

## **BTC Code of Ethics**

The BTC Code of Ethics is in line with international obligations and recommendations such as:

1. The OECD Recommendation adopted on 23 April 1998 on Improving Ethical Conduct in the Public Service.
2. The OECD Recommendation on Guidelines for Managing Conflict of Interest in the Public Service.
3. The 20 Guiding Principles for the Fight against Corruption, Council of Europe Resolution (97) 24 adopted on 6 November 1997.
4. The recommendations dated 2 December 2004 arising from the second evaluation cycle of the Council of Europe's Group of States Against Corruption (GRECO).
5. The law adopting the UN Convention Against Corruption, particularly Chapter II "Preventive measures", especially Articles 5, 6, 7, 8, 9, 10 and 13.

The Code of Ethics gathers together and spells out the common values and rules of conduct applying to BTC staff, bearing in mind the laws and regulations currently applying in this domain. The Code of Ethics is not normative and the provisions set out in it are based on existing laws and regulations.

The aim of the Code of Ethics is to sensitise BTC staff to values such as respect, impartiality, professional integrity and loyalty. The Code also constitutes a yardstick of good governance in the sense that it offers staff a reference text that is comprehensible, accessible and transparent and gives an overview.

The Code of Ethics is an instrument of integrity designed to encourage staff to become more familiar with and aware of the real-life implications of the Code of Ethics, among other things by means of training and communication. In addition to the Code's sensitisation function, it is also an instrument of compliance, setting a benchmark for evaluating specific behaviour by staff by comparing it with the desired conduct set out in the Code. However, the Code does not merely set out to pursue a strategy of conformity, with staff content to comply with ethical requirements; it also aims to incite them to greater ethical aspirations.

To prevent the Code of Ethics from remaining a non-binding instrument, we should highlight the importance of the exemplary role incumbent on the agency's line management with respect to heightening awareness of the Code and fostering compliance with its provisions. Above all, BTC's line management must embody the organisation's values by exercising ethical leadership, which of course does not prevent other members of staff from acting in an equally exemplary fashion.

## **BTC CODE OF ETHICS**

**1.** This Code of Ethics gathers together and spells out the common values and rules of conduct applying to BTC staff.

**2.** The Code of Ethics sets out to:

- Sensitise BTC staff more specifically to the values of respect, impartiality, professional integrity and loyalty, and raise their awareness of the rules of conduct serving as guidelines for their professional conduct on behalf of BTC;
- Build the aforementioned values and rules of conduct into the daily management of BTC business;
- Boost confidence in BTC's integrity.

The agency's staff, and line managers in particular, have a duty to set an example in terms of the ethics they practise.

### **RESPECT**

Service provision is a core element of BTC's mission, so providing a respectful service should be a top priority for its staff.

**3.** Staff shall act with respect both within the agency and in their external dealings. They shall be meticulous in how they express themselves and always keep their cool. They shall desist from any acts of violence or psychological or sexual harassment.

**4.** Staff shall respect and protect the privacy of users and other staff members. They shall not display any misplaced curiosity, show any indiscretion or engage in any abusive practices when collecting, processing and consulting information of a personal nature.

**5.** In the workplace, staff must take the greatest possible care of their own health and safety as well as of the health and safety of others, applying the knowledge acquired in the course of their own training and following instructions from their superiors. The latter must immediately be informed of any work situation that they have reasonable grounds to believe may pose a serious or immediate health or security threat.

**6.** Staff must comply with the ban on smoking at work.

**7.** Staff must not consume alcohol at work, except when authorised to do so.

**8.** Staff must not take drugs at work.

**9.** Line managers shall ensure that staff members' dignity is respected. They shall actively promote a constructive working atmosphere, prevent conflicts between BTC staff or departments and, should any such disputes arise, take steps to resolve them. They shall look kindly on staff faced with professional, psychosocial, medical and/or family problems.

**10.** Line managers shall ensure that the rights and obligations of staff are respected and must be able to justify the treatment of any staff member in an objective manner.

