



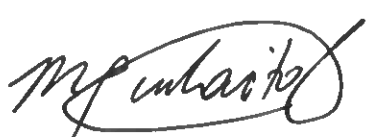
# **WALTER SISULU UNIVERSITY**

## **CODE OF CONDUCT POLICY**

**POLICY LIBRARY ID**

**HR: 10**

## CODE OF CONDUCT POLICY

<b>Sponsor Division</b>	Institutional Support
<b>Responsible Department</b>	Human Resources
<b>Related WSU Policies</b>	
Disciplinary Code and Procedure for Employees	ICT Acceptable Use Policy
Policy on Sexual Harassment	ICT Security Policy
<b>Relevant Government Legislation / Policy</b>	
Basic Conditions of Employment Act 75 of 1997	Higher Education Act 101 of 1997
Labour Relations Act 66 of 1995	
The South African Constitution, Act No 108 of 1996	
<b>Change History</b>	
<b>Approval Authority</b>	Council
<b>Approval Date</b>	12 September 2008
<b>Latest Revision Date</b>	15 December 2022
<b>Effective Date</b>	Immediately
<b>Next Revision Date</b>	January 2028
	
<b>Chairperson of Council: Advocate T. Ngcukaitobi</b>	

## 1. PREAMBLE

Ethics is an integral part of the corporate culture of the university. It is therefore the duty of all its employees to nurture an ethical culture based on honesty, integrity, loyalty and trustworthiness.

## 2. PURPOSE OF THE CODE

- 2.1 The purpose of this Code is to establish guidelines for the professional conduct and responsible behaviour of those acting on behalf of the University, including executive officers, employees, as well as volunteers and representatives.
- 2.2 The Code requires university employees to conduct themselves with dignity, honesty, integrity and respect when interacting with colleagues, students, clients or customers of the University or the public.
- 2.3 The Code also requires all employees to respect the environment and to assist the University to be a responsible corporate citizen.

## 3. DEFINITIONS/ABBREVIATIONS

3.1 <b>Code:</b>	Means this Code of Conduct.
3.2 <b>Council:</b>	Means the Council of Walter Sisulu University
3.3 <b>Employee:</b>	Means a person appointed by the Council in the employ of the University as a permanent or temporary academic employee or consultant, or permanent or temporary non-academic employee or consultant, but excluding independent contractors and suppliers as well as staff provided by temporary employment services.
3.4 <b>Executive or Executive Officers</b>	Means the Executive of WSU as well as all Deans and Directors, Heads of Department (HODs) and Heads of Units.
3.5 <b>King Report:</b>	Means the King IV Report on Governance for South Africa as issued in 2016, (or any relevant and legally

	enforceable subsequent report on governance applicable to the University).
<b>3.6 Line Manager or Management:</b>	Means a supervisor or supervisors of an employee employed by the University.
<b>3.7 Relative:</b>	Means spouse, life partner, parent, parenting-law, child, step-child, adopted child, or adopted child within the first degree of consanguinity, spouse of child, brother, sister, brother-in-law, sister-in-law, grandchild and/or anybody related to that person or his or her spouse, within the third degree of consanguinity or affinity
<b>3.8 Representatives:</b>	Means agents representing the University
<b>3.9 Spouse:</b>	Means a person's partner in a marriage (a) recognised as such in terms of the laws of the Republic or a foreign country; or (b) conducted in terms of Islamic or other religious rites.
<b>3.10 Supplier:</b>	Means any entity or individual selling goods or delivering services to the University including but not limited to suppliers who are registered on the supplier database WSU.
<b>3.11 University:</b>	Means Walter Sisulu University
<b>3.12 Volunteers:</b>	Means non-remunerated individuals assisting the University on a voluntary basis.

