



ETHICS COMMITTEE CHARTER TEMPLATE

DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION

JANUARY 2025

Table of Contents

1. Introduction.....	3
2. Mandate and objectives.....	3
3. Authority and Independence.....	3
4. Composition and membership.....	4
5. Roles and responsibilities.....	4
6. Meetings and quorum.....	6
7. Reporting and accountability.....	6
8. Confidentiality and conflict of interest.....	6
9. Performance and evaluation.....	7
10. Training and capacity building.....	7
11. Review and amendment to the Charter.	7
12. Approval and endorsement.....	7

1. Introduction

The Ethics Committee Charter serves as a guiding framework for the establishment and operation of the Ethics Committee within [Department Name]. The Committee is tasked with ensuring adherence to ethical standards, promoting a culture of integrity, and providing oversight of ethics management practices in accordance with the Public Service Regulation (PSR) 23(2).

2. Mandate and Objectives

Mandate: The Ethics Committee is established to provide oversight on ethics management within the department, ensuring compliance with public service standards and fostering ethical behaviour.

Objectives:

- Ensure departmental compliance with ethics-related regulations.
- Monitor and evaluate the effectiveness of ethics policies and practices.
- Provide oversight on ethics & integrity challenges referred to the committee.
- Assess and address ethics-related risks that may impact department operations.
- Support the integration of ethics functions into departmental processes.
- Promote accountability and transparency across all departmental operations.

3. Authority and Independence

The Ethics Committee derives its authority from the Head of Department (HoD) under PSR 23(2). The Committee operates independently to:

- Access necessary resources and documentation to perform its functions effectively.
- Call upon departmental representatives or external experts for support and guidance.
- Make recommendations directly to the HoD regarding ethics management issues, including updates to ethics-related policies, improvements to ethics risk management, and strategies for strengthening ethics within the department.
- Make recommendations to Ethics Officer(s) on the implementation of the ethics management strategy, as part of its mandate to oversee and support ethics management within the department.

4. Composition and Membership

The Ethics Committee shall consist of 5 to 9 members.

Members are nominated by the Ethics Committee and formally appointed by the HoD

Suggested Composition (7 members) :

- Chairperson: Deputy Director-General (or equivalent), also acting as the Ethics Champion.
- Secretariat: Ethics Officer, responsible for operational support
- Legal Services Representative: Provides legal guidance.
- Risk Management Specialist: Oversees ethics-related risk management activities.
- Internal Investigations/Audit Representative: Oversees ethics and integrity related investigations and audit processes.
- Human Resources/Labor Relations Representative: Ensures alignment with HR policies.
- External Expert: Provides specialized advice on ethics and anti-corruption practices.

Appointment and Terms:

- Members serve a term of 3 years, renewable once upon approval, for a maximum total of 6 years.
- External experts must maintain independence from the department.

5. Roles and Responsibilities

5.1. Chairperson (Deputy Director-General or Equivalent)

- Provides strategic direction for the committee's activities.
- Represents the Ethics Committee when needed within the department.
- Facilitates the implementation of decisions made by the Ethics Committee, ensuring alignment with departmental objectives.
- Acts as the final authority in case of tied votes.

5.2. Secretariat (Ethics Officer)

- Manages the logistics of meetings, including scheduling and record-keeping.
- Informs the committee on operational ethics activities and significant updates.
- Presents key ethics issues requiring committee input or resolution.

5.3. Legal Services Representative

- Provides legal guidance on the committee's activities and decisions.
- Ensures compliance with applicable laws, regulations, and internal policies.
- Advises on the legal implications of ethics-related risks and decisions.

5.4. Risk Management Specialist

- Oversees the identification and assessment of ethics-related risks.
- Advises on mitigation strategies to address key risks.
- Monitors the implementation of ethics and integrity risk management initiatives and reports progress to the committee.

5.5. Internal Investigations/Audit Representative

- Oversees the status of ongoing investigations and presents updates to the committee.
- Provides insights on audit findings related to ethics and integrity risks.
- Recommends corrective actions for ethics-related irregularities.

5.6. Human Resources/Labor Relations Representative

- Aligns ethics initiatives with HR policies and procedures.
- Supports the committee in handling ethics-related workplace issues, including grievances and disciplinary matters.
- Facilitates access to necessary employee records and information.

5.7. External Expert (Specialist in Ethics, Integrity, or Anti-Corruption)

- Provides an independent perspective on ethics-related issues and practices.
- Shares best practices and lessons learned from other organizations.

- Advises on complex or specialized ethics and integrity challenges.

6. Meetings and Quorum

Meeting Frequency:

- The committee shall meet at least once per quarter (4 times per year).
- Additional meetings may be convened when necessary, at the discretion of the Chairperson or at the request of three (3) or more members.

Quorum:

A quorum shall consist of at least 70% of the total members; for example, this equates to 5 out of 7 members. While this represents a simple majority of the suggested seven-member structure, it ensures decisions are made with sufficient representation while maintaining operational flexibility.

Voting power:

Each member holds one (1) vote, with decisions made by a simple majority. In the event of a tie, the Chairperson shall have one (1) additional casting vote to break the deadlock. External resources or individuals invited to the committee for specialized expertise, advisory roles, or consultation shall not have voting rights.

7. Reporting and Accountability

The Ethics Committee shall formally report to the HoD and relevant governance structures on a quarterly basis, with an annual summary submitted to [Exco or designated oversight authority]. These reports shall summarize the Committee's activities, key deliberations, and recommendations to ensure transparency and accountability.

8. Confidentiality and Conflict of Interest

All members must maintain strict confidentiality regarding discussions and decisions of the committee, except when disclosure is legally mandated or explicitly authorized.

Each member must submit an annual Conflict of Interest (COI) Declaration Form within the first quarter of the year. Failure to do so will result in removal from their position on the Committee at the second quarter of the same year. COI declarations will be

reviewed and approved by the Chairperson and if applicable, the external member to ensure impartiality.

In addition to the annual disclosure, members must declare any specific or situational COI as soon as it arises. This includes instances where a matter under discussion involves an individual with whom they have a personal, financial, or professional relationship. Members must disclose such conflicts to the Chairperson, who will assess and manage the associated risks.

9. Performance and Evaluation

The Ethics Committee will conduct an annual self-assessment to evaluate its effectiveness, identify areas for improvement, and implement necessary changes. This assessment will consider factors such as meeting attendance, the quality of deliberations, and the implementation of recommendations.

To maintain their role, members must attend at least three out of the four scheduled meetings per year. Failure to meet this requirement will result in removal from the Committee at the end of the year (unless absences are due to conflicts of interest related recusals).

10. Training and Capacity Building

Committee members are encouraged to continuously develop their expertise in ethics and integrity. To support this, the Committee should organize at least one annual training or consultation session focused on a specific ethics and integrity challenge or governance issue identified as a priority. This priority may be informed by the ethics risk assessment conducted by the Ethics Committee.

11. Review and Amendment to the Charter

This Charter shall be reviewed annually to ensure its relevance and effectiveness. Amendments may be proposed by any Committee member and must be approved by a majority vote of the Committee, followed by endorsement from the [relevant authority].

12. Approval and Endorsement

This Charter becomes effective upon approval by the [relevant authority] and shall be endorsed by all Committee members, signifying their commitment to uphold its provisions and the ethical standards of the department and the public service.