



MODEL CONTRACT FOR SPECIAL ADVISERS

**Cabinet Office
October 2015**

MODEL CONTRACT FOR SPECIAL ADVISERS APPOINTED BY UK MINISTERS

This document sets out your principal terms and conditions of employment. It incorporates the written particulars required by the *Employment Rights Act 1996* and, together with the *Code of Conduct for Special Advisers* and the *Civil Service Code* and any contractual parts of the [Departmental/Staff Handbook] as amended from time to time, constitutes your contract of employment with the Crown.

Names of Parties

..... (the Employee)

[Name of appointing Minister] as the appointing authority for the Crown.

1. Commencement of employment

Your employment will begin on

2. Job title and duties

2a. You are appointed in accordance with section 15 of the *Constitutional Reform and Governance Act 2010* as a special adviser to assist [name of appointing Minister] in the [Department], the Prime Minister and the Government as a whole.

2b. You will carry out your duties in accordance with the *Code of Conduct for Special Advisers* which is reproduced in Schedule 1 to this contract. The Code also includes a description of the role of special advisers.

3. [Departmental/Staff Handbook]

Further details of your terms and conditions are set out in the [Departmental/Staff Handbook] which is available on the departmental intranet [insert link to on-line version]. Those parts of the handbook which have contractual effect, as amended from time to time, form part of your contract of employment.

4. Salary

4a. Your salary is £xxxxx a year within special adviser pay band [number]. You will be paid monthly in arrears by credit transfer to your bank or building society.

4b. There is no entitlement to an annual increase in pay. Any annual increase awarded to you will be paid from 1 April. You will be notified in writing of any change to your salary.

5. Performance management and appraisal

Your employment requires performance consistent with the high standards expected of senior members of the Civil Service. Your performance will be subject to regular appraisal and review, with an opportunity to discuss that performance with [name of appointing Minister], and the Prime Minister's Chief of Staff or his/her deputy.

6. Hours of work

[EITHER]

6a. You are required to work a minimum (over a 5 day week) of 37 hours, excluding breaks.

[OR if part-time]

6a. You are required to work a minimum of [] hours a week.

[NB: Contracts should contain only one of the 'either'/'or' options above, not both of them]

6b. You will be required to work such additional hours as may from time to time be reasonable and necessary for the efficient performance of your duties.

6c. You are not entitled to the payment of any overtime.

7. Annual leave

[EITHER]

7a. Your annual leave allowance is 25 days, with one additional day accrued per year of service, up to a maximum of 30 days. Further details are set out in the attached Schedule 2.

[OR for eligible re-appointed special advisers only]

7a. As you were previously employed as a special adviser, were in post before 1 July 2013, and had continuous service until 30 March 2015, your annual leave allowance is 30 days.

[NB: Contracts should contain only one of the 'either'/'or' options above, not both of them]

7b. Your leave year runs from to

7c. When you leave the Civil Service, you may be required to use any remaining holiday entitlement during any notice period. Alternatively, where this is not possible, you are able to claim payment on a pro rata basis for any accrued but untaken leave from that year's annual leave entitlement and, if appropriate, any holiday permitted to be carried over from the previous year for a maximum of 10 days.

8. Public and privilege holidays

Subject to the detailed rules in the [Departmental/Staff Handbook] you are entitled to all public holidays and to one privilege day in addition to your annual leave allowance and you will be paid for each day. Further details are set out in the attached Schedule 2.

9. Sickness

The rules relating to sickness and injury are to be found in the [Departmental/Staff Handbook]. These provide for absence on full pay and on half pay, depending on the length of absence and subject to a ceiling on total paid absence within a given period.

10. Pensions

10a. As a civil servant you are eligible to be a member of the Civil Service pension arrangements. If you are already a civil servant then your existing

pension arrangement will continue. If you are new to the Civil Service, or are rejoining the Civil Service, then your pension arrangements will be as set out in your letter of appointment.

10b. You can find information about the pension arrangements on the Civil Service Pensions website <http://www.civilservicepensionscheme.org.uk> or you can speak to the pensions administrators who are [insert APAC details]

10c. Irrespective of whether you join the Civil Service pension arrangements or opt out, you will be covered by the provisions of the Civil Service Injury Benefit Scheme in the event that your death or an impairment of earning capacity results from a qualifying injury.