#### **4. VALUES STATEMENT**

- 4.1 Ethics represent the cornerstone of corporate governance while a value system is the expression of the ethical foundation of an organisation.
- 4.2 All deliberations and decisions by the executive officers of the University, as well as line managers should be based on the following ethical values:

- 4.2.1 **Responsibility:** assuming responsibility for the business, reputation and assets of the University and being willing to take corrective action where necessary to keep the University on a successful, ethical and sustainable path.
  - 4.2.2 **Accountability:** the obligation to account for decisions and actions to stakeholders.
  - 4.2.3 **Fairness:** giving fair and appropriate consideration to the legitimate interests and expectations of all the University's stakeholders and to act; accordingly, and
  - 4.2.4 **Transparency:** disclosing information in a manner that enables stakeholders to make an informed decision about the University's performance and sustainability.
- 4.3 With regard to professional and ethical conduct by those employed by or acting on behalf of the University, the following values should be practised:
- 4.3.1 **Proficiency:** by refraining from rendering or providing any professional service for which an employee is not qualified unless knowledgeable advice and/or assistance is obtained so as to enable him/her to perform satisfactorily.
  - 4.3.2 **Excellence:** by encouraging and supporting co-workers in the pursuit of professional excellence.
  - 4.3.3 **Equity:** by treating others in a fair and impartial manner.
  - 4.3.4 **Respect:** by treating others with civility and dignity.
  - 4.3.5 **Diversity:** by recognising the contribution diversity makes to creativity and the enrichment of life.
  - 4.3.6 **Integrity:** by maintaining an unfailing commitment to honesty and to act accordingly.
  - 4.3.7 **Trustworthiness:** by always acting in a reliable and dependable manner.
  - 4.3.8 **Compliance:** by following laws, regulations and University policies.
  - 4.3.9 **Stewardship:** by looking after the University's property as well as its resources and the environment; and

4.3.10 **Confidentiality:** by protecting the integrity and security of University's information and treating third-party information as confidential where one is legally required to do so.

## **5. APPLICATION**

The Code applies to all employees of the university, volunteers, service providers, and third parties.

## **6. GENERIC CODE OF GOOD CONDUCT**

- a) To respect human rights and to practice good citizenship.
- b) To perform duties with honesty and diligence.
- c) To accept responsibility and accountability for own actions.
- d) To promote freedom of expression.
- e) To promote tolerance.
- f) To communicate openly, honestly, and responsibly.
- g) To refrain from any acts of intimidation or victimisation.
- h) To promote collegiality.
- i) To demonstrate commitment to the vision and mission of the university.
- j) To honour the rules and regulations of the university.
- k) To act responsibly with information obtained in the course of the employment at the university.
- l) To disclose information that may help protect the university from potential prejudice
- m) To treat the university property with the necessary care and to use such property for the purpose it was intended only.
- n) To timeously report any loss or damage to university property.
- o) To disclose any potential conflicts of interest when appropriate.
- p) Not to have inappropriate sexual or other social relationships with the students or employees under their supervision or instruction.
- q) To promote and uphold the codes of conduct for the good of all university employees, students, clients, and service providers.

- r) To be loyal to the university and to promote the image of the institution.

## **7. DILIGENCE**

- 7.1 Employees should always act in good faith. They are required to carry out their duties in a diligent, efficient and conscientious manner. In this regard employees should:
  - 7.1.1 maintain and develop an in-depth knowledge and understanding of their area of expertise and/or the professional field within which they are active.
  - 7.1.2 be present at work as required and only be absent from the workplace with proper authorisation.
  - 7.1.3 carry out official decisions and policies faithfully and impartially using the information available to them.
  - 7.1.4 endeavour to attain the highest possible standard of performance, and
  - 7.1.5 comply with all lawful and reasonable instructions in line with their scope of work and in compliance with labour laws.
- 7.2 If an employee is a member of a professional body, he or she should also adhere to the professional code of such professional body.

## **8. EQUITY AND RESPECTFUL TREATMENT**

- 8.1 The University endeavours to actively foster impartiality and create an environment where people are treated equitably and with respect, where an individual's rights are respected, where effort is encouraged and where achievements are recognised. In this regard employees should:
  - 8.1.1 be responsive, courteous, and prompt when dealing with others.
  - 8.1.2 make fair decisions when dealing with subordinates.
  - 8.1.3 respect and value a diversity of views and opinions.
  - 8.1.4 not unfairly discriminate on the basis of race, language, gender, religion, sexual orientation, disability, medical condition, cultural background, marital status and/or political affiliation; and
  - 8.1.5 not harass or intimidate other employees, students or members of the public.

