



social development

Department:
Social Development
NORTHERN CAPE

Code of Ethics

General employee conduct

- The Department expects its employees to conduct themselves in a business-like manner. Drinking alcoholic beverages, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job.
- Employees must not engage in sexual harassment, or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer.
- Further activities that are unacceptable under this ethical code include:
 - a) The use of controlled substances such as drugs and alcohol as well as the unlawful manufacture, distribution, dispensation, possession, transfer, sale, purchase or use of a controlled substance.
 - b) Driving vehicles or operating the Department's equipment while under the influence of alcohol or controlled substance.
 - c) Illegal betting or gambling at work.
 - d) Carrying weapons of any sort on the Department's premises, in government vehicles or while on official business except those authorized to do so such as security officers.
- The Department reserves the right to inspect any property that might be used by employees for the storage of their personal effects. This includes desks, lockers and vehicles owned by the government. It is a violation of government regulations to store any contraband, illegal drugs, toxic materials or weapons on government property or while on official business.

Relationship with supplies

- No employee can directly or indirectly benefit from his or her position as an employee of the government or from any sale, purchase or other activity of the government.
- Employees should avoid situations involving a conflict or the appearance of conflict between the government duty and their self-interest. No employee who deals with individuals or organizations doing or seeking to do business with the provincial or national government or who makes recommendations with respect to such dealings should serve as an officer, director, employee or consultant; or own a substantial interest in any company doing business with the government or any organization doing or seeking to do business with the government without the written approval of the Accounting Officer. If the employee is the Accounting Officer then the written approval of the Executive Authority will be required.
- If the employee of the department or a member of his immediate family enters into a business with the government, this must be declared in the tender questionnaire.

Employee, Client and Supplier Information

- Employees of the Department should when handling financial and personal information of employees, customers, suppliers and others with whom the Department has dealings, observe the following principles:
 - a) Collect, use, and retain only the personal information necessary for the Department's business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.

- b) Retain information only for as long as necessary or as required by law and protect the physical security of this information.
- c) Limit internal access to personal information to those with a legitimate business reason for seeking that information and in addition use personal information only for the purposes for which it was originally obtained. Consult the Protected Disclosure Act (Act no. 26 of 2000) and Promotion of Access to Information Act (Act no.2 of 2000) before externally releasing any information.

Employment practices

- All employees share a serious responsibility for the Department's good public relations, especially at the community level. Employees must, however, avoid acquiring any business interest or participating in any other activity outside the Public Service that would, or would appear to:
 - a) Create an excessive demand upon their time and attention, thus depriving the Department of their best efforts on the job.
 - b) Create a conflict of interest—an obligation, interest, or distraction—that may interfere with the independent exercise of judgment in the Department's best interest.

Compliance with the laws and regulatory orders

- Every employee shall observe and obey the laws and regulations of the country promulgated from time to time and shall abide by, and uphold, the constitution of the Country.
- Every employee shall satisfy in good faith their obligations as citizens of the Country, including all just financial obligations, especially all National, Provincial and Local taxes that are imposed by law. A just financial obligation includes any financial obligation acknowledged by the employee or reduced to judgment by a court.
- Each employee is charged with the responsibility of acquiring sufficient knowledge of the laws and orders relating to his duties in order to recognize potential dangers and to know when to seek legal advice.

Conflicts of interest

- There are several situations that could give rise to a conflict of interest. The most common are accepting gifts from suppliers, employment of an employee of the government by a private company on a part-time basis, running of a private business while employed by the government, close or family relationships with government suppliers and communication with tenderers.
- The Department expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interests of the Department.
- Employees must not use their position or the information gained as a result of their position for private or personal benefit.
- Regardless of the circumstances, if employees sense that a course of action they have pursued, are presently pursuing, or are contemplating pursuing may involve them in a conflict of interest with the Department, they should immediately communicate all the facts to their superior.
- A potential conflict of interest exists for employees who make decisions in their jobs that would allow them to give preference or favour to a supplier in exchange for anything of personal benefit to themselves or their friends and families. Such situations could interfere with the employee's ability to make judgments solely in the department's best interest and as such employees should avoid all such situations.

Impartiality in performing official duties

- Questions regarding impartiality necessarily arise when an employee's official duties impact upon the employee's own financial or other interests or those of certain other persons, such as the employee's spouse or minor child.
- An employee is prohibited from participating personally and substantially in an official capacity in any particular matter in which, to his knowledge, he, his spouse, general partner or minor child has a financial interest, if the particular matter will have a direct and predictable effect on that interest.
- In furtherance of the spirit of impartiality, employees of the Department:
 - a) shall serve the public in an unbiased and impartial manner in order to create confidence in the Public Service;
 - b) shall be polite, helpful and reasonably accessible in their dealings with the public, at all times treating members of the public as clients who are entitled to receive high standards of services;
 - c) shall have high regard for the circumstances and concerns of the public in performing their official duties and in the making of decisions affecting them.
 - d) shall not unfairly discriminate against any member of the public on account of race, gender, ethnic, or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language;
 - e) shall refrain from party political activities in the workplace
 - f) shall not abuse his or her position in the Public Service to promote or prejudice in the interest of any political party or interest group.
 - g) shall respect and protect every person's dignity and his or her rights as contained in the Constitution; and
 - h) shall recognize the public's right of access to information, excluding information that is specifically protected by law.