They shall trust staff to the extent required and show the necessary level of professional interest in them.

**11.** When assessing a request for access to administrative documents, the staff in charge shall proceed on the basis that all administrative documents belong to the public domain. Information may only be withheld from the public gaze if so required by law.

**12.** Staff may consult their personal file and no document may be added to that file unless the staff member in question has been previously informed.

## **IMPARTIALITY**

To provide a decent service, staff must act impartially.

**13.** Staff must not discriminate on the basis of gender, alleged race, skin colour, descent, national or ethnic origin, sexual orientation, civil status, birth, wealth, age, religious faith or philosophy, current or future state of health, disability or physical characteristics.

**14.** Staff shall not exercise their duties only partially or in arbitrary fashion, and must always take account of the rights, obligations and legitimate interests of the individual, group of persons or organisation concerned.

**15.** When exercising their duties, staff shall remain neutral. While upholding their constitutional rights, they shall ensure that their participation or involvement in political or philosophical activities does not undermine public confidence in their ability to go about their work in an impartial, neutral, fair manner.

**16.** Staff shall ensure that they neither face, nor are faced with, any conflict of interest, i.e. put or find themselves in a situation where they themselves or a person serving as an intermediary have an interest that could influence the impartiality and objectivity with which they exercise their duties or give rise to any legitimate suspicion of such influence. In principle, staff are entitled to look after their own personal interests, but such interests must always be compatible with the impartiality required when they go about their work.

Staff's personal interests include anything that benefits themselves or their family, relatives, friends, close associates, or organisations with which they maintain or previously had personal, business or political links.

Any staff believing or fearing that they may be facing a conflict of interests shall immediately inform their line manager, who shall then give them a formal acknowledgement in writing.

Should a conflict of interests be ascertained, the line manager will take suitable steps to resolve it.

Staff may at any time submit a written request for the opinion of the chairman of the Management Committee or his proxy regarding a situation in which they may find themselves in the future, with a view to ascertaining whether it might lead to a conflict of interests. They will then receive a written opinion within a month.

**17.** To guarantee staff's impartiality, they are prohibited from soliciting, demanding or accepting gifts, gratuities or benefits of any kind intended for them or third

parties, whether or not in the course of exercising their duties if said gifts, gratuities or benefits are associated with that role. It should be noted that the most important consideration regarding this problem is not so much the enrichment arising from the acceptance of gifts, gratuities or benefits of any kind, but rather the staff member's loss of impartiality when exercising their duties.

At the personal level, staff may not accept any gratuities, gifts or financial or other benefits of any kind for the services they render. The exchange of symbolic gifts of low value between staff in the course of exercising their normal duties is authorised.

**18.** The status of staff member is incompatible with any activity that cannot be reconciled with the dignity associated with their duties or could undermine or prevent the fulfilment of those duties, irrespective of whether the activities in question are exercised by the staff member themselves or any other intermediary, such as their spouse or the partner with whom they are cohabiting.

**19.** Staff may only exercise other paid activities if authorised to accumulate roles in this way.

Such authorisations are issued for a maximum period of four years, may only be renewed if a fresh authorisation is issued, and may not take effect retroactively.

Authorisations to accumulate more than one role may only be issued if the other activity is carried out outside the hours taken up by the staff member's regular duties. Whatever happens, the second activity must remain totally subordinate to their regular duties.

The exercising of any additional activity must comply with the laws and regulations governing that activity. If need be, proof of this shall be submitted to the body authorising the accumulation of roles.

**20.** Staff are advised to inform their employer as soon as possible of any departure for the private sector when their future employer exercises activities that are likely to bring them into contact with BTC business.

**21.** No member of staff may give a former colleague any undue benefit associated with their previous duties.

## **PROFESSIONAL INTEGRITY**

Staff must scrupulously adhere to decision-making procedure and exercise all due care in managing the resources at their disposal.