## **9. CONFLICTS OF INTEREST**

9.1 A "conflict of interest" can be defined as follows: "Any situation in which an individual or corporation (either private or governmental), is in a position to exploit a professional or official capacity in some way, for their personal or corporate benefit." In order to prevent situations where an employee's conduct is induced or appears to be induced by a conflict of interest or a potential conflict of interest, and to determine whether an "interest" of an employee indeed fits this category, a full disclosure of interests is mandatory.

9.2 Employees are obliged to, in writing:

9.2.1 before assuming office; and

9.2.2 whenever a new interest arises.

9.2.3 declare any business, commercial or financial activities undertaken for financial or other gain that may raise a conflict of interest or a possible conflict of interest with the University.

9.3 Activities that could be construed to create a conflict of interest include:

9.3.1 performing outside work in areas similar to those in which the university is involved.

9.3.2 holding a financial or other interest in a business concern that transacts (or seeks to transact) with the university, where the employee can influence a decision in favour of such a business concern.

9.3.3 acting as an officer or holding office, whether as a director, partner, agent, consultant or employee of a supplier or competitor of the university or any business concern that is involved in business or academic activities similar to that of the university.

9.3.4 serving on a university panel whose decisions may benefit one's relatives or associates.

9.4 Directorships

9.4.1 It is the policy of the University to allow employees of the University to serve on the Boards and Councils of other organisations. An employee must notify the Office of the Registrar of his or her intention to serve as a director. The



University is entitled to, in its discretion, decline such a request in appropriate circumstances.

## **10. USE OF UNIVERSITY RESOURCES**

10.1 Employees must use University resources with the required care. Unless express permission has been granted, University resources may not be used for private purposes.

10.2 For the purposes of this Code the following are regarded as university resources:

10.2.1 University assets (e.g. vehicles, equipment, etc),

10.2.2 University funds,

10.2.3 Skills and Time of employees (human resources),

10.2.4 Electronic resources (e.g. email, internet, telephone, etc).

### **10.3 University assets**

10.3.1 Employees are responsible for assets placed under their control. These assets should be treated with the appropriate care and secured against theft and misuse. Any loss or damage to these assets must be reported immediately.

10.3.2 Employees must use University assets for the purpose for which the goods are normally intended and in accordance with the directions for use pertaining to the goods.

10.3.3 Employees should not remove University assets from the campus, except where this is necessary for the employee for university purposes and the necessary permission has been granted.

### **10.4 University funds**

10.4.1 Where an employee controls University funds he or she must display the same care and prudence in dealing with these funds as is demanded from a reasonable and competent manager.

10.4.2 Employees may not spend University funds without authorisation.

10.4.3 Where an employee spends money or authorises that money be spent on behalf of the University, he or she should ensure that the University receives value for the money spent.

10.4.4 No employee may without the permission of the Executive member responsible for Finance open a bank account on behalf of or in the name of the University, a department, division, centre, institute, residence, society, sports club or any similar operating division in the University.

## **10.5 Skills and time of employees**

10.5.1 Employees are required to make reasonable use of the available training and development opportunities in the University to continuously enhance their skills.

10.5.2 Line managers should ensure that employees are afforded the time and opportunity to enhance their skill levels.

10.5.3 Employees should utilise their work time effectively and ensure that it is spent on productive, work-related activities.

## **10.6 Electronic resources**

10.6.1 The Electronic Communications Policy of Walter Sisulu University regulates the use of the University's electronic infrastructure and facilities.

10.6.2 The general standards of conduct for all users of the University's computing resources are specified in the ICT Acceptable Use Policy.

10.6.3 Electronic resources such as email and internet access are provided to employees in academic faculties and support service departments for their employment activities and should therefore be used for this purpose.

10.6.4 The use of telephony services at the University is regulated by the ICT Acquisition Policy. Personal use of the telephone is limited to urgent private

calls. The cost of any other personal calls must be refunded to the University.

