



education

Department:
Education

PROVINCE OF KWAZULU-NATAL

CODE OF CONDUCT

Contents

1. INTRODUCTION.....	3
2. PURPOSE OF THE POLICY	3
3. SCOPE OF POLICY	4
4. COMMITMENT OF THE CODE.....	4
5. CODE OF CONDUCT.....	5
5.1 Adherence to Constitution and other laws	5
5.2 Relationship with public.....	5
5.3 Ethical conduct.....	6
5.4 Performance of official duties	7
5.5 Employees as candidates for elections	8

1. INTRODUCTION

The Vision, Mission statement and the Values of KwaZulu-Natal Department of Education ("the Department") set the tone for this Code.

Vision

"Be the centre of excellence in financial and fiscal management in the country."

Mission Statement

"We, the KZN Department of Education, seek to enhance the KwaZulu-Natal Provincial Government service delivery by responding to the expectations of all stakeholders in the value chain as a key driver through:

- *Optimum and transparent allocation of financial resources whilst enhancing revenue generation and financial management practices in compliance with applicable legislation and corporate governance principles*
- *Our competent and dedicated employees who are at centre of ensuring best value to our stakeholders."*

Values: *The core values of the Department are as follows:*

- Responsibility
- Efficiency
- Service excellence
- Financial discipline
- Professionalism
- Integrity
- Respect
- Loyalty.

The spirit of the Code is to promote and support ethical and good business conduct by all individuals covered by it.

2. PURPOSE OF THE POLICY

- 2.1 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 ("Code").
- 2.2 This Code has been formulated in order to foster and maintain Employee trust and confidence in the professionalism and the integrity of the Employees of the Department by ensuring that all Employees adhere to appropriate standards of conduct as set out in this Policy that maintains and enhances the reputation of the Department and ensures confidence in the public service.
- 2.3 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 others (internal and

external). The circumstances of conducts as set out below in this Policy, although not exhaustive, are intended to cover those situations, which are most likely perceived to be encountered by Employees. In cases where an Employee encounters any circumstance which is not covered hereunder or in case of any doubt, Employees should seek guidance from their Reporting Manager and/or from the Human Resource Department and act accordingly.

- 2.4 Accordingly, the primary purpose of the Code is to promote exemplary conduct. Accordingly, an employee shall be guilty of misconduct, and may be dealt with in accordance with the relevant collective agreement, as outlined in the Public Service Co-ordinating Bargaining Council Resolution No. 2 of 1999, if she or he contravenes any provision of the Code or fails to comply with any provision thereof.

3. SCOPE OF POLICY

This Policy applies to all the Employees of the Department. Employee shall mean all individuals on full-time or part-time employment with the Department, with permanent, probationary, trainee, temporary or contractual appointment.

4. COMMITMENT OF THE CODE

- 4.1 All employees are to promote and support the Code of Conduct in their day-to-day activities, through both personal leadership and professional practices.
- 4.2 Each employee is expected to behave according to the principles contained in the Code.
- 4.3 Employees are encouraged to consult and seek advice, as appropriate, from the Management available to assist in application of the Code.
- 4.4 Employees understand that deviations from or violations of the Code are unacceptable. Employees should feel able to raise these deviations, without fear of retaliation, with an appropriate Manager or to the Accounting Office or through the whistleblowing hotline.
- 4.5 The Department also expects its managers to lead by example and perform their duties in accordance with this Code of Conduct and ensure that the content of this Policy is communicated to all persons reporting to them.

5. CODE OF CONDUCT

5.1 Adherence to Constitution and other laws

1. An employee shall—
 - (a) *be faithful to the Republic and honour and abide by the Constitution and all other law in the execution of his or her official duties;*
 - (b) *put the public interest first in the execution of his or her official duties;*
 - (c) *loyally execute the lawful policies of the Government of the day in the performance of his or her official duties;*
 - (d) *abide by and strive to be familiar with all legislation and other lawful instructions applicable to his or her conduct and official duties; and*
 - (e) *co-operate with public institutions established under the Constitution and legislation in promoting the interest of the public.*

5.2 Relationship with public

2. An employee shall—
 - (a) *promote the unity and well-being of the South African in performing his or her official duties;*
 - (b) *serve the public in an unbiased and impartial manner in order to create confidence in the public service;*
 - (c) *be polite, helpful and reasonably accessible in his or her dealings with the public;*
 - (d) *have regard for the circumstances and concerns of the public in performing his or her official duties and in the making of decisions affecting them;*
 - (e) *be committed through timely service to the development and upliftment of all South Africans;*
 - (f) *not abuse his or her position in the public service to promote or prejudice the interest of any political party or interest group;*
 - (g) *respect and protect the dignity of every person and his or her rights as contained in the Constitution; and*
 - (h) *recognise the public's right of access to information, excluding information that is specifically protected by law.*

