

CODE OF ETHICS AND BUSINESS CONDUCT FOR THE GAUTENG PROVINCIAL GOVERNMENT

Gauteng Shared Service Centre

I INTRODUCTION

This document comprises the Code of Ethics and Business Conduct for the Gauteng Provincial Government.

Why should there be a Code of Ethics and Business Conduct?

The purpose of such a Code is the following:

- To serve as a brief description of the Gauteng Provincial Government's core values;
- To provide a framework for identifying conduct that is ethical and acceptable for the employees and officials of the Gauteng Provincial Government who, effectively, act as its agents at all levels;
- To create the context for the ethical use of authority; and
- To support all efforts aimed at curbing moral degeneration.

II SCOPE OF THIS CODE

1. This Code of Ethics and Business Conduct applies to the following persons:
 - a) All officials/employees of the Gauteng Provincial Government.

III ETHICS

Why should there be standards of ethics?

- To ensure that all stakeholders within the Gauteng Provincial Government are aware of the basic values cherished by the Gauteng Provincial Government, its employees (including management) and officials; and
- To ensure accountability within the Gauteng Provincial Government in terms of fundamental ethical values and value systems.

What are the fundamental ethical standards cherished and expected by the Gauteng Provincial Government?

The Gauteng Provincial Government cherishes the following values and ideals:

- Absolute integrity;
- A culture of honesty;
- Loyalty;
- Professionalism;
- Acceptance of responsibility and accountability;
- A positive public image;
- Confidence from the public;
- Striving for and maintaining credibility;
- High standards of service delivery;
- A sense of pride in belonging to the Department;
- Sanctioning bad, and rewarding good behavior; and
- All other positive attributes contributing toward sound ethical standards.

IV THE CODE OF CONDUCT

The Gauteng Provincial Government subscribes wholly to the Code of Conduct for the Public Service as detailed in the Public Service Regulations and which is reflected *verbatim* below.

“CODE OF CONDUCT FOR THE PUBLIC SERVICE

A. PURPOSE

- A.1 In order to give practical effect to the relevant constitutional provisions relating to the public service, all employees are expected to comply with the Code of Conduct provided for in this Chapter.
- A.2 The Code should act as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct and in their relationship with other. Compliance with the Code can be expected to enhance professionalism and help to ensure confidence in the public service.

B. INTRODUCTION:

- B.1 The need exists to provide direction to employees with regard to their relationship with the legislature, political and executive office-bearers, other employees and the public and to indicate the spirit in which employees should perform their duties, what should be done to avoid conflicts of interests and what is expected of them in terms of their personal conduct in public and private life.
- B.2 Although the code of Conduct was drafted to be as comprehensive as possible, it is not an exhaustive set of rules regulating standards of conduct. However, heads of department, by virtue of their responsibility in terms of section 7 (3) (b) of the Act for the efficient management and administration of their departments and the maintenance of discipline, are, inter alia, under a duty to ensure that the conduct of their employees conforms to the basic values and principles governing public administration and the norms and standards prescribed by the Act. Heads of department should also ensure that their staff are acquainted with these measures, and that they accept and abide by them.
- B.3 The primary purpose of the Code is a positive one, *viz.* to promote exemplary conduct. Notwithstanding this, an employee shall be guilty of misconduct, and may be dealt with in accordance with the relevant collective agreement if she or he contravenes any provision of the Code of Conduct or fails to comply with any provision thereof.

C. CODE OF CONDUCT

C.1 RELATIONSHIP WITH THE LEGISLATURE AND THE EXECUTIVE

An employee –

- C.1.1 is faithful to the Republic and honors the Constitution and abides thereby in the execution of her or his daily tasks;
- C.1.2 puts the public interest first in the execution of her or his duties;
- C.1.3 loyally executes the policies of the Government of the day in the performance of her or his official duties as contained in all statutory and other prescripts;
- C.1.4 strives to be familiar with and abides by all statutory and other instructions applicable to her or his conduct and duties; and
- C.1.5 co-operates with public institutions established under legislation and the Constitution in promoting the public interest.