10.6.5 Private use of electronic resources is a privilege and should be kept to a minimum and not be abused. Abuse will be regarded as misconduct.

## **11. GIFTS AND BENEFITS**

11.1 The receipt of gifts is regulated by the University's Policy on Gifts.

11.2 Employees are allowed to accept gifts on behalf of the University, provided that these gifts are not given with the purpose of improperly influencing an employee. If the slightest possibility exists that a gift is given as a quid pro quo to induce preferential treatment, it must be declined.

11.3 When an employee receives a gift in excess of R1000, the gift should be disclosed on a prescribed form and recorded in a gift register.

11.4 No employee, student or prospective student, or family member of a student or prospective student, independent contractor, temporary employment service personnel member or supplier, may accept cash as a gift under any circumstance.

## **12. FRAUD AND CORRUPTION**

12.1 The University condemns fraud and corruption and reinforces existing systems, policies and procedures aimed at deterring, preventing, detecting, reacting to and reducing the impact of fraud and corruption. The University has a policy of zero tolerance towards fraud and corruption.

12.2 Employees and students or prospective students or family of students or prospective students, independent contractors, temporary employment service personnel members and suppliers or any other related parties are required to minimise the University's exposure to fraud and corruption by abiding with the University policies.

12.3 The University's Whistle-blowers' Policy is inter alia aimed at encouraging and enabling employees, students, and external parties to raise concerns within

WSU rather than merely ignoring a problem or blowing the whistle through inappropriate channels.

- 12.4 In terms of the Policy, employees and “whistle-blowers” are responsible for reporting any suspected fraud, corruption, criminal activity, unethical conduct, maladministration, or mismanagement.

### **13. IMPROPER INFLUENCING AND BRIBERY**

- 13.1 No employee may bribe or improperly influence or attempt to improperly influence any person who is or may be assumed to be in a decision-making position regarding university matters.
- 13.2 No employee may create the impression that he or she has the power to improperly influence the outcome of or the people entrusted with appointments and selection decisions, the procurement of goods or services and the awarding of tenders and/or drawing up of quotations.
- 13.3 An employee may immediately report any attempt by another person to bribe or to improperly influence him or her to his or her line manager.

### **14. USE OF OFFICIAL CONFIDENTIAL AND PERSONAL INFORMATION**

- 14.1 All individuals at the University who have access to information owned by the University are expected to know and understand the relevant access and privacy requirements and are expected to take measures to enforce the confidentiality and security of information throughout the institution.
- 14.2 The University is committed to keeping personal information regarding its employees confidential. Access to and knowledge of the content of employee records will be limited to persons who need the information for legitimate University business or legal purposes.
- 14.3 Employees dealing with personal information must be aware of the purposes for which the information has been collected, and only process the information for that purpose in accordance with the Protection of Personal Information Act

4 of 2013 (POPIA) and the Promotion of Access to Information Act 2 of 2000 (PAIA).

- 14.4 All reasonable precautions must be taken, including the use of both physical and electronic barriers, such as locks, passwords and file protection measures, to prevent any unauthorised access or misuse of confidential information in accordance with the ICT Security Policy.

## **15. HEALTH AND SAFETY**

- 15.1 Employees and other individuals acting on behalf of the University are required to take reasonable care of their personal health and safety as well as the health and safety of others in the University. For this purpose, employees are to follow safe workplace practices, including participating in applicable training sessions, using appropriate personal safety equipment where required, and reporting accidents, injuries and unsafe situations.
- 15.2 Employees should protect the University and the surrounding environment from pollution and contamination. This includes the careful handling of hazardous waste and other potentially harmful agents and materials.
- 15.3 Employees, and other individuals acting on behalf of the University, should ensure that they do not attend work or perform duties while under the influence of alcohol, drugs or any other intoxicating substances or the after-effects thereof.

