



MALAWI GOVERNMENT

EXCELLENCE HONEST ACCOUNTABILITY EXCELLENCE HONEST
IMPARTIALITY INTEGRITY JUSTICE IMPARTIALITY INTEGRITY
JUSTICE PROFESSIONALISM LOYALTY OBJECTIVITY
PROFESSIONALISM SELFLESSNESS TRANSPARENCY

Code of Conduct and Ethics for the Malawi Public Service

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VISION

"A highly motivated, Productive, Professional and results oriented public service".

MISSION STATEMENT

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

PREFACE

This code of Conduct and Ethics sets out a value system and standards of behavior 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 behavior 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 Conduct and Ethics provides ethical standards or guiding principles of general application.

This Code of Conduct and Ethics has been introduced in response to the obligations placed on the public service arising from the constitution of the republic of Malawi (1994) and the Malawi public service act (1994). This subsequent democratization processes have necessitated reforms in the public service that aim at enhancing transparency and accountability in the public service . The code of Conduct and Ethics also addresses the global trends in public Administration that emphasize customer care, value for money and professionalism in service delivery.

Above all, the main objective of the code of Conduct and Ethics is to enable Public Servants deliver public services to the satisfaction of the citizens of Malawi.

Public Officers are required to conform to the code of Conduct and Ethics and promote its observance; likewise, users of the public services are encouraged

to access the code of Conduct and Ethics and report any unethical conduct or misbehavior by Public Servants to their Superiors.

A handwritten signature in black ink, appearing to read 'Hawa Ndilowe'.

Hawa Ndilowe

CHIEF SECRETARY TO THE GOVERNMENT AND HEAD OF THE PUBLIC SERVICE.

PURPOSE OF THE CODE

This code of Conduct and Ethics 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 Conduct and Ethics has been drawn on the basis of the public service acts 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 services 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 Conduct and Ethics which addressers 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 area as follows:

- ❖ Public *Officers* shall fulfill their lawful obligation to the *Government* of Malawi with professionalism, integrity and loyalty.
- ❖ In carrying out 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.

As a *Public Servant* you shall adhere to the following Core Values:

Accountability

Being responsible and accountable to the *government* and public for the decisions and actions and submitting to *whatever* scrutiny appropriate to one's *office*;

Excellence

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

Honest

Being truthful and open, acting in good faith and declaring all private interests relating to one's public duties.

Impartiality

Acting solely according to the merits of a case and serving equally well the public and governments of different political persuasions.

Integrity

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

Justice

Adhering to the principles of natural justice.

Loyalty

Being loyal and committed to policies and programmes of the government of the day regardless of one's political, religious, social or cultural beliefs.

Objectivity

Basing one's advice and decisions on rigorous analysis of evidence.

Professionalism

Adhering to professional code of conduct and exhibiting high degree of competence and best practices as prescribed in a given profession in public service.

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 your dealings and give reasons for any administrative decision and actions if required.

WORK ETHICS

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

- ❖ Shall be result oriented dedicated and committed to the public service and its core values.
- ❖ Shall set clear standards of performance that customers (the public) can reasonably expect.
- ❖ Serve customers in a professional manner in accordance with the set standards.

- ❖ Shall without exception performs his or her duties in a manner that conveys professionalism, creativity and love for work.
- ❖ Shall observe the official working days in accordance with the regulations and shall always be available for official duty when called upon.
- ❖ Shall have strict regard to the working hours and commit them to official duties. He/she shall not come late for office meetings and official functions without reasonable cause.
- ❖ A Public Servant in position of authority shall exercise such authority with due diligence and trust and shall demonstrate a high standard of performance of duty.
- ❖ Shall endeavour to accomplish planned activities on time. He or she shall desist from engaging in behaviour or conduct that distracts or interferes with the work of other officers such as being idle at work, gossiping.
- ❖ Project a good, right and positive image of the Public Service. Serve the public fairly, efficiently and effectively.
- ❖ Accord courtesy, empathy, fairness, Love and respect for all the people of Malawi with special attention to persons with disabilities, the elderly, sick and expectant mothers.
- ❖ Respond to all customers' requests with promptness and clarity.
- ❖ Due regard for the rights, duties and relevant interests of Malawians.
- ❖ Observe frankness, openness and promotion of a culture of dialogue.
- ❖ Respect the privacy of individuals when dealing with personal information.
- ❖ Show self-esteem and pride in being Malawian.

- ❖ Shall not hold two jobs (moon lighting) at any point in time and shall not draw two salaries from government payrolls.

