



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD



CITY OF CAPE TOWN ETHICS CODE

Making progress possible. Together.

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OFFICE OF THE MAYOR

- MESSAGE

One of the City's five strategic pillars - being a well-run city - focuses on good governance to ensure that the City remains an efficient, well-governed and corruption-free administration that is receptive to the needs of its citizens.

My continued commitment to ethical leadership and good governance is to increase the ethical maturity of the City of Cape Town, which reflects not only a pledge to its values as defined in this Ethics Code, but also a continuous endeavour to build and sustain the ethical culture in the City of Cape Town. In order to do so, one needs to inculcate ethical decision making into the day-to-day business activities of each employee, based on the City's organisational values.



The City of Cape Town continues to be a leader in the development and institutionalisation of ethics in local government and has established its own ethics function under Risk, Ethics and Governance, which is mandated with the important role of driving the process of protecting, nurturing and enhancing the ethical culture of the City of Cape Town.

Integrity, objectivity and public responsibility should never be influenced or undermined by private interests in the course of fulfilling our official City duties. Each individual must commit to raising the ethical benchmark by 'doing the right thing', regardless of who is watching. This should be the one constant in each individual's behaviour of ethical conduct, thereby contributing to the sustainable existence and reputational prominence of the City of Cape Town.

OFFICE OF THE CITY MANAGER

- MESSAGE

Applying the principle of accepting responsibility for actions and taking ownership of the outcomes is how each and every employee plays an integral part in building and maintaining a well-run city.

The organisational values as described in this Ethics Code denote the ethical standards on which the Constitution of South Africa, the Batho Pele principles and the Code of Conduct for municipal staff members are based and aim to achieve.

Therefore, the general conduct of City employees must give effect to implementing the legislative framework of the City and performing functions in good faith, diligently, honestly and in a transparent manner. The actions and spirit of employees must purport the basic values and principles governing local public administration in a credible manner that does not compromise the integrity of the municipality.



Impartial behaviour when dealing with customers and fellow employees is therefore critical.

It is these codes, standards and values, translated into behavioural commitments, that every employee should strive for in the performance of his or her daily job function. I cannot overemphasise the importance of ethical decision making and value-driven management in preserving a solid foundation for an ethical culture to permeate the City.

Let us together continue to display the values of trust, integrity, accountability, service excellence and accessibility in order to further strengthen all five pillars on which the City of Cape Town's vision is based and which we can all be proud of, namely the opportunity city, the safe city, the caring city, the inclusive city and the well-run city.

1. PURPOSE AND SCOPE

OUR COMMITMENT

This Ethics Code defines the City's objectives and corresponding principles of good conduct. All related Council policies and practices have been formulated to ensure ethical behaviour and decision making in the work environment. This is necessary to ensure that we enhance and maintain an organisational culture that places sound ethical values, principles and responsibilities at the forefront of the City of Cape Town's strategies and operations.

The City of Cape Town contributes resources to social development and welfare. As such, we have a responsibility to society to be good corporate citizens, leading by example in discharging our moral obligations and duties.

In order to do this we
are committed to:

Doing business ethically – our core values

This means that we, the employees of the City of Cape Town, form or are a part of an ethical and sustainable organisation. Our behaviour and decisions are underpinned by our core values of trust, integrity, accountability, service excellence and accessibility.



Trust



Integrity



Service excellence



Accountability



Accessibility

Committing to trust means that we work as a team and believe that the other person has our best interests at heart. Trust makes our relationships effective.

Committing to integrity means that we act with integrity by being honest and treating everyone with fairness and respect, while following the rules and applying them without bias or prejudice. We must ensure that we refrain from having conflicts of interest, as this could impact negatively on service excellence, fairness and objectivity, which are all elements of integrity.

Committing to service excellence means that we strive for excellence in everything we do by focusing on our customers and delivering the highest standard of services.

Committing to accountability means that we take ownership of our roles, accept responsibility for our actions, and honour our obligations. Furthermore, we carry out our duties in a professional manner under the laws of our country and Council's policies and procedures – thus always acting within the letter and the spirit of the law.

Committing to accessibility means that we remove barriers between people and services to increase the ease of access to services, and that we are responsive and attentive to customer needs.

2. REGULATORY CONTEXT

GOOD CORPORATE GOVERNANCE

South African corporate governance reports emphasise that ethics is the foundation of good corporate governance. The City demonstrates our commitment and adherence to the highest levels of good and effective corporate governance, grounded in our values and ethical principles, by the adoption of the King Reports.