10d. You will not be covered during your appointment as a special adviser by the provisions of the Civil Service Compensation Scheme irrespective of whether you join the Civil Service pension arrangements or opt out.

10e. Ill health retirement: in the event that you join the Civil Service pension arrangements and your health subsequently becomes such that our medical adviser agrees that you should be medically retired, you will be entitled to the ill health retirement benefits provided by the relevant pension arrangement. For this purpose, you will be treated as serving for a fixed term, expiring at the latest date at which the Administration that appointed you must end.

11. Maternity, paternity, adoption and parental leave

Entitlements to maternity, paternity, adoption and shared parental leave and pay, and to unpaid parental leave, are set out in the [Departmental/Staff Handbook], which details the qualifying conditions for such leave and the manner in which it may be taken. The provisions of paragraph 14 will continue to apply if you are on maternity, paternity, adoption or parental leave.

12. Special leave

Details of provision for special leave are set out in the [Departmental/Staff Handbook].

13. Place of work

Your [current] place of employment isbut you may be required to work at any place which is within reasonable daily travelling distance of your home.

14. Notice and severance pay

14a. Because of the power of the Crown to dismiss at will, you are not entitled to a period of notice terminating your employment. However, unless your employment is terminated (i) by agreement, (ii) in accordance with paragraph 14b below, or (iii) on grounds justifying summary dismissal at common law, you will normally be given not less than 3 months' notice in writing terminating your employment. On the expiry of such notice, your employment will terminate.

14b. Your employment will automatically terminate not later than:

i. when **[name of appointing Minister]** ceases to hold the ministerial office in relation to which you were appointed to assist him/her; or

ii. if earlier, the end of the day after the day of the UK parliamentary general election following your appointment.

14c. If your employment automatically terminates in either of the circumstances set out in paragraph 14b i or ii, or if you resign on or after the dissolution of Parliament prior to a UK general election, you are entitled to a severance payment calculated in accordance with paragraph 14e. This is subject to your agreement that should you be reappointed as a special adviser you will repay your severance pay less the amount of salary you would have been paid had you been employed during the period between the termination of your previous contract and your re-appointment on a fresh contract.¹

14d. Special advisers who have been publicly identified as a candidate or prospective candidate for election to the UK Parliament, the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, or the European Parliament must resign at the start of the short campaign period ahead of the election. Special advisers who resign in these circumstances are not entitled to receive a severance payment.

14e.

[EITHER]

Severance pay will be calculated as follows:

(i) if termination occurs at any time during the first year of service, you will receive three months' pay. For each additional completed year of service you will receive a month's pay, subject to an overall maximum of six months' pay;

¹ See also 14(e)(ii).

(ii) if you are re-appointed as a special adviser and you subsequently become entitled to severance pay, the amount payable will be as follows:-

- in the first year of service, the amount which you repaid when you were re-appointed, unless this amount is less than 3 months' pay, in which case, your entitlement will be 3 months' pay; and
- for each additional completed year of service following reappointment, an additional month's pay subject to an overall maximum of 6 months' pay in total.

[OR, if employed less than 6 months ahead of a UK general election]

Since a UK general election has to take place within the next 6 months you will not be entitled to any severance pay (unless you are covered by the circumstances applicable on re-appointment as set out in paragraph 14c).

But if **[name of appointing Minister]** ceases to hold the Ministerial office in relation to which you were appointed to assist him/her before the dissolution of Parliament prior to the general election, you will receive severance pay equivalent to the amount of salary you would have been paid had you been employed up to the dissolution of Parliament, subject to a maximum of 3 months' pay.

[NB: Contracts should contain only one of the 'either'/'or' options above, not both of them]

14f. Any severance payment made under paragraph 14c is non-pensionable.

14g. You may terminate your employment by giving not less than 5 weeks' notice in writing to your appointing Minister and the Prime Minister's Chief of Staff.

15. Conduct and Confidentiality

15a. You are a servant of the Crown and you owe duties of confidentiality and loyal service to the Crown. You are required to exercise care in the use of information acquired in the course of your official duties and to protect information which is held in confidence. An account of the constitutional position and the rules governing confidentiality and the use of official information is set out in the **[Departmental/Staff Handbook]**. You are also subject to the *Official Secrets Act 1989*.