PERSONAL BEHAVIOUR

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

- ❖ Not cause embarrassment to colleagues or members of the public by your 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 your 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;
- ❖ Have due regard for the safety of the public and colleagues at the workplace. Be at work as required and not to absent yourself from duty without proper authorization.
- ❖ Promote and project a good image of the Public Service; you shall at all times maintain personal hygiene dress appropriately and appear smart decent and respectable in a way that is generally acceptable.

OBLIGATION TO THE GOVERNMENT

In broad terms, the first priority of Public Officers is to carry out Government policy; therefore you shall fulfil lawful obligations to the Government with professionalism and integrity. In so doing, you are accepted to act in a manner that will bear up against the closest public scrutiny.

Public Officers shall:

- ❖ Provide honest, impartial and comprehensive advice;
- ❖ Not wilfully supply incorrect or misleading information;
- ❖ Observe secrecy and confidentiality of official information even after you have left the public service;
- ❖ Not withhold relevant information to those authorized to receive it;
- ❖ Not attempt to undermine or improperly influence any Government policy; and
- ❖ Carry out decisions of Government efficiently, effectively and economically.

POULITICAL IMPARTIALITY

Whatever be your own political beliefs, Public Officers shall:

- ❖ Conscientiously serve the duly elected Government of the day, whatever is their political persuasion, to the best of your ability in a way that maintains political impartiality and in line with this code, no matter your own political beliefs.
- ❖ Avoid activities that impair or be seen your political neutrality or the political of the public service. Such as;
 - Engaging in active politics
 - Canvassing political support for candidates
 - Participating in political debate
 - Displaying party symbols

- ❖ Not act in a way that is determined by party political consideration or use official resources for party purposes.

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 services attain standards of professional behaviour which will maintain public confidence and trust. In this regard Public Officers must:

- ❖ Be polite, courteous and respectful to the public. You shall ensure that services are available and applied to equally and fairly to all.
- ❖ Serve every customer in a professional manner in accordance with set standards. Address the needs of any member of the public regardless of the status of the person.
- ❖ Understand that, while discharging your duties, you are doing no favour to members of the public. You 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.
- ❖ Ensure that you take into account all facts relevant to any case into consideration when exercising your discretionary powers.
- ❖ Respect the confidential nature of certain information disclosed to them by members of the public for procedural purposes.
- ❖ Respond to all customers (the public) requests with promptness and clarity.

- ❖ Uphold teamwork and advance the public good for efficient services delivery.

CONFLICT OF INTEREST

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

- ❖ Public Servants shall always act with personal integrity and their actions should be able to bear the closest public scrutiny.
- ❖ Public Servants shall 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 interest conflict with. The public officer must inform his/her supervisor of the nature and extent of his or her interests.
- ❖ Public Servants observe the principles of fairness and interest. 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 must 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 relationship with the public, or customers. 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 judgment 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 officer shall:

- ❖ Not solicit or accept gifts, rewards, favour, presents, hospitality gratuity or other benefits which might compromise their integrity and that of their organization and the public service. Gifts or benefits include, but are 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 had business or political relations, which whom he/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 yourself to be put, or appear to be put in a position of obligation to return a favour to any person or in his/her private life make him/her susceptible to the improper influence of others.

USE OF PUBLIC RESOURCES

Public officer shall play a leading role in ensuring security over Government's assets. Thus, as direct users, you shall:

- ❖ Ensure that assets and other facilities (Such as transport, stationery, telephones or secretarial services) provided to you for official duties or functions, are used strictly for those duties and for no other purpose.
- ❖ Be scrupulous in your use of public property and service 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 in general elections.

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

You 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.

As Public servant you shall refrain from having sexual relationships at the workplace. Likewise you will avoid all types of conduct which may constitute sexual harassment which include:

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

OBLIGATION OF THE GOVERNMENT

While a Public Officer is expected to observe the Code. Government as the employer has the following obligations as laid down in the public service act and operationalised by relevant laws:

- (1) To provide satisfactory, safe and health working environment
- (2) To ensure reasonable pay for Public Officers
- (3) To ensure equal pay for work of equal
- (4) To ensure that employees are accorded rest and reasonable working hours and periods of holidays.
- (5) To provide the public officer with the necessary tools, equipment for performance of their work.

All Public Officers must be familiar with all the operational regulations contained in the circulars issued from time to time and the Malawi public service regulations.

ENFORCEMENT

Breach of the Code

A breach of this code shall lead to appropriate disciplinary action in accordance with the provision of the existing Malawi Public Service Regulations.

Accountability Excellence Honest Accountability Impartiality Integrity Justice
Loyalty Honest Impartiality Loyalty Objectivity Professionalism Objectivity P
Selflessness Transparency Selflessness Transparency

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