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CODE OF CONDUCT POLICY

Signatories

The signatories hereof, confirm acceptance of the contents, recommendation, and adoption hereof.

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Owner title, name and contact details	Senior Manager: Corporate Services Email - MatshivhaMM@thulamela.gov.za Telephone -			
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INDEX

1.	DEFINITIONS AND ACRONYMS	4
2.	PREAMBLE	5
3.	PURPOSE	5
4.	OBJECTIVES	5
5.	SCOPE	6
6.	GENERAL CONDUCT	6
7.	COMMITMENT TO SERVING THE PUBLIC INTEREST	7
8.	DISCLOSURE OF BENEFITS	7
9.	UNAUTHORIZED DISCLOSURE OF INFORMATION	8
10.	UNDUE INFLUENCE	8
11.	REWARDS, GIFTS AND FAVOURS	9
12.	COUNCIL PROPERTY	9
13.	PAYMENT OF ARREARS	9
14.	PARTICIPATION IN ELECTIONS	10
15.	SEXUAL HARRASMENT	10
16.	REPORTING DUTIES OF STAFF MEMBERS	10
17.	LEGISLATIVE AND REGULATORY FRAMEWORK	10
18.	STAKEHOLDER ENGAGEMENT	10
19.	IMPLEMENTATION: ROLES AND RESPONSIBILITIES	10
20.	MONITORING AND EVALUATION	11
21.	CONCLUSION	11
22.	REVISION DATE	12
23.	ANNEXURES	12

1. DEFINITIONS AND ACRONYMS

1.1 Statutory and Regulatory

This Procedure applies to the following meanings and interpretations:

#	TERM	DESCRIPTION
1.1	Ethics	a set of moral values and principles which form the standards that guide conduct and behaviour of individuals to differentiate between right and wrong, good and bad, what should or should not be done
1.2	Partner	a person who permanently lives with another person in a manner as if married.

2. PREAMBLE

- 2.1 Every business is unique, therefore in each and every organisation should have a code of conduct that should be adopted to shape and guide the type of culture that the organisation should adhere to and its business practices.
- 2.2 Therefore, it is important that in the organisation code of conduct must outline the following:
 - 2.2.1 The values that organization stands for
 - 2.2.2 Clear guidelines for expected behavior
 - 2.2.3 Day-to-day business practices
 - 2.2.4 How employees should interact with stakeholders
 - 2.2.5 How employees should interact with fellow employees
- 2.3 It's also crucial to outline the procedures and consequences for code violations. While it may be harder to determine a breach of company values, employees should clearly understand the disciplinary process for fixed rules (such as harassment or punctuality violations etc).

3. PURPOSE

- 3.1 This policy aims to set out what type of behaviour is expected from all employees and outlines the ethical principles that should be followed by all employees within the municipality.

4. OBJECTIVES

- 4.1 The objective of this policy is to define how employees should conduct themselves at the workplace, how to interact with stakeholders and the type of behaviour that should be demonstrated across the municipality.

5. SCOPE

- 5.1 In terms of section 69 of the Act, the Code of Conduct for municipal staff members: applies to every staff member of a municipality.
- 5.2 The principles contained in the Code also apply to the following personal and/or entities:
 - 5.2.1 Employees appointed by the Thulamela municipality.
 - 5.2.2 Consultants, contractors and other providers of goods or services to the Thulamela Municipality

6. GENERAL CONDUCT

The staff member of a municipality must always:

- 6.1 Loyally execute the lawful policies of the municipal council
- 6.2 Perform the functions of office in good faith, gently, honestly and in a transparent manner
- 6.3 Act in such a way that the spirit, and objects of section 50 of the Municipal Systems Act are promoted
- 6.4 Act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised
- 6.5 Act impartially and treat all people, including other staff members, equally without favours or prejudice

The staff member of the municipality must not:

- 6.6 Use the position or privilege of a staff member, or confidential information obtained as a staff member, for private gain or to improperly benefit another person or;
- 6.7 Take a decision on behalf of the municipality concerning a matter in which that staff member, or that staff member's spouse, partner or business interest

Except with the prior consent of the council of a municipality a staff member of the municipality may not:

- 6.8 Be a party to a contract for the provision of goods or service to the municipality, the performance of any work for the municipality otherwise than as a staff member, obtain a financial interest in any business of the municipality or be engaged in any business, trade or profession other than the work of the municipality.

7. COMMITMENT TO SERVING THE PUBLIC INTEREST

A staff member of a municipality is a public servant in a developmental local system, and must accordingly:

- 7.1 Implement the supervisions of section 50 (2) of the Systems Act.
- 7.2 Foster a culture of commitment to serving the public and a collective sense of responsibility for performance in terms of standards and targets
- 7.3 Promote and seek to implement the basic values and principle of public administration described in section 195 (1) of the Constitution
- 7.4 Obtain copies of or information about the municipality's integrated development plan, and as far as possible within the ambit of the staff member's job description, seek to implement the objectives set out in the integrated development plan, and achieve the performance targets set for each performance indicator
- 7.5 Participate in the overall performance management system for the municipality, as well as the staff member's individual performance appraisal and reward system, if such exists, in order to maximize the ability of the municipality to achieve its objectives and improve the quality of life of its residents.