15b. You are required to abide by the conduct provisions of the [\[Departmental/Staff Handbook\]](#) including those relating to the avoidance of conflicts of interests and the acceptance of gifts or hospitality. The rules which apply to you relating to involvement in political activities are set out in the *Code of Conduct for Special Advisers*.

15c. You are required to conduct yourself in accordance with the provisions of the *Code of Conduct for Special Advisers* and the *Civil Service Code*, except for those aspects which relate to the impartiality and objectivity of the Civil Service and of civil servants. Copies of both Codes have been provided to you.

15d. If you wish to take part in any outside activity where information or experience gained in the course of your work is likely to be relevant, you must first seek permission from your appointing Minister, the Head of your employing Department, and the Prime Minister's Chief of Staff.

15e. You must comply with the rules on the publication of personal memoirs and books based on official experience set out in the [\[Departmental/Staff Handbook\]](#). You must not publish or broadcast personal memoirs reflecting your experience in government, or enter into commitments to do so, while in Crown employment. The permission of the Head of your former Department and the Cabinet Secretary must be sought before publishing, or entering into a contractual commitment to publish such memoirs after leaving the Civil Service. You must submit any draft manuscripts for comment to the Head of your former Department and the Cabinet Secretary in good time in advance of publication. Separately, you should send a copy of the draft manuscript to the Prime Minister's Chief of Staff in post at the time of your employment.

15f. Special adviser positions are designated as sensitive posts within departments. As a condition of taking up such a post, you will be taken to have assigned to the Crown copyright in any future work which relates to your employment and/or which contains or relies upon official information which came into your possession by virtue of your employment as a special adviser. Where permission to publish the work (or parts of it) is provided by the Head of the Department and/or the Cabinet Secretary, the Crown will reassign copyright in the relevant part of the work. Detailed rules are set out in section 4.2 of the *Civil Service Management Code* and in the [\[Departmental/Staff Handbook\]](#).

16. Disciplinary and grievance procedures

16a. Disciplinary matters are dealt with in accordance with the Department's disciplinary procedures, which are set out in the [\[Departmental/Staff Handbook\]](#). The responsibility for disciplinary matters rests with your appointing Minister. The inefficiency policies set out in the [\[Departmental/Staff Handbook\]](#) do not apply to you.

16b. If you have any grievances relating to your employment, or if you wish to appeal against any decisions or actions which affect you adversely, you must bring this to the attention of [name of appointing Minister] and the Permanent Secretary in writing.

17. Acceptance of outside appointments

17a Special advisers are subject to the *Business Appointment Rules for Civil Servants*. Under the Rules, they are required to submit an application to the Head of their former Department for any new appointments or employment they wish to take up after leaving the Civil Service. This requirement applies to special advisers of equivalent standing to the Senior Civil Service for two years after leaving the Civil Service, and to other special advisers for one year.

17b Applications from special advisers of equivalent standing to Director General and above are referred to the *Advisory Committee on Business Appointments*. Decisions on these applications are taken by the former Head of Department based on the Advisory Committee's advice. The target timescale for completion of this process is 20 working days. Applications from other special advisers are handled within the relevant former Department, and the Head of the former Department makes the decision on the application. A special adviser who is unhappy with the decision on their application may appeal to the Lead Non-Executive Director of their former Department. In the case of special advisers of equivalent standing to Director General and above, the Advisory Committee's advice, and the decision of the Head of the former Department, will be published. The full *Business Appointment Rules for Civil Servants* are set out in Section 4.3 of the *Civil Service Management Code*.

18. Statutory Particulars

The further particulars of terms of employment not contained in the body of this contract which must be given to you in compliance with Part 1 of the *Employment Rights Act 1996* are given in the attached Schedule 2.

Signed

(Employee)

Signed

(On behalf of [name of appointing Minister])

Date

Date.....

SCHEDULE 1

CODE OF CONDUCT FOR SPECIAL ADVISERS

This Code applies to special advisers working in the UK Government

1. Special advisers are a critical part of the team supporting Ministers. They add a political dimension to the advice and assistance available to Ministers while reinforcing the political impartiality of the permanent Civil Service by distinguishing the source of political advice and support.
2. Special advisers should be fully integrated into the functioning of government. They are part of the team working closely alongside civil servants to deliver Ministers' priorities. They can also help Ministers on matters where the work of government and the work of the government party overlap and where it would be inappropriate for permanent civil servants to become involved. They are appointed to serve the Prime Minister and the Government as a whole, not just their appointing Minister.

