



Malawi Government

# Malawi Public Service Code of Ethics and Conduct

## **Our Vision**

“A highly motivated, productive, professional and results oriented public service”

## **Our Mission**

“To deliver quality services to the public in an efficient, effective and responsive manner in order to satisfy national aspirations and promote the advancement of the people of Malawi”

## TABLE OF Contents

	Page
<b>Foreword</b>	<b>2</b>
<b>Preface</b>	<b>3</b>
Purpose of the Code	<b>4</b>
Principles and Values	<b>5</b>
Work Ethics	<b>7</b>
Personal Behaviour	<b>8</b>
Obligations to the Government	<b>9</b>
Political Neutrality	<b>10</b>
Responsibility Towards the Public	<b>11</b>
Conflict of Interest	<b>12</b>
Acceptance of Gifts and other Benefits	<b>13</b>
Use of Public Resources	<b>14</b>
Human Rights	<b>15</b>

## FOREWORD

My Government, through the Malawi Growth and Development Strategy (MGDS), is reforming the Public Service with a view to moulding it into a professional, innovative, responsive, results oriented and impartial public service which is able to deliver quality services.

I would like to establish a Public Service that has the trust and confidence of the people and a Public Service that also enables Malawi to compete on the global stage. Public confidence requires that all Public Servants should be above reproach.

This Code of Ethics and Conduct is, therefore, aimed at creating a value system for the Public Service and it calls for the highest standard of integrity in the Public Service. It further fulfils one of the objectives of my Government, which is to establish a responsive Public Service which dutifully serves the people and enables them to meet their legitimate expectations in a new Malawi. It is, therefore, my hope that this Code of Ethics and Conduct will transform the attitude and general conduct of Public Servants and greatly improve public service delivery in the country.

I once again wish to reaffirm my Government's commitment to improving the standard of living of the Malawians through an efficient and effective Public Service.

**Professor Bingu wa Mutharika, PhD**

PRESIDENT OF THE REPUBLIC OF MALAWI

AND MINISTER RESPONSIBLE FOR THE PUBLIC SERVICE

## **PREFACE**

This Code of Ethics and Conduct sets out a value system and standards of behaviour for Officers in the Malawi Public Service.

It is designed to ensure the impartiality, objectivity, transparency, integrity, efficiency and effectiveness of Public officers when performing their duties. It is intended to guide Public Officers in their behaviour and how they relate to each other and to the public.

I am aware that there are ethical obligations and Codes of Conduct specific to each profession within the Public Service like, Education, Medicine, Law, Engineering, Accounting and so on. However, the Public Service Code of ethics and conduct provides ethical standards or guiding principles of general application.

This Code has been introduced in response to the new demands placed on the Public Service arising from the Constitution, the democratization process and the subsequent reform of the Public Service. It also addresses the global trends in Public Administration that emphasize customer care, value for money, professionalism and services of Malawi.

Public Officers are enjoined to conform to the Code of Ethics and Conduct and promote its observance. Likewise, users of the Public Service are encouraged to access the Code of Ethics and Conduct and report any unethical conduct or misbehavior by Public Servants in breach of this Code.

**Bright Msaka, SC**

CHIEF SECRETARY, OFFICE OF THE PRESIDENT AND CABINET

## **PURPOSE OF THE CODE**

This Code of Ethics and Conduct sets out standards of correct behaviour expected of Public Officers. It emphasizes the importance of a responsible, responsive and caring Public Service and is intended to promote effective administration and responsible behaviour.

The Code of Ethics and Conduct has been drawn on the basis of the Public Service Act and complements existing legislation and rules. Its guiding principles are designed to maintain and enhance values that inspire trust and confidence in the integrity of the Public Service. Public Officers are, therefore, required to comply with the relevant legislation and procedures in force in the service including the Malawi Public Service Regulations.

The Code calls for a self-imposed vigilance which is required to achieve the highest standards of ethical conduct. Each profession is required to develop specific standards of ethics and conduct which addresses its own special circumstances. However, such codes must be consistent with, and not derogate from, those listed in this Code of Ethics and Conduct.

This Code applies to all permanent, part-time, casual, temporary and contractual employees of the Public Service irrespective of gender, grade and rank.

## PRINCIPLES AND VALUES

The four guiding principles of the Code are as follows:

- Public Officers shall fulfill their lawful obligation to the Government of Malawi with professionalism, integrity and loyalty;
- In discharging their duties, Public Officers shall respect the rights and interests of the citizens of Malawi.
- Public Servants shall discharge their duties efficiently, objectively and honestly whilst upholding the principle of customer care so as to maintain public confidence in the Public Service.
- Public Officers shall not bring the Public Service into disrepute through their conduct at the work place or in private.