8. DISCLOSURE OF BENEFITS

- 8.1 A staff member of the municipality who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a

contract concluded with the municipality, must disclose in writing full particulars of the benefit to the council

- 8.2 This item does not apply to a benefit which a staff member, or a spouse, partner, business associate or close family member, has or acquires in common with all other residents of the municipality.

9. UNAUTHORIZED DISCLOSURE OF INFORMATION

- 9.1 A staff member of a municipality may not without permission disclose any privileged or confidential information obtained as a staff member of the municipality to an unauthorized person

- 9.2 For the purpose of this item 'privileged or confidential information' includes any information:

9.2.1 Determined by the municipal council or any structure or functionary of the municipality to be privileged or confidential.

9.2.2 Discussed in closed session by the council or a committee of the council.

9.2.3 Disclosure of which would violate a person's right to privacy.

9.2.4 Declared to be privileged, confidential or secret in terms of any law.

- 9.3 This item does not derogate from a person's right of access to information in terms of national legislation.

10. UNDUE INFLUENCE

A staff member of a municipality may not:

- 10.1 Unduly influence or attempt to influence the council of the municipality, or a structure or functionary of the council, or a councillor, with a view to obtaining any appointment, promotion, privilege, advantage or benefit, or for a family member, friend or associate;

- 10.2 Mislead or attempt to mislead the council, or a structure or functionary of the council, in its consideration of any matter or;
- 10.3 Be involved in a business venture with a councillor without the prior written consent of the council of the municipality.

11. REWARDS, GIFTS AND FAVOURS

A staff member of a municipality may not request, solicit or accept any rewards, gift or favour for:

- 11.1 Persuading the council of the municipality or any structure or functionary of the council, with regards to the exercise of any power or the performance of any duty;
- 11.2 Making a presentation to the council or any structure or functionary of the council;
- 11.3 Disclosing any privileged or confidential information or;
- 11.4 Doing or not doing anything within that staff member's powers or duties
- 11.5 A staff member must without delays report to a superior official or to the speaker of the council any offer which, if accepted by the staff member, would constitute a breach of code of conduct

12. COUNCIL PROPERTY

- 12.1 A staff member of a municipality may not use, take acquire or benefit from any property or asset owned, controlled or managed by the municipality to which that staff member has no right.

13. PAYMENT OF ARREARS

- 13.1 A staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 3 months, and a municipality to which that staff member has no right.

14. PARTICIPATION IN ELECTIONS

- 14.1 A staff member of a municipality may not participate in an election of the council of the municipality, other than in an official capacity or pursuant to any constitutional right.

15. SEXUAL HARRASMENT

- 15.1 A staff member of a municipal may not embark on any action amounting to sexual harassment.

16. REPORTING DUTIES OF STAFF MEMBERS

- 16.1 Whenever a staff member of a municipality has reasonable grounds for believing that there has been a breach of his code, the staff member must without delay report the matter to a superior officer or to the speaker of the council.

17. LEGISLATIVE AND REGULATORY FRAMEWORK

- 17.1 Local Government: Municipal Systems Act 32 of 2000.
- 17.2 Labour Relations Act.
- 17.3 Basic Conditions.

18. STAKEHOLDER ENGAGEMENT

- 18.1 Municipal staff should be fully engaged on this policy to ensure successful implementation and external stakeholders must be made aware of this policy.

19. IMPLEMENTATION: ROLES AND RESPONSIBILITIES

- 19.1 All the employees within the municipality should adhere to this code of conduct and demonstrate the behaviour as outlined in this policy. HR Manager is responsible for enforcing this policy and continuously ensure the monitoring and compliance thereof.

HUMAN RESOURCE SECTION

19.2 The following measures must be put in place to enforce the implementation and adherence to this policy. This measure is aligned to Section 70 of the Municipal systems Act:

19.2.1 Disseminating of this policy widely throughout the municipality to ensure that all employees are aware of the code of conduct of the municipality.

19.2.2 Ensure that the purpose, contents and consequences of the Code of Conduct are explained to staff members who cannot read.

19.2.3 Communicate sections of the Code of Conduct that affect the public to the local community.

19.2.4 Outlining of communication channels for reporting violations. Managers should develop a safe and honest relationship with staff, so they feel confident discussing matters with them directly.

19.2.5 Once a violation has occurred, information must be gathered as much as possible from all parties involved to determine the facts, establish the severity of the issue, and respond accordingly.

19.3 Furthermore, all employees shall sign an annual declaration that he or she has read this code of conduct and is familiar with and understands this Code.

20. MONITORING AND EVALUATION

20.1 On a continuous basis this policy will be evaluated to determine its relevance and effectiveness and to assess whether it has achieved the intended objectives.

21. CONCLUSION

21.1 Every employee within the municipality is expected to adhere this policy, any breach of this code will be dealt with in terms of the disciplinary procedures of the municipality.

21.2 In conclusion, the Code of conduct outlines critical matters raised in the purpose and the objectives. The provisions in the policy contents highlights the need for

municipality to adhere to the key issues narrated which will address challenges encountered and lead to effective and efficient implementation of the policy.

21.3 The Municipality commits to make resources available, monitor and evaluate the effectiveness of the policy, thus encouraging all relevant stakeholders to familiarise themselves with the policy and take necessary actions to fully participate and ensure compliance of the policy.

22. REVISION DATE

22.1 This policy shall be reviewed every 3 years or as and when the needs arise.

23. ANNEXURES

23.1 Business process map

23.2 Standard operating procedure