



DEPARTMENTAL ETHICS COMMITTEE ROLES AND RESPONSIBILITY

1. INTRODUCTION

- 1.1 Ethics is concerned with human character and conduct and deals with questions of right and wrong, appropriate and inappropriate behaviour and what constitutes good or evil. Ethical conduct is based on a set of principles referred to as values or norms. The collective ethical conduct of all the individual employees of an Institution reflects the Institution's ethical conduct. In this regard, the highest standards of ethics are required by all employees when fulfilling their duties.
- 1.2 Good governance dictates that institutions should develop codes of conduct (ethics) as part of their corporate governance framework and all employees are expected to abide by the Code of Conduct of the institution.
- 1.3 Section 195(1)(a) of the Constitution of the Republic of South Africa 1996 read together with the Public Service Co-ordinating Bargaining Council Resolution 2 of 1999 require, all employees in the Public Service to comply with the prescribed Code of Conduct for Public Servants.
- 1.4 This therefore require that every public service/department must establish an Ethics Committee ("the Committee"). Accordingly, the Eastern Cape Department of Education (ECDOE) had established an Ethics Committee effective from 28 June 2017. The ECDOE is required to conduct itself in an ethical and moral way. The Department's Ethics Committee shall be the Committee for the entire Eastern Cape Department of Education.

2 COMPOSITION OF THE ETHICS COMMITTEE

- 2.1 The Committee shall comprise of the Programme Managers, Chief Director Internal Communications & Stakeholder Management, Acting Chief Director Employee Relations & Wellness, Acting Chief Director Internal Control Unit, Directors Risk Management and Director Legal Service in the department. In addition, one member shall be an external person and must not have been involved in the internal affairs of the department within the previous three financial years

3. THE ETHICS COMMITTEE FUNCTIONS

- 3.1. The Committee has the following functions:

- Ensuring that the Department's ethics risks are assessed and that the department has an understanding of their ethics risk profile.
- Approving a strategy and plan for the management of ethics in the department
- Ensuring that the department's code of ethics (or values statement) and relevant policies, are developed or revised to address the ethics risks.
- Ensuring integration and collaboration of various ethics- related functions (such as anti-fraud and anti-corruption, compliance, internal audit, investigations, human resources, labour relations.)
- Setting boundary disputes between various ethics-related functions.
- Monitoring and reporting on the department's ethics performance, including:
 - The implementation of the ethics management strategy
 - The ethical culture of the department; and
 - Fairness, effectiveness and timeousness of disciplinary processes
- Being custodians of the organisational values and ensuring these are consistently applied. This will include ensuring departmental decisions and actions are substantively in line with the spirit department's code of ethics and policies.
- Providing strategic advice to leadership on ethical issues.
- To draw matters within its mandate to the attention of the SG as occasion requires.

- To report, through one of its members, to the Stakeholders at the department's MEC's annual state of the department address on the matters within its mandate.
- To monitor the department's activities, having regard to any relevant legislation, other departmental requirements or prevailing codes of best practice, with regard to matters relating to ethical issues.
- Review the department's annual ethics report and following the meetings of the committee report regularly to the SG.
- The report to the SG may take the form of an oral or written report by the chairperson or any other member of the Committee designated by the Committee to make such report.

4. OTHER MATTERS

4.1 The Committee shall perform a review and evaluation, at least annually, of the performance of the Committee and its members, including a review of adherence of the Committee to this Charter. In addition, the Committee shall review at least annually, the adequacy of this Charter and recommend to the SG and the Audit Committee any improvements to this Charter that is considered necessary or appropriate.

4.2 Perform any other activities consistent with this Charter, review the code of conduct of the public service and other applicable laws, rules or regulations as the Committee or the SG deems necessary or appropriate.

5. REPORTING AND ACCOUNTABILITY

5.1 The Committee shall elect its chairperson, who shall inter alia, account to the SG for its activities and make recommendations to the SG concerning the Committee's role and responsibilities.

6. MEETINGS

6.1 The meetings of the Committee will be held quarterly or at any given time as the Committee consider appropriate.

7. AUTHORITY OF THE COMMITTEE AND RESOURCES AVAILABLE

7.1 The Committee is entitled to —

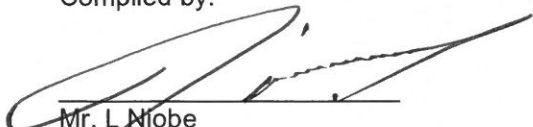
- Require from any director or prescribed officer of the department any information or explanation necessary for the performance of the committee's functions;
- Request from any employee of the department any information or explanation necessary for the performance of the committee's functions;
- Attend any departmental meetings;
- Receive all notices of and other communications relating to any meeting; and
- Be heard at any meeting contemplated in this paragraph on any part of the business of the meeting that concerns the committee's functions.

8. COMMENCEMENT OF THE COMMITTEE

8.1 On the 28 June 2017, the SG approved the appointment of the Committee. As a consequence, and as of that date:

- The Committee came into existence;
- The Disciplinary Committee ceased to exist and all its duties and responsibilities devolved into the Ethics Committee;
- The initial members of the Disciplinary Committee shall be appointed by the Superintendent- General: Department of Education

Complied by:



Mr. L Njobe
(A) Director: Enterprise Risk and Integrity Management

2020.09.21
Date