Role

3. In order to provide effective assistance to Ministers, special advisers should work closely with the ministerial team and with other civil servants, and establish mutual relationships of confidence and trust. Among other things, special advisers may:

- give assistance on any aspect of departmental business, and give advice (including expert advice as a specialist in a particular field);
- undertake long term policy thinking and contribute to policy planning within the Department;
- write speeches and undertake related research, including adding party political content to material prepared by permanent civil servants;
- liaise with the Party, briefing party representatives and parliamentarians on issues of government policy;
- represent the views of their Minister to the media (including a party viewpoint) where they have been authorised by the Minister to do so; and
- liaise with outside interest groups (including those with a political allegiance).

4. In working with other civil servants, special advisers can, on behalf of their Minister:

- convey to officials Ministers' views, instructions and priorities, including on issues of presentation. In doing so, they must take account of any priorities Ministers have set;
- request officials to prepare and provide information and data, including internal analyses and papers;

- hold meetings with officials to discuss the advice being put to Ministers; and
- review and comment on – but not suppress or supplant – advice being prepared for Ministers by civil servants.

5. But special advisers must not:

- ask civil servants to do anything which is inconsistent with their obligations under the *Civil Service Code* or behave in a way which would be inconsistent with standards set by their employing department;
- authorise expenditure of public funds or have responsibility for budgets;
- exercise any power in relation to the management of any part of the Civil Service, except in relation to another special adviser; or
- otherwise exercise any statutory or prerogative power.

6. In order to enable special advisers to work effectively, departments should allocate civil servants to provide support of a non-political nature. Special advisers are able to give direction to such civil servants in relation to their day-to-day work for them, and their views should be sought as an input to performance appraisals on the basis that these are written by other civil servants. However, special advisers should not be involved in the line management of civil servants or in matters affecting a civil servant's career such as recruitment, promotion, reward and discipline, or have access to personnel files of civil servants.

7. Special advisers are not entitled to have access to sensitive, security or intelligence reports unless cleared to the appropriate level. Subject to this exception and the one mentioned above in relation to personnel files, special advisers may, at the discretion of their appointing Minister, have access to all papers submitted to Ministers, subject to the convention on access to papers of a previous Administration.

Status and conduct

8. Special advisers are temporary civil servants appointed in accordance with Part 1 of the *Constitutional Reform and Governance Act 2010*. Special advisers are bound by the standards of integrity and honesty required of all civil servants as set out in the *Civil Service Code*. However, they are exempt from the general requirement that civil servants should be appointed on merit and behave with impartiality and objectivity, or that they need to retain the confidence of future governments of a different political complexion. They are otherwise required to conduct themselves in accordance with the *Civil Service Code*, attached at Annex A.

9. As set out in the *Constitutional Reform and Governance Act 2010* and in the *Ministerial Code*, all appointments of special advisers require the prior written approval of the Prime Minister, and no commitments to make such appointments should be entered into in the absence of such approval. Their appointment ends at the end of the Administration which appointed them or when the appointing Minister leaves the Government or moves to another

appointment. The responsibility for the management and conduct of special advisers, including discipline, rests with the Minister who made the appointment. It is also the appointing Minister's responsibility to ensure that their special adviser(s) adhere to this Code of Conduct. It is, of course, also open to the Prime Minister to terminate employment by withdrawing his consent to an individual appointment at any time.

10. Special advisers should act in a way which upholds the political impartiality of other civil servants. They should not use official resources for party political activity. They are employed to serve the objectives of the Prime Minister, the Government and the Minister(s) for whom they work.

11. Special advisers should not disclose official information which has been communicated in confidence in government or received in confidence from others. The preparation or dissemination of inappropriate material or personal attacks has no part to play in the job of being a special adviser as it has no part to play in the conduct of public life. Any special adviser found to be disseminating inappropriate material will be subject to a disciplinary process that may include dismissal.

Contacts with the media

12. Special advisers, when authorised, are able to represent Ministers' views on government policy to the media with a degree of political commitment that would not be possible for other civil servants. However, briefing on purely party political matters must be handled by the Party machine. Special advisers have a duty to work with No 10 to ensure the proper coordination of announcements, media appearances and other interviews, articles and interventions made by their Minister.