Integrity

- In recognition that public office involves a public trust, employees of the Department should seek to maintain and enhance public confidence in the integrity of Department as well as advance the common good of the community the employees serve.
- In this regard, employees of the department:
 - a) shall not improperly use their official powers or position, or allow their official powers or positions to be improperly used
 - b) shall ensure that any conflicts that may arise between their personal interests and official responsibilities are resolved in favour of the public interest
 - c) shall disclose fraud, corruption and maladministration of which they become aware of
 - d) shall safeguard public funds and other public properties entrusted to them and shall ensure that no damage, loss or misappropriation occurs to them due to negligence or for the benefit of any individual or group.
 - e) shall use public resources only for government business including, machines, office equipment, office supplies, telephones, computers, copiers, utility services, buildings and other property procured with Government funds or donated to the Government.
 - f) shall, unless otherwise authorized, use official time in an honest way to fulfil official responsibilities and shall not use official time for their private activities or leisure.
 - g) shall neither ask nor direct their subordinates to perform activities other than their official responsibilities.
 - h) shall be ready to declare their property or that of their spouse and dependent children within specified procedure to the Department or any other mandated authority when So required.

Gifts and hospitality

- Employees or members of their immediate families shall not solicit or accept from an actual supplier or prospective tenderer any compensation, advance, loans (except from established financial institution on the same basis as other customers) gifts, entertainment or other favours which are of more than token value. Under no circumstances should a gift or entertainment be accepted which would influence the employee's judgment.
- Employees must avoid any interest in or benefit from any supplier that could reasonably cause them to favour that supplier over others. It is a violation of the code for any employee to solicit or encourage a supplier to give any item or service to the employee regardless of its value, no matter how small.
- Employees should act in such a way that supplier are confident of the objectivity and integrity of the public sector.
- For guidance on how to deal with gifts and hospitality, refer to annexure 2 of the Department's Anti-Fraud and Corruption Strategy.

Ethical Management Practices

- An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a non-governmental capacity, including non-profit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations. In addition, the following specific prohibitions are applicable:
 - a) An employee shall not use or permit the use of government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself/herself or to friends, relatives, or persons with whom the employee is affiliated in a non-governmental capacity.
 - b) An employee shall not use or permit the use of his government position or title or any authority associated with his public office in a manner that could reasonably be construed to imply that the Department sanctions or endorses his personal activities or those of another. When teaching, speaking, or writing in a personal capacity, he/she may refer to his official title or position with qualification that he/she is dealing in his/her personal capacity. He/she may sign a letter of recommendation using his official title only in response to a request for an employment recommendation or character reference based upon personal knowledge of the ability or character of an individual with whom he/she has dealt in the course of government employment or whom he/she is recommending for government employment.
 - c) An employee shall not use or permit the use of his government position or title or any authority associated with his public office to endorse any product, service or enterprise.
 - d) An employee whose duties would affect the financial interest of a friend, relative or person with whom he is affiliated in a non-governmental capacity shall ensure that the performance of his duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment.

Confidentiality and proper use of official information

- Employees of the Department shall not disclose to unauthorized person, official information, confidential or otherwise, which has been communicated to them in confidence, or received in confidence from others without permission and shall, in that respect maintain confidentiality of official information even after they have left the Public Service.
- Employees of the Department shall not distort or frustrate government operations by making unauthorized premature disclosures.
- Employees of the Department shall not use any official document or information obtained in the course of discharging their duties for personal benefit.
- Official information will be released to the media by officials who have been authorized to do so according to the laid down procedures.
- Employees of the Department shall route any information they wish to pass over to the media through the appropriate channels established by the Department.

Outside activities

- An employee shall not engage in outside employment, whether paid or unpaid, or any other outside activity that conflicts with his official duties. An activity conflicts with an employee's official duties:
 - a) if it is prohibited by law or regulations
 - b) If it would require the employee's disqualification from matters so central or critical to the performance of his/her official duties that the employee's ability to perform the duties of his position would be materially impaired.
- An employee shall obtain prior approval before engaging in outside employment or activities.
- An employee shall not serve, other than on behalf of the government, as an expert witness, with or without compensation, in any proceedings before a court or other bodies, in which the government is a party or has a direct and substantial interest, unless the employee is abiding by an order of the court.
- An employee shall not receive compensation from a source other than government for teaching, speaking or writing that relates to the employee's official duties. Teaching, speaking or writing relates to the employee's official duties if:
 - a) the activity is undertaken as part of the employee's official duties
 - b) the circumstances indicate that the invitation to engage in the activity was extended to the employee primarily because of his official position rather than his expertise on the particular subject matter
 - c) the information conveyed through the activity draws substantially on ideas or official data that are non-public information
 - d) the subject of the activity deals in significant part with any matter to which the employee presently is assigned or to which the employee had been assigned during the previous one-year and/or any on-going or announced policy, Programme or operation of the Department.