C.2 RELATIONSHIP WITH THE PUBLIC

An employee –

- C.2.1 promotes the unity and well-being of the South African nation in performing her or his official duties;
- C.2.2 will serve the public in an unbiased and impartial manner in order to create confidence in the public service;
- C.2.3 is polite, helpful and reasonably accessible in her or his dealing with the public, at all times treating members of the public as customers who are entitled to receive high standards of service;
- C.2.4 has regard for the circumstances and concerns of the public in performing her or his official duties and in the making of decisions affecting them;
- C.2.5 is committed through timely service to the development and upliftment of all South Africans;
- C.2.6 does not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, color, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language;
- C.2.7 does not abuse her or his position in the public service to promote or prejudice the interest of any political party or interest group;
- C.2.8 respects and protects every person's dignity and her or his rights as contained in the Constitution; and
- C.2.9 recognizes the public's right of access to information, excluding information that is specifically protected by law.

C.3 RELATIONSHIPS AMONG EMPLOYEES

An employee –

- C.3.1 co-operates fully with other employees to advance the public interest;
- C.3.2 executes all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution and/or any other law;

- C.3.3 refrains from favouring relatives and friends in work-related activities and never abuses her or his authority or influences other employee, nor is influenced to abuse her or his authority;
- C.3.4 uses the appropriate channels to air her or his grievances or to direct representations;
- C.3.5 is committed to the optimal development, motivation and utilisation of her or his staff and the promotion of sound labour and interpersonal relations;
- C.3.6 deals fairly, professionally and equitably with other employees, irrespective of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language; and
- C.3.7 refrains from party political activities in the workplace.

C.4 PERFORMANCE OF DUTIES

An employee –

- C.4.1 strives to achieve the objectives of her or his institution cost-effectively and in the public's interest;
- C.4.2 is creative in thought and in the execution of her or his duties, seeks innovative ways to solve problems and enhances effectiveness and efficiency within the context of the law;
- C.4.3 is punctual in the execution of her or his duties;
- C.4.4 executes her or his duties in a professional and competent manner;
- C.4.5 does not engage in any transaction or action that is in conflict with or infringes on the execution of her or his official duties;
- C.4.6 will recuse herself or himself from any official action or decision-making process which may result in improper personal gain, and this should be properly declared by the employee;
- C.4.7 accepts the responsibility to avail herself or himself of ongoing training and self-development throughout her or his career;
- C.4.8 is honest and accountable in dealing with public funds and uses the public service's property and other resources effectively, efficiently, and only for authorised official purposes;

- C.4.9 promotes sound, efficient, effective, transparent and accountable administration;
- C.4.10 in the course of her or his official duties, shall report to the appropriate authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes an offence, or which is prejudicial to the public interest;
- C.4.11 gives honest and impartial advice, based on all available relevant information, to higher authority when asked for assistance of this kind; and
- C.4.12 honors the confidentiality of matters, documents and discussions, classified or implied as being confidential or secret.

C.5 PERSONAL CONDUCT AND PRIVATE INTERESTS

An employee –

- C.5.1 during official duties, dresses and behaves in a manner that enhances the reputation of the public service;
- C.5.2 acts responsibly as far as the use of alcoholic beverages or any other substance with an intoxicating effect is concerned;
- C.5.3 does not use her or his official position to obtain private gifts or benefits for herself or himself during the performance of her or his official duties nor does she or he accept any gifts or benefits when offered as these may be construed as bribes;
- C.5.4 does not use or disclose any official information for personal gain or the gain of others; and
- C.5.5 does not, without approval, undertake remunerative work outside her or his official duties or use office equipment for such work.”

V QUESTIONABLE SITUATIONS

An employee or official, who has doubts regarding a questionable situation that might arise, should immediately consult her or his Manager who will secure clarity from the Director for Human Resource Management.

VI APPROVAL

MEC: Gauteng Shared Service Centre

Accounting Officer: Gauteng Shared Service Centre