13. All contacts with the media should be authorised by the appointing Minister and be conducted in accordance with the Government Communication Service's *Propriety Guidance - Guidance on Government Communications*.

14. Special advisers must not take public part in political controversy, through any form of statement whether in speeches or letters to the press, or in books, social media, articles or leaflets. They must observe discretion and express comment with moderation, avoiding personal attacks, and would not normally speak in public for their Minister or the Department.

Transparency

15. Special advisers are required to declare details of gifts and hospitality received in accordance with the rules set out in their departmental staff handbooks. Departments will publish, on a quarterly basis, information about gifts and hospitality received by their departmental special advisers and details of special advisers' meetings with newspaper and other media proprietors, editors and senior executives. Information will be published annually about the number and cost of special advisers.

Involvement in politics in a private capacity: national political activities

16. Where a special adviser wishes to undertake work for a political party which does not arise out of government business they may do this either in their own time, outside office hours, or under a separate contract with the Party, working part-time for the Government. They may not use annual or unpaid leave for this purpose.

17. Special advisers are exempt from the *Civil Service Code* requirement of political impartiality. Therefore, their involvement in political activity does not need to be restricted in the same way as it is for other civil servants.

18. In particular:

- i. with the approval of their Minister and the Prime Minister, a special adviser may be publicly identified as a candidate or prospective candidate for the United Kingdom Parliament. Special advisers who become parliamentary candidates must carry out this new role in their own time, outside office hours, or work part-time for the Government with their government salary reduced commensurately. Special advisers may not use annual or unpaid leave to carry out this role. In addition, a special adviser must also refrain in government from any involvement in matters concerning his/her prospective constituency, and they must resign as a special adviser at the start of the short campaign period ahead of the election. Special advisers who resign in these circumstances are not entitled to receive a severance payment;
- ii. if a special adviser wishes to take part in an election or by-election campaign, he/she is able to do so in their own time and out of office hours. They may not use annual or unpaid leave for this purpose;
- iii. with the agreement of the Prime Minister, special advisers can remain in post during the General Election campaign period. Those who remain in post to work on government business must ensure that they do not use official resources for party political purposes and that any participation in the campaign is in a special adviser's own time and outside office hours. Special advisers may not use annual or unpaid leave for this purpose; and
- iv. special advisers are able to attend party functions, for example the Party Conference.

The above provisions also apply in relation to candidature to the devolved Parliaments and Assemblies, and the European Parliament.

Involvement in politics in a private capacity: local political activities

19. With the approval of their Minister, special advisers may undertake, or continue to undertake, all forms of local political activity. They must comply with any conditions laid down by their Minister or the Prime Minister.

20. If special advisers take part in local political activities, they must at all times observe discretion, take care to express comment with moderation and avoid personal attacks. In particular, if they serve on a local authority they must adhere to the following points:

- i. they should not speak publicly or in the Council, or vote, on matters for which their Minister has direct responsibility;
- ii. they should not serve on any committee considering such matters;
- iii. they should not take part in deputations or other representations to Ministers;
- iv. they should declare an interest in relation to any case or application which comes before the Council in which their Department is involved;
- v. they should observe discretion in relation to policies for which other Ministers are responsible, in order to avoid causing them embarrassment; and
- vi. they should not disclose to the Council privileged information obtained in the course of their duties.

Leaving the Civil Service

21. Special advisers are subject to the *Business Appointment Rules for Civil Servants*. Under the Rules, they are required to submit an application to the Head of their former Department for a new appointment or employment they wish to take up after leaving the Civil Service. This requirement applies to special advisers of equivalent standing to the Senior Civil Service for two years after leaving the Civil Service, and to other special advisers for one year.

22. Applications from special advisers of equivalent standing to Director General and above are referred to the *Advisory Committee on Business Appointments*. Decisions on these applications are taken by the head of the former Department based on the Advisory Committee's advice. The target timescale for completion of this process is 20 working days. Applications from other special advisers are handled within the relevant former Department, and the head of the former Department makes the decision on the application. A special adviser who is unhappy with the decision may appeal to the Lead Non-Executive Director of their former Department. The full *Business*

Appointment Rules for Civil Servants are set out in Section 4.3 of the *Civil Service Management Code*.