One of the key objectives of King IV is to promote corporate governance as integral to effectively running an organisation to achieve governance outcomes such as an ethical culture. Furthermore, King IV introduced a sector-specific supplement for municipalities with 16 principles. Two of the 16 principles are reflective of the aspirations towards ethical and effective leadership and ethical governance.



OUR COMPASS

To realise our purpose as responsible citizens, we need a compass that gives us direction and orientates our values and actions. Our compass consists not only of our values, but also the ethical principles stemming from the Constitution of South Africa, the Batho Pele principles and the Code of Conduct for municipal staff members.

In addition, legislative frameworks, codes, norms and standards and related criteria linked to functional roles and professions are enhancements applicable to municipal staff.

The Constitution of South Africa

This Ethics Code, as well as all related Council policies and procedures, promote and seek to implement the basic values and principles of public administration as described in Section 195(1) of the Constitution of South Africa, namely that:

- a high standard of professional ethics be promoted and maintained;
- the efficient, economic and effective use of resources be promoted;
- public administration be development-oriented;
- services be provided impartially, fairly, equitably and without bias;
- people's needs be responded to, and the public be encouraged to participate in policy making;
- public administration be accountable;
- transparency be fostered by providing the public with timely, accessible and accurate information;



- good human resource management and career development practices, to maximise human potential, be cultivated; and
- public administration be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

The Batho Pele principles

Aligned with the aforementioned constitutional ideals are the eight Batho Pele principles that were developed in respect of service delivery and putting 'people first' in the public service.

These are:

- consultation;
- setting service standards;
- increasing access;
- ensuring courtesy;
- providing information;
- openness and transparency;
- redress; and
- value for money.



The Code of Conduct for municipal staff members

The Code of Conduct for municipal staff members, as set out in Schedule 2 of the Municipal Systems Act, Act 32 of 2000, depicts due process required in terms of compliance with legislation and the related policies and procedures of the City of Cape Town.

While the said code primarily communicates the rules that employees must adhere to, many of our policies stem directly or indirectly from the values that the City of Cape Town and its employees stand for. It sets the clear intention of these core values and principles, which each employee must apply in their decision making when carrying out their duties as a City of Cape Town employee.

The Code of Conduct for municipal staff members requires that employees of a municipality must at all times:

- loyally execute the lawful policies of the municipal council;
- perform the functions of office in good faith, diligently, honestly and in a transparent manner;
- act in such a way that the spirit, purport and objects of Section 50 are promoted;
- act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised; and
- act impartially and treat all people, including other staff members, equally without favour or prejudice.

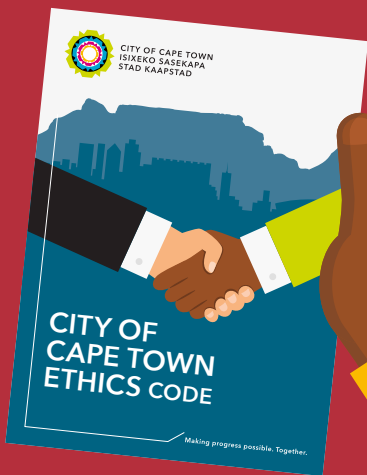


3. ROLES AND RESPONSIBILITIES

The institutionalisation of ethics in the City takes place with top-down processes (leadership) and bottom-up processes (grassroots consultation and commitment).

RESPONSIBILITY OF CITY OF CAPE TOWN EMPLOYEES

When carrying out our professional duties for the City of Cape Town, we as employees are expected to conduct ourselves in a manner consistent with inter alia, the Constitution, the core values of trust, integrity, accountability, service excellence and accessibility and the ethical standards of the Code of Conduct for municipal staff members. As such, all employees must comply with and respect all rules, legislation and policies underpinning good ethical conduct.



It is the responsibility of each individual to familiarise themselves with the content and intention of this Ethics Code.

RESPONSIBILITY OF MANAGEMENT

While codes and policies for compliance are one aspect, continued ethical behaviour (visible leadership) driven from the top is important to achieve widespread support for ethical values.



Management buy-in to ethics programmes and initiatives, and the identification of departmental ethics champions will help drive the intended ethical conduct in the organisation through actions, decisions and behaviours.

