manager who will ensure that action is taken to prevent this abuse.

17. Writing and Speaking Publicly

17.1 Using official information or experience should always be with permission, should never bring the CPS into disrepute and should be charged on behalf of the CPS, if appropriate. Failure to do this may result in action being taken under the disciplinary procedure.

17.2 Employees 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 invited to give lectures, speeches, or broadcasts in a private or official capacity, employees 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. Employees should take care to ensure that all events are suitable platforms for the CPS and that it is right to disclose information. Employees must always bear in mind their position as a Civil Servant and not do anything to bring the CPS into disrepute. (Please also see 3.7 regarding trade union officials and Whistleblowing Policy).

17.3 Civil servants must not publish or broadcast personal memoirs reflecting their experience in Government, or enter into commitments to do so, whilst in Crown employment. The permission of

the Director of Public Prosecutions and the Head of the Home Civil Service must be sought before entering into commitments to publish such memoirs after leaving the service.

Social Networking

17.4 Social networking sites, such as Facebook and MySpace, are public forums and any statements employees make on such websites are open to public viewing and scrutiny. Thus employees should ensure that any statement they make within these (and any other current or future) public forums, regardless of whether this is done in their own time and in a private capacity or not, does not contravene their obligations under this Code.

Use of Official Information

17.5 Prior approval needs to be obtained from the 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 the employee's own time. Employees may not retain any fee if they make use of official information or material, either privately or officially, but they may accept a fee on behalf of the CPS.

Invoicing

17.6 Additionally, where employees participate in an official capacity, they 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

18.1 Employees should comply with CPS guidance on Drugs and Alcohol (featured within the Counselling and Support Policy).

18.2 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 an employee acknowledge a problem and demonstrate a commitment to rehabilitate. However employees must:

- refrain from drinking alcohol in working hours or during their lunch breaks on occasions when they may expect to have contact with members of the public, the court service, police or other outside agencies outside or in the workplace;
- not buy, sell, be in possession of, be under the influence of, or take illegal drugs or any other illegal substances at any time, as this is gross misconduct. Similarly, employees must take only those drugs which have been medically prescribed to them or can be purchased over the counter in a pharmacy.
- Employees 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 appearance, work performance or behaviour.

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

18.3 Employees who have a drink problem, but who refuse to do anything about their difficulties, will be liable to action under the departmental Performance Management, Attendance Management and/or Disciplinary policies/procedures where their performance and/or conduct warrants it. Advice from the HR Advisor should be sought at an early stage so that the proper steps can be taken.

19. Dress

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

20.1 The CPS has in place a number of benefits and policies which will assist employees financially when carrying out their duties, including season ticket loans, assistance with childcare costs, travel and subsistence, amongst others. These benefits must be used only in accordance with the CPS procedures. Misuse or abuse of benefits they receive as an employee may result in action being taken under the disciplinary procedure.

20.2 Employees may buy surplus government items which are offered for sale unless they are associated with their disposal or have access to special knowledge about the items or are solely purchasing them for financial gain.

20.3 Employees must notify the Area Business Manager/HQ Director of any change to personal details or other information which may affect entitlement to CPS employee benefits or the Civil Service Pension scheme benefits.

21. Use of CPS Assets and Facilities

21.1 Employees must respect and make all reasonable efforts to 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 permission to do so has been granted. CPS employees are expected to use money and resources with absolute honesty and integrity. Misuse or irresponsible use of CPS assets and facilities, or dishonest use of CPS money and resources may result in action being taken under the disciplinary procedure.

Private Use

21.2 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 permission has been granted by management.

Telephone calls

21.3 Limited personal calls may be made in work time if they are essential. Whether or not CPS telephones are used, calls 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. Please see the Monitoring Telephone Usage Policy.

ICT Network

21.4 As a user of the Information and Communication Technologies ICT network, occasional personal use is permitted provided it does not interfere with the employees work duties or the business of the CPS. Employees 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). Employees are expected to use the internet, Infonet and email facilities in compliance with departmental policies on the use of the internet and email usage.

CPS Property

21.5 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

21.6 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.

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 subject to Crown copyright protection. The responsibility for the management and licensing of Crown copyright rests with the Controller of Her Majesty's Stationery Office (HMSO) in her capacity as Queen's Printer for works produced by UK Government departments. The Controller of HMSO, in her roles as Queen's Printer, and the Queen's Printer for Scotland, authorises the Copyright Unit of HMSO to administer the respective Crown copyrights on her behalf.