23. Civil servants, including special advisers, must not publish or broadcast personal memoirs reflecting their experience in Government, or enter into commitments to do so, while in Crown employment. The permission of the head of their former Department and the Cabinet Secretary must be sought before publishing, or entering into a contractual commitment to publish such memoirs after leaving the Civil Service. They must submit any draft manuscripts for comment to the head of their former Department and the Cabinet Secretary in good time in advance of publication. Detailed rules are set out in Section 4.2 of the *Civil Service Management Code*. Separately, they should send a copy of the draft manuscript to the Prime Minister's Chief of Staff in post at the time of their employment.

24. Special advisers must continue to observe their duties of confidentiality after they have left their employment as a special adviser.

THE CIVIL SERVICE CODE

Civil Service values

1. The statutory basis for the management of the Civil Service is set out in Part 1 of the [*Constitutional Reform and Governance Act 2010*](#).
2. The Civil Service is an integral and key part of the government of the United Kingdom.² It supports the government of the day in developing and implementing its policies, and in delivering public services. Civil servants are accountable to ministers³, who in turn are accountable to Parliament.⁴
3. As a civil servant, you are appointed on merit on the basis of fair and open competition and are expected to carry out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality. In this code:
 - ‘integrity’ is putting the obligations of public service above your own personal interests;
 - ‘honesty’ is being truthful and open;
 - ‘objectivity’ is basing your advice and decisions on rigorous analysis of the evidence; and
 - ‘impartiality’ is acting solely according to the merits of the case and serving equally well governments of different political persuasions.
4. These core values support good government and ensure the achievement of the highest possible standards in all that the Civil

²Civil servants working for the Scottish and Welsh Governments, and their agencies, have their own versions of the code. Similar codes apply to the Northern Ireland civil service and the Diplomatic Service. Civil servants working in non-ministerial departments in England, Scotland and Wales are covered by this code.

³Some civil servants are accountable to the office holder in charge of their organisation. This is made clear in terms and conditions of employment.

⁴Civil servants advising ministers should be aware of the constitutional significance of Parliament, and of the conventions governing the relationship between Parliament and the government.

Service does. This in turn helps the Civil Service to gain and retain the respect of Ministers, Parliament, the public and its customers.

5. This code⁵ sets out the standards of behaviour expected of you and other civil servants. These are based on the core values which are set out in legislation. Individual departments may also have their own separate mission and values statements based on the core values, including the standards of behaviour expected of you when you deal with your colleagues.

Standards of behaviour

6. Integrity

You must:

- fulfil your duties and obligations responsibly;
- always act in a way that is professional⁶ and that deserves and retains the confidence of all those with whom you have dealings;⁷
- carry out your fiduciary obligations responsibly (that is make sure public money and other resources are used properly and efficiently);
- deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability;
- ensure you have Ministerial authorisation for any contact with the media⁸;

⁵The respective responsibilities placed on ministers and special advisers in relation to the civil service are set out in their codes of conduct. Special advisers are also covered by this Civil Service code except, in recognition of their specific role, the requirements for objectivity and impartiality.

⁶Including taking account of ethical standards governing particular professions.

⁷Including a particular recognition of the importance of co-operation and mutual respect between civil servants working for the UK government and the devolved administrations and vice-versa.

⁸The whistleblowing legislation (the *Public Interest Disclosure Act 1998*) may also apply in some circumstances. The *Directory of Civil Service Guidance* and the *Civil Service Management Code* give more information.

- keep accurate official records and handle information as openly as possible within the legal framework; and
- comply with the law and uphold the administration of justice.

7. You must not:

- misuse your official position, for example by using information acquired in the course of your official duties to further your private interests or those of others;
- accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity; or
- disclose official information without authority (this duty continues to apply after you leave the Civil Service).

8. *Honesty*

You must:

- set out the facts and relevant issues truthfully, and correct any errors as soon as possible; and
- use resources only for the authorised public purposes for which they are provided.

9. You must not:

- deceive or knowingly mislead Ministers, Parliament or others;
or
- be influenced by improper pressures from others or the prospect of personal gain.