**22.** Staff must provide sufficient *de facto* and *de jure* justification for any legal acts included in the administrative file drawn up to keep track of them. Furthermore, any individual legal acts must set out the reasons for the decision taken.

**23.** Staff shall take care how they word their advice, opinions and reports, making sure that they are complete and specific.

They must execute their tasks and duties in a manner conducive to meeting the targets assigned to their department.

**24.** Line managers shall regularly inform their staff about the policy, missions and objectives to be achieved by their department.

To complete the missions and meet the targets assigned to them, line managers shall openly and transparently involve their staff in the management of their department. Line managers shall make sure that their staff have the resources, skills and responsibilities required to do this.

Line managers shall help to develop the skills of their staff by circulating internal memos outlining new concepts and how they are to be applied and by pointing out any changes in relevant legislation and rules and regulations.

**25.** Staff are entitled to continuing training and information on all aspects of their duties that give them the required technical and general skills and foster their career development.

On their own initiative they may update and develop their knowledge and skills in their respective professional domain.

Staff must actively participate in sharing their know-how.

**26.** Staff shall make efficient use of the assets, facilities, services and financial resources placed at their disposal to enable them to exercise their duties. Line managers shall vigilantly manage their department's assets, facilities, services and financial resources and take any steps required in the event of any breaches of good practice. They shall identify and protect sensitive assets and data by implementing suitable internal controls.

## **LOYALTY**

In the general interest, staff shall loyally adhere to democratic institutions, respect the regulations in force and focus on implementing policy.

**27.** Staff shall exercise their duties in accordance with BTC's regulations, missions and objectives.

**28.** Staff shall respect the head of state as well as Belgian, European, international and global democratic institutions and their symbols.

**29.** Staff shall exercise their duties loyally, answering to their line manager.

**30.** Should any member of staff, regardless of their position in the hierarchy, become aware of any illegality or irregularities concerning other staff or users, they shall immediately inform their direct superior or the latter's superiors.

Should any member of staff, regardless of their position in the hierarchy, or users ask other staff to perform an illegal act or become involved in any irregularity, the latter shall immediately inform their direct superior or the latter's superiors.

They shall submit any evidence, claims or suspicions about such acts to their direct superior or the latter's superiors.

**31.** Staff shall use the information at their disposal in an appropriate manner and shall ensure that the information for which they are responsible or which is at their disposal is kept confidential if need be.

Staff may not attempt to access information that is not intended for them.

**32.** Staff shall enjoy freedom of speech.

In their capacity as staff members they may participate in information campaigns, conferences, radio and TV broadcasts, and may also state their personal opinions provided that they expressly state that the views expressed are their own. Only staff who are authorised to do so may issue official statements on behalf of BTC or state the agency's positions.

**33.** Staff members' freedom of speech shall be constrained by the obligation to withhold any confidential information from third parties not authorised to receive it.

Staff are prohibited from revealing information relating to:

- national security;
- the protection of public order;
- BTC's financial interests;
- the prevention and suppression of criminal acts;
- medical confidentiality;
- citizens' rights and freedoms;
- respect for privacy;
- imminent decisions, until a final decision has been taken.

This confidentiality requirement is subordinate to any legal provisions or regulations requiring staff to reveal what they know.

**34.** Superiors shall only assign staff missions that are relevant to the policy pursued by the respective department and to the objectives, activities and tasks associated with them. The missions in question may not contravene the legal provisions and regulations currently in force.

**35.** Superiors shall take all necessary steps, among other things in terms of internal auditing, to make sure that staff exercise their duties in a fair, conscientious and upright manner.

Should any unfair or dishonest behaviour come to light, they shall take the necessary steps to prevent any repeats in the future.

## **IMPLEMENTATION**

**36.** The top line manager in each BTC department shall:

- make sure that staff are regularly and efficiently informed about and trained in the provisions of the BTC Code of Ethics;
- ensure that staff respect the provisions of the Code.

**37.** Each member of staff shall read the provisions of and any amendments to the Code of Ethics and shall comply with them.