This code rests upon a number of core values as follows:-

### **Accountability**

Being responsible and accountable to the government and the public for the decisions and actions and submitting to whatever scrutiny appropriate to ones office;

### **Excellence**

Being diligent, committed, efficient, and effective in the execution of one's duties

### **Honesty**

Being truthful ,acting in good faith and declaring all private interests relating to ones public duties..

### **Impartiality**

Acting solely according to the merits of a Case and serving the public fairly.

**Integrity**

Putting the obligations of the Public Service above one's own personal interests, and conducting oneself in a manner that is above reproach.

**Justice**

Adhering to the principles of natural justice.

**Loyalty**

Being loyal to the government of the day regardless of one's political, religious, social or cultural beliefs

**Objectivity**

Being open and basing one's advice and decisions on rigorous analysis of evidence.

**Selflessness**

Being noble and avoid seeking personal gain or financial or other material benefits for one's family or friends through one's official position.

**Transparency**

Be as open as possible in all their dealings and give reasons for any administrative decisions and actions if required.

## **WORK ETHICS**

Public Servant in the performance of their official duties must act in accordance with the following work ethics:-

- Dedication and commitment to the Public Service and its core values.
- Comply with and uphold the law.
- Project a good, right and positive image of the Public Service.
- Serve the public fairly, efficiently and effectively.
- Love and respect for the people of Malawi.
- Self esteem and pride of being Malawian.
- Disciplined.
- Due regard for the rights, duties and relevant interests of Malawians.
- Professionalism, creativity and love for work.
- Respect for gender equity.
- Smart appearance.
- Frankness, openness and promotion of a culture of dialogue.
- Respect the privacy of individuals when dealing with personal information.

## PERSONAL BEHAVIOUR

Public Officers also have a duty to treat the public and their colleagues with courtesy and respect. They shall therefore:-

- not cause embarrassment to colleagues or members of the public by their dress, speech or behaviour;
- not consume alcoholic beverages while on duty;
- not engage in gambling by any means at the workplace;
- not smoke where it is illegal or where it is likely to inconvenience others;
- not cause distress to their colleagues, or otherwise contribute to disruption of the working atmosphere in the workplace;
- not discriminate against any person on grounds of gender, marital status, nationality, tribe, age, disability, political affiliation, HIV/AIDS status or religious beliefs;
- not harass, bully or otherwise intimidate members of the public or colleagues;
- respect the privacy of individuals;
- Have due regard for the safety of the public and colleagues at the workplace.
- At work as required and not to absent themselves from duty without proper authorization.
- Not take part in the creation and distribution of pornography.
- Maintain personal hygiene, dress in respectable attire in accordance with the acceptable norms of the office.

## **OBLIGATIONS TO THE GOVERNMENT**

In broad terms, the first priority of Public Officers is to carry out Government policy. They shall fulfill their lawful obligations to the Government with professionalism and integrity. In so doing, they are expected to act in a manner that will bear up against the closest public scrutiny.

Public Officers shall:

- provide honest, impartial and comprehensive advice;
- not willfully supply incorrect or misleading information;
- observe confidentiality;
- not withhold relevant information to those authorized to receive it;
- not obstruct or unduly delay any decision;
- not attempt to undermine or improperly influence any Government policy; and
- Carry out decisions of Government efficiently, effectively and economically.

## **POLITICAL NEUTRALITY**

Whatever be their own political beliefs, public officers shall:-

- Conscientiously serve the duly elected Government of the day, the other institutions of the state and the public.
- Observe political neutrality in their day to day functions.
- Avoid activities that impair or be seen to impair their political neutrality or the political impartiality of the Public Service.
- Not act in a way that is determined by party political consideration.
- Not use official resources for party purposes
- Advise and implement government policy impartially

## **RESPONSIBILITY TOWARDS THE PUBLIC**

Public employment carries with it a unique obligation to uphold the public interest and this demands that people working in the Public Service attain standards of professional behavior which will maintain public confidence and trust. In this regard Public Officers must:-

- Be polite, courteous and respectful to the public. They shall treat members of the public with fairness and equity.
- Address the needs of any member of the public regardless of the status of the person.
- Understand that, while discharging their duties, they are doing no favour to members of the public. They shall diligently, fairly and sympathetically attend to inquiries from members of the public.
- Give to the public any information or advice required, subject to confidentiality, and to provide reasonable assistance.
- Help the public to understand their rights and obligations.
- Ensure that they take into account all facts relevant to any case into consideration when exercising their discretionary powers.
- Respect the confidential nature of certain information disclosed to them by members of the public for procedural purposes.