## **16. PUBLIC COMMENT ON BEHALF OF THE UNIVERSITY**

- 16.1 When making written or oral comments which can reasonably be ascribed to be the official view of the University and which can reasonably be expected to become public, employees must ensure that they have the required authorisation to speak on behalf of the University. If no such authorisation is given, employees should refrain from making comments or statements that could be interpreted as a statement made on behalf of the University. The afore

mentioned does not apply to statements made by academics relative to their respective fields of expertise.

- 16.2 Where an employee makes public comments in connection with their personal activities at a labour union, political party or any community activity, it should be made clear that such comment is made on behalf of the union, political party or association which they represent and not in his or her capacity as an employee of the University.

## **17. RESEARCH**

All employees engaged in research are expected to observe, amongst others, the following principles:

- 17.1 that research results and methodological approach applied are valid within the specific boundaries of the research.
- 17.2 that there is respect for all forms of life and the environment in the research processes and therefore no procedures that may violate this in any way may be applied.
- 17.3 that research results are documented honestly and sincerely and without any form of plagiarism.
- 17.4 The University's Code of Ethics serves as an important guideline to maintain high ethical standards in all academic activities at the University. University academics are required to comply with the University's Code of Ethics for Scholarly Activities.

## **18. ELECTION TO PUBLIC OFFICE**

An employee must give written notice to the Office of the Registrar of their election to public office.

## **19. INTERPRETATION**

- 19.1 This Code should be read in conjunction with existing policy documents and regulations of the University.

- 19.2 If any provision in this Code is in conflict with any applicable legislation, such legislation shall enjoy precedence.
- 19.3 If any immoral or unethical conduct is not specifically addressed in this Code, the actions of the Executive and employees should still be guided by the vision, mission and value system of the University as well as generally accepted ethical business practices.

## **20. COMPLIANCE WITH THE CODE OF CONDUCT**

- 20.1 Executive officers, all employees and other individuals acting as volunteers and representatives on behalf of the University must familiarise themselves with this Code and ensure that they comply with the letter as well as the spirit, being the intention and the content, of the Code.
- 20.2 All employees of Walter Sisulu University are required to adhere to the highest standards of excellence and morality in all their activities.
- 20.3 All breaches of this Code may be regarded as misconduct and may result in disciplinary action up to and including dismissal as per the University's Disciplinary Code and Procedure for Employees.

## **21. POLICY CONTROL**

### **21.1 Roles**

21.1.1 The Owner of this policy document is the Executive Director: Human Resources, whose role is to:

- a) oversee the development of the Policy and its related strategies and procedures.
- b) ensure the creation of documents necessary to support Acting Policy and ensure that same are freely available.
- c) ensure that the Policy curator functions effectively; and
- d) appoint a task team for the periodic revision of the Policy document, as required.

21.1.2. The curator of this policy document is the Director: Human Resources or senior professional support services staff member who is familiar with WSU's Strategy for Human Resources and is appointed by the Executive Director: Human Resources.

21.1.3. The curator is responsible for:

- a) ensuring the proper and effective formulation, approval, revision, communication, release, and monitoring of the implementation of this policy document; and
- b) interpreting the Policy, guiding its implementation, and convening a task team for the periodic revision of the Policy, as required.

## 21.2. **Implementation**

The Code of Conduct Policy provides the broad guidelines and institutional intent for professional conduct and responsible behaviour of those acting on behalf of the University. Within this context, WSU develops and continually updates its Strategy for Human Resources Management. At Campus level, the implementation of the Policy applies within the needs of that campus, where reasonably practicable.

## 21.3. **Monitoring and Reporting**

The Executive Director: Human Resources is accountable for the creation of the necessary controls for the monitoring and reporting of this Policy. The curator is responsible for carrying out these controls.

## 21.4. **Release**

This Policy is a public document, which is published on the WSU website. The policy is approved by the Council of the University after consultation with all relevant University internal approval structures.



### **21.5. Revision**

This Policy is reviewed every five-years, or sooner as may be deemed necessary by the Executive Director: Human Resources.

## **22. CONFLICT SETTLEMENT**

Conflicts within this Policy are to be resolved along the normal line management channels within the existing WSU structures. The final decision authority for this policy resides with the WSU Council.