

4.13 Deputy M.R. Higgins of the Chief Minister regarding grounds for instant dismissal for gross misconduct for public sector employees:

Would the Chief Minister agree that a public sector employee should not knowingly lie or try to deceive a civil or criminal court or tribunal and that such an act would constitute grounds for instant dismissal for gross misconduct?

Senator I.J. Gorst (The Chief Minister):

There is a clear requirement under the Civil Service Code of Conduct and an individual's contract of employment for all civil servants to act with integrity and honesty. In the unlikely event such an episode occurs the matter would be investigated under the relevant employee's disciplinary policy and an appropriate penalty applied which is consistent with the facts of each case.

Deputy M.R. Higgins:

I shall be bringing a case to the Chief Minister for that action to take place.

4.13.1 Deputy T.A. Vallois of St. Saviour:

Can I ask the Chief Minister if the code for civil servants is available to all Members?

Senator I.J. Gorst:

I will check that, but I believe that it is.

4.13.2 Deputy T.A. Vallois:

Could the Chief Minister also confirm whether there is a requirement for a duty of care by civil servants to the public and to States Members?

Senator I.J. Gorst:

I do not have the code with me this morning, so I cannot confirm. One might imagine that there would be, but I cannot confirm that.

4.13.3 Deputy T.A. Vallois:

Can I just ask a supplementary, Sir? Does the Chief Minister believe that there absolutely should be and what the remedy if a Member or a member of the public believe that a civil servant has broken that duty of care.

The Bailiff:

Deputy, we are getting a long way off the original question which was lying and deceiving at court as grounds for misconduct. We are now on to a very wide-ranging issue whether civil servants should have a general duty of care.

Deputy T.A. Vallois:

I understand, Sir, it was about a public employee whether lying or deceiving.

The Bailiff:

That has been answered, but you are now asking about duty of care which is a very wide-ranging concept.

Deputy T.A. Vallois:

Okay. Thank you, Sir.

Deputy M. Tadier:

Sir, my question was going to be even further away from the subject, so I doubt it will be allowed. I will sit down.

The Bailiff:

Deputy Higgins, do you wish a final question?

4.13.4 Deputy M.R. Higgins:

Yes, Sir. I will just try and help Deputy Vallois. Would the Chief Minister publish to all Members the Code of Conduct for Civil Servants, please?

Senator L.J. Gorst:

As I said, I believe it is in the public domain, but I will double-check and if not I will ascertain to try and do so.