## CONFLICT OF INTEREST

The impartiality and integrity of public servants is central to the maintenance of public trust and confidence in the Public Service. It is therefore important that:-

- Public servants always act with personal integrity and their actions should be able to bear the closest public scrutiny.
- Public servants perform their duties honestly and impartially and avoid situations that might compromise their integrity or otherwise lead to conflicts of interests.
- Public servants not only avoid circumstances in which their personal interests conflict with the interests of the Public Office, but also avoid those circumstances in which there could be the appearance of such conflict.
- Public servants observe the principles of fairness and impartiality in all aspects of their work. The public must have no basis on which to believe that decisions are made or policies are applied unevenly.
- Public servants avoid any interest or undertaking that could directly or indirectly compromise the performance of their duties, or the standing of their Public Office in its relationships with the public, or clients. This would include any situation where actions taken in an official capacity could be seen to influence or be influenced by an individual's private interests.
- Public servants should ensure that work-related purchasing decisions are based solely on sound financial judgement and laid down procedures. The public must have confidence that public money is spent without regard to any personal interest.

## ACCEPTANCE OF GIFTS AND OTHER BENEFITS

Public Officers shall not abuse their official position for personal gain. In this respect, Public Officers shall:-

- Not solicit or accept gifts, rewards or benefits, which might compromise their integrity and that of their organization and the Public Service. Gifts or benefits include, but are not restricted to, free or less than market value accommodation, entertainment, hospitality and travel.
- not demand or accept gifts, favours, hospitality or any other benefit for himself/herself or his/her family, close relatives and friends, or persons or organizations with whom he/she has or has had business or political relations, which may influence or appear to influence the impartiality with which he/she carries out his/her duties or may appear to be reward relating to his/her duties.
- Not offer or give any advantage in any way connected with his/her position, unless lawfully authorized to do so.
- Not seek to influence for private purposes any person or body, including other Public Officers, by misusing his/her official position or by offering with personal advantages.
- Not allow himself/herself to be put, or appear to be put in a position of obligation to return a favour to any person or body. Nor should his/her conduct in his/her official capacity or in his/her private life make him/her susceptible to the improper influence of others.

## USE OF PUBLIC RESOURCES

Public officers shall play a leading role in ensuring security over Government assets. Thus, as direct users, Public Officers shall:-

- ensure that assets and other facilities (Such as transport, stationery, telephones or secretarial services) provided to them for official duties or functions, are used strictly for those duties and for no other purpose.
- be scrupulous in their use of public property and services and shall not permit their misuse by any other person or body.
- Manage Government assets and resources effectively and efficiently.
- Strive to obtain value for money and to avoid waste or extravagance in the use of public resources.
- Exercise care over government equipment, vehicles or records in their possession or for which they are responsible.
- Avoid creating situations where it is perceived that Government assets are improperly used for their own or any other person's or body's private benefit.

## **HUMAN RIGHTS**

A Public Servant has the right of being a member of any political party and can vote both for his/her political party and in general elections.

A Public Servant can become a member of any religious sect provided that he/she does not contravene the existing laws.

A Public Servant shall not discriminate or harass a member of the general public or a fellow employee on grounds of gender, tribe, religion, nationality, ethnicity, marital status, disability, or HIV/AIDS status.

A Public Servant shall refrain from having sexual relationships at the workplace. Likewise he/she will avoid all types of conduct which may constitute sexual harassment which include:-

- pressure for sexual activity or sexual favours with a fellow employee;
- rape, sexual battery and molestation or any sexual assault;
- Intentional physical conduct which is sexual in nature.
- sexual innuendoes, gestures, comments or remarks to another person about one's sexuality or body;
- Offering or receiving preferential treatment, promises or rewards and offering or submitting to sexual favours.





## **The Secretary for Public Sector Reforms Management**

Office of the President and Cabinet

7<sup>TH</sup> Floor Tikwere House

Private Bag 301,

Lilongwe 3 - Malawi

**Tel:** +265 1 776 550 / 554

**Fax:** +265 1 774 540

**E-mail:** scu@opc.gov.mw