10. *Objectivity*

You must:

- provide information and advice, including advice to ministers, on the basis of the evidence, and accurately present the options and facts;

- take decisions on the merits of the case; and
- take due account of expert and professional advice.

11. You must not:

- ignore inconvenient facts or relevant considerations when providing advice or making decisions; or
- frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from those decisions.

12. Impartiality

You must:

- carry out your responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity.

13. You must not:

- act in a way that unjustifiably favours or discriminates against particular individuals or interests.

14. Political Impartiality

You must:

- serve the government⁹, whatever its political persuasion, to the best of your ability in a way which maintains political impartiality and is in line with the requirements of this Code, no matter what your own political beliefs are;
- act in a way which deserves and retains the confidence of Ministers, while at the same time ensuring that you will be

⁹Some civil servants are accountable to the office holder in charge of their organisation. This is made clear in terms and conditions of employment.

able to establish the same relationship with those whom you may be required to serve in some future government; and

- comply with any restrictions that have been laid down on your political activities.

15. You must not:

- act in a way that is determined by party political considerations, or use official resources for party political purposes; or
- allow your personal political views to determine any advice you give or your actions.

Rights and responsibilities

16. Your department or agency has a duty to make you aware of this Code and its values. If you believe that you are being required to act in a way which conflicts with this Code, your department or agency must consider your concern, and make sure that you are not penalised for raising it.

17. If you have a concern, you should start by talking to your line manager or someone else in your line management chain. If for any reason you would find this difficult, you should raise the matter with your department's nominated officers who have been appointed to advise staff on the Code.

18. If you become aware of actions by others which you believe conflict with this code you should report this to your line manager or someone else in your line management chain; alternatively you may wish to seek advice from your nominated officer. You should report evidence of criminal or unlawful activity to the police or other appropriate regulatory authorities. This Code does not cover HR management issues.

19. If you have raised a matter covered in paragraphs 16 to 18, in accordance with the relevant procedures¹⁰, and do not receive what you consider to be a reasonable response, you may report the matter to the Civil Service Commission.¹¹ The commission will also consider taking a complaint direct. Its address is:

Civil Service Commission
G/8
1 Horse Guards Road
London
SW1A 2HQ

Tel: 0207 271 0831

Email: info@csc.gov.uk

If the matter cannot be resolved using the procedures set out above, and you feel you cannot carry out the instructions you have been given, you will have to resign from the Civil Service.

20. This Code is part of the contractual relationship between you and your employer. It sets out the high standards of behaviour expected of you which follow from your position in public and national life as a civil servant. You can take pride in living up to these values.

March 2015

¹⁰The whistleblowing legislation (the [Public Interest Disclosure Act 1998](#)) may also apply in some circumstances. The [Directory of Civil Service Guidance](#) and the [Civil Service Management Code](#) give more information.

¹¹The Civil Service Commission's *Guide to bringing a complaint* gives more information. It is available on the Civil Service Commission website.

SCHEDULE 2

EMPLOYMENT RIGHTS ACT 1996 - PART 1

The following information is given to supplement the information given in the body of the contract in order to comply with the requirements of Part 1 of the Act.

1. Continuous employment

Your period of continuous employment began on

2. Annual leave [NB: Do not include table below if contract is for an eligible re-appointed special adviser entitled to 30 days annual leave at the outset, simply re-iterate here the entitlement to 30 days - see paragraph 7a of the Model Contract.]

You will be entitled to 25 days annual leave plus one additional day accrued as per the table below:

Length of Service	Annual leave entitlement
Up to 1 year	25 days
1 year - up to 2 years	26 days
2 years - up to 3 years	27 days
3 years - up to 4 years	28 days
4 years - up to 5 years	29 days
5 years or more	30 days

3. Public and privilege holidays

- 3.a. There is one privilege day for the Queen's Birthday holiday (ie either the Friday preceding, or the Tuesday after, the Spring Bank Holiday).
- 3.b. You may be required to work on a public holiday or privilege day. If so, you are entitled to time off in lieu.

4. Collective agreements

There are no service-wide collective agreements in force which affect your terms and conditions. [NB: If there are any departmental collective agreements which directly affect the terms and conditions of the staff in question, particulars should be included here.]

5. Pensions

A contracting out certificate pursuant to the provisions of the Pension Schemes Act 1993 is in force in respect of your employment.