



Federal Administration Code of Conduct



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Confederation

Federal Department of Finance FDF
Federal Office of Personnel FOPER

Federal Administration's Code of Conduct for staff on avoiding conflicts of interest and on the handling of sensitive information.

(Federal Administration's Code of Conduct)

Issued 15 August 2012

The Swiss Federal Council has adopted the following Code of Conduct:

1 Introduction

The reputation the Confederation enjoys depends largely on the trust it inspires among the general public, local authorities and its clients. That trust is conditional on its staff behaving appropriately and applying the highest standards of integrity at all times.

The Federal Administration's Code of Conduct brings together the most important principles and rules which are geared towards preserving and building on the reputation, the credibility and the image of the Confederation.

It applies to the staff of the central Federal Administration¹ and sets out the type of behaviour expected from them, so that any actual or apparent conflicts of interest or leakages of information not released for the public domain might be avoided.

Staff must ensure that they are aware of the rules which set the standards for them and their work. They are bound by the obligation to consult their supervisors or Human Resources, if ever they are unsure of the appropriateness of any given type of conduct.

The Federal Administration's Code of Conduct replaces neither labour law provisions nor contractual agreements, as per the Federal Personnel Act of 24 March 2000² (FPA) and the Federal Personnel Ordinance of 3 July 2001³ (FPersO), nor guidelines within specific departments or administrative units. These take precedence in the event of any discrepancies.

2 Principle

(Article 20, FPA)

Staff carry out their duties with a sense of responsibility, integrity and loyalty. In their private lives they also take care not to tarnish the reputation, the credibility and the image of the Confederation.

1 Articles 7 and 8 para 1a of the Government and Administration Organisation Ordinance of 25 November 1998 (SR 172.010.1)

2 SR 172.220.1

3 SR 172.220.111.3

3 Safeguarding the interests of the Confederation

(Articles 20 and 23, FPA; Articles 91 and 94a, FPersO)

In carrying out their duties, staff must safeguard the interests of the Confederation.

They carry out their tasks irrespective of their own personal interests. They must avoid situations where their interests conflict with those of the Confederation and must refrain from doing anything which might compromise their impartiality or their ability to do their job effectively. Should conflicts of interests – or the appearance of such – be unavoidable, it must be declared openly to their supervisors.

Staff members must inform their supervisors of any public offices held or any other remunerated work. Neither of these must impair the staff member's performance or compromise his or her impartiality; nor must they be detrimental to the interests of the Confederation. Any additional unremunerated work must also be declared, if there is a possible conflict of interest.

In cases where staff members are deemed to have a conflict of interest, or where it appears to be the case (e. g. where personal interests, family, friendship, enmity or interdependent relationships are concerned), they must withdraw from the process.

4 Handling of sensitive information

(Article 22, FPA, Articles 94 and 94c FPersO)

Staff are bound by the rules of professional confidentiality, as well as commercial and official secrecy. They may only pass on information relating to their work which has not been made public, to the extent that it is required and permitted for the execution of their official tasks. In doing so, they must observe the Information Protection Ordinance of 4 July 2007⁴. They must preserve that confidentiality even after their employment with the Federal Administration has terminated.

Information which has not been made public may never be used by staff members in order to gain any personal advantage (transactions entered into by employees for their own account or on behalf of others), nor must they ever use such information as a basis for recommendations or advice. This applies in particular when the release of such information might affect the value of securities or foreign currencies in a predictable manner.

4 SR 510.411

5 Gifts and invitations

(Article 21 para 3, FPA; Articles 93 and 93a, FPerO)

In the course of their work, staff may not accept any gifts or other benefits, unless they are small in nature and socially or traditionally motivated. Small corresponds to natural gifts in kind with a market value of CHF 200 at most.

Gifts which go beyond the small and socially or traditionally motivated, and which out of courtesy cannot be refused (e. g. in a consular or diplomatic environment), must be handed in to the appropriate office.

Acceptance of benefits or invitations must not impinge on a staff members impartiality, objectivity or decision-making capacity in the execution of his or her work, nor must it arouse suspicion of venality or bias.

Invitations abroad must be turned down, unless the staff member has the written authorisation of his or her supervisor. Staff members involved in procurement or decision-making processes (e.g. awarding of contracts, supervisory roles, tax assessment, subsidy allocation or other comparable decision-making processes), must also turn down even small and socially or traditionally motivated benefits, such as invitations, in so far as they are offered in connection with those processes.

In case of doubt, the staff member must clarify with his or her supervisor whether a benefit or invitation may be accepted or not.

6 Criminal or irregular conduct

(Article 22a, FPA)

The Federal Administration does not tolerate criminal behaviour (e.g. bribery or fraud) or irregular conduct (e.g. infringement of good governance rules), either among its own staff members or among third parties with which it works.

Staff members must report any criminal conduct to the appropriate office (their immediate supervisors, the Swiss Federal Audit Office or the law enforcement authorities). Irregularities may be reported at any time to the Swiss Federal Audit Office (whistleblowing). Anyone reporting a crime or a misdemeanour need not fear any negative repercussions.

7 Implementation of the Federal Administrations Code of Conduct

Staff are responsible for ensuring that they comply with the Federal Administrations Code of Conduct.

It is part of the line managers responsibilities to set an example with regard to the Federal Administrations Code of Conduct and enforce it among his or her team.

Under the FPA⁵ and the FPersO⁶, individual departments and administrative units are free to issue additional guidelines and can impose stricter controls or even place a ban on small and socially or traditionally motivated benefits, invitations or transactions entered into by employees for their own account.

8 Infringements of the general principles of conduct

Depending on the seriousness of the offence, infringements of the general principles of conduct may lead to serious repercussions. These might take the form of consequences in terms of labour law (e.g. a warning, disciplinary measures or dismissal), or indeed in terms of proprietary or criminal law (e.g. sanctions based on a breach of official or commercial confidentiality, or on a violation of insider criminal law).

⁵ SR 172.220.1

⁶ SR 172.220.111.3

9 Information

All staff members of the Federal Administration receive a copy of the Federal Administrations Code of Conduct.

It is publicised accordingly, both internally and externally.

10 Entry into force

The Federal Administrations Code of Conduct comes into force on 15 September 2012. It replaces the general Code of Conduct of the Federal Administration of 19 April 2000⁷.

On behalf of the Swiss Federal Council

President of the Swiss Confederation:
Eveline Widmer-Schlumpf

Federal Chancellor:
Corina Casanova

⁷ Federal Gazette 2004 2233

**Criminal or irregular conduct.
Do you suspect something?**

Don't ignore it – report your suspicions to your superior
or to the Swiss Federal Audit Office SFAO: efk.admin.ch

If you want to make a report in writing, you can use the
SFAO's secure whistleblowing platform: whistleblowing.admin.ch

You can also report your suspicions by phoning +41 58 469 20 34.

The Swiss Federal Audit Office will investigate the report and take appropriate
action.

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