5.3 Ethical conduct

3. 3. An employee shall—
 - (a) *not receive, solicit or accept any gratification, as defined in section 1 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), from any employee or any person in return for performing or not performing his or her official duties;*
 - (b) *not engage in any transaction or action that is in conflict with or infringes on the execution of his or her official duties;*
 - (c) *not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act;*
 - (d) *recuse herself or himself from any official action or decision-making process which may result in improper personal gain, and this shall immediately be properly declared by the employee;*
 - (e) *immediately report to the relevant authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes a contravention of any law (including, but not limited to, a criminal offence) or which is prejudicial to the interest of the public, which comes to his or her attention during the course of his or her employment in the public service;*
 - (f) *refrain from favouring relatives and friends in work-related activities and not abuse his or her authority or influence another employee, nor be influenced to abuse his or her authority;*
 - (g) *not use or disclose any official information for personal gain or the gain of others;*
 - (h) *not receive or accept any gift from any person in the course and scope of his or her employment, other than from a family member, to the cumulative value of R350 per year, unless prior approval is obtained from the relevant executive authority;*
 - (i) *if he or she has permission in terms of section 30 of the Act to perform outside remunerative work, not—*
 - (i) *perform such work during official work hours; and*
 - (ii) *use official equipment or state resources for such work.*

- (j) *deal fairly, professionally and equitably with all other employees or members of the public, irrespective of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language; and*
- (k) *refrain from party political activities in the workplace.*

5.4 Performance of official duties

4. An employee shall—
- (a) *strive to achieve the objectives of his or her institution cost-effectively and in the interest of the public;*
 - (b) *be creative in thought and in the execution of his or her official duties, seek innovative ways to solve problems and enhance effectiveness and efficiency within the context of the law;*
 - (c) *be punctual in the execution of his or her official duties;*
 - (d) *execute his or her official duties in a professional and competent manner;*
 - (e) *co-operate fully with other employees to advance the interest of the public;*
 - (f) *be honest and accountable in dealing with public funds and use the State's property and other resources effectively, efficiently, and only for authorised official purposes;*
 - (g) *use the appropriate mechanisms to deal with his or her grievances or to direct representations;*
 - (h) *be committed to the optimal development, motivation and utilisation of employees reporting to him or her and the promotion of sound labour and interpersonal relations;*
 - (i) *avail himself or herself for training and development;*
 - (j) *promote sound, efficient, effective, transparent and accountable administration;*
 - (k) *give honest and impartial advice, based on all available relevant information, in the execution of his or her official duties;*
 - (l) *honour the confidentiality of official matters, documents and discussions;*
 - (m) *not release official information to the public unless he or she has the necessary approval;*

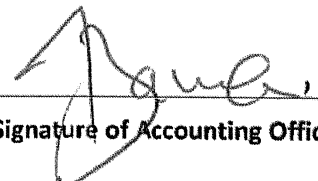
- (n) *when on official duty, dress and behave in a manner that is befitting of a public service employee;*
- (o) *not consume alcoholic beverages or any other non-medicinal substance with an intoxicating effect while on duty or shall not report for duty under such influence;*
- (p) *not misrepresent himself or herself or use the name or position of any other employee or person to unduly or improperly influence any decision-making process or obtain any undue benefit; and*
- (q) *shall immediately report any non-compliance of the Act to the head of department.*

5.5 Employees as candidates for elections

- 5. (1) An employee who is issued with a certificate in terms of section 31(3) of the Electoral Act, 1998 (Act No. 73 of 1998), stating that he or she is a candidate in an election, shall, not later than the next working day, inform his or her head of department in writing thereof and submit a copy of the certificate.

APPROVAL OF THE CODE

Approved by:



 Signature of Accounting Officer

27/11/2020

 Date

CODE OF CONDUCT DECLARATION

I, (Employee Name and Persal Number), have read, understand and agree to abide by the Code of Conduct and I understand that such adherence is a condition of my employment. I understand that a violation of the Code of Conduct may be grounds for disciplinary action to be taken.

Signed on this _____ day of _____ 20_____.

 (Employee - Signature)