Management must provide assistance and guidance to subordinates with the application of this Ethics Code, the organisational values, the Code of Conduct for municipal staff members, related policies and procedures, including functional roles and professional ethos enhancements.

Management is encouraged to place pertinent ethical issues on departmental/section meeting agendas for open discussion.

RESPONSIBILITY OF ETHICS FUNCTION

The City of Cape Town has taken active measures to ensure that the Code of Conduct for municipal staff members and its underpinning values are adhered to in all aspects of our business by means of Council policies and procedures.



In addition, the processes to embed workplace ethics include, but are not limited to:

- ethics awareness for new employees;
- anti-corruption and ethics awareness training for existing staff;
- broad-based dialogue on ethics;
- communication and articles on ethical matters;
- mechanisms for confidential disclosure and reporting of ethical issues that require investigation;
- advisory service on ethical dilemmas or matters requiring interpretation of ethics-related policies and procedures;
- collaboration on and sharing of best practices with other institutions;
- monitoring the ethical culture, risk profile and Ethics Action Plan of the City;
- reporting on organisational ethics and the ethics programme of the City; and
- monitoring of and coordinating with role-players/stakeholders regarding the processes relating to declaration of interests, applications to undertake private work and gift receiving.

4. REPORTING ON UNETHICAL BEHAVIOUR

Each employee of the City of Cape Town has an obligation to report possible violations of the Ethics Code, Code of Conduct for municipal staff, Council policies and laws. Reporting of such instances must be done in good faith.

The City is committed to the highest standards of openness, integrity and accountability with the aim to promote a culture in which employees feel able to raise genuine and valid concerns without fear of victimisation, discrimination or disadvantage.

The following City documents apply:

- a) Whistle-blowing Policy
- b) Fraud Prevention Policy and Fraud Response Plan
- c) Private Work and Declaration of Interests
Standard Operating Procedure
- d) Supply Chain Management Policy
- e) Rewards, Gifts, Favours and Hospitality
System and Procedure



a) Whistle-blowing Policy

- Protects whistle-blowers against victimisation and harassment.
- Members of the public and service providers are encouraged to raise concerns about the City's activities so that it can be investigated and appropriate action can be taken. Reporting via the fraud hotline at **0800 32 31 30** or **fraud.hotline@capetown.gov.za** can be done anonymously.

The City will not accept any level of unethical behaviour. This not only includes fraud, theft, corruption and maladministration (as defined in the Fraud Prevention Policy), but any other behaviour that transgresses our values and standards of ethical conduct, such as not declaring conflicts of interest, the unauthorised disclosure of confidential or privileged information, sexual harassment, the unfair treatment of and disrespect towards colleagues, stakeholders and members of the public, and the misuse of Council property.

b) Fraud Prevention Policy and Fraud Response Plan

Apply to all incidences of fraud, corruption, theft and maladministration (as defined in the Fraud Prevention Policy) or suspected irregularities of this nature involving, but not limited to:



- employees of the City; and
- consultants, suppliers, contractors and other providers of goods and services to the City.

c) Private Work and Declaration of Interests Standard Operating Procedure

Applies to all employees and is intended to ensure employees comply with the legislative requirements relating to declaration of interests and applications to undertake private work.

d) Supply Chain Management Policy

Supply chain management ethical standards, as contained in the Supply Chain Management (SCM) Policy, apply to officials and all role-players in the supply chain management system and are intended to ensure fairness and objectivity in the SCM processes of the City.



e) Rewards, Gifts, Favours and Hospitality System and Procedure

To guide and protect employees against unintentional transgressions or improper influence relating to gift receiving (including favours and benefits), it is Council's policy that all employees report any gift received or offered to them, irrespective of value.

5. ENFORCING OUR ETHICS CODE

Appropriate disciplinary action, including but not limited to potential dismissal or criminal charges, will be taken against any employee whose conduct violates the Ethics Code, Code of Conduct for municipal staff and all related policies, procedures, applicable laws and regulations. Anyone knowingly making a false report of alleged ethics violations will be subject to disciplinary action. Similarly, anyone victimising an employee who reported unethical behaviour in good faith will be subjected to disciplinary action.



ETHICS THROUGH LEADERSHIP

Speaking out and reporting unethical behaviour.

Reporting of such instances must be done in good faith and can be done anonymously to the hotline **0800 32 31 30** or **fraud.hotline@capetown.gov.za**



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