



SOUTH AFRICAN HUMAN RIGHTS COMMISSION

CODE OF CONDUCT & RESPONSIBILITIES

CODE OF CONDUCT

A. PURPOSE

- A.1 All employees are expected to comply with the Code of Conduct of the SAHRC in order to give practical effect to the relevant constitutional provisions relating to the Commission.
- A.2 The Code should act as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct & in their relationship with others. Compliance with the Code can be expected to enhance professionalism & help to ensure confidence in the Commission. Furthermore, the Code of Conduct enables the employee to be aware of the rules and regulations of the Commission.

B. INTRODUCTION

- B.1 The need exists to provide direction to employees with regard to their relationship with the legislature, political & executive office-bearers, other employees & the public & to indicate the spirit in which employees should perform their duties, what should be done to avoid conflicts of interests & what is expected of them in terms of their personal conduct in public & private life.
- B.2 The Code of Conduct is not an exhaustive set of rules regulating standards of conduct. However, line managers, by virtue of their responsibility for the efficient management & administration of their programmes, provinces or units & the maintenance of discipline, are, inter alia, under a duty to ensure that the conduct of their employees conform to the basic values & principles governing the Commission & the norms & standards prescribed by the Act. Line managers should also ensure that their staff is acquainted with these measures, & that they accept & abide by them.

The primary purpose of the Code is to promote exemplary conduct. Any employee who contravenes any provision of the Code of Conduct or fails to comply with any provision is guilty of misconduct, & will be subject to disciplinary action.

C. CODE OF CONDUCT

C.1 Relationship with the Legislature & the Executive

An employee-

- C.1.1 is faithful to the Republic & honours & abides by the Constitution in the execution of her or his daily tasks;
- C.1.2 puts the public interest first in the execution of her or his duties;
- C.1.3 loyally executes the policies of the Commission in the performance of her or his official duties;
- C.1.4 strives to be familiar with & abides by all statutory & other instructions applicable to her or his conduct & duties; &
- C.1.5 co-operates with public institutions established under legislation & the Constitution in executing the work of the Commission.

C.2 Relationship with the Public

An employee-

- C.2.1 promotes the unity & well-being of the South African nation in performing her or his official duties;

- C.2.2 will serve the public in an unbiased & impartial manner to create confidence in the Commission;
 - C.2.3 is polite, helpful & reasonably accessible in her or his dealings with the public, at all times treating members of the public as customers who are entitled to receive high standards of service;
 - C.2.4 has regard for the circumstances & concerns of the public in performing her or his of ficial duties & in the making of decisions affecting them;
 - C.2.5 is committed through timely service to the development & upliftment of all South Africans;
 - C.2.6 does not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language;
 - C.2.7 does not abuse her or his position in the Commission to promote or prejudice the interest of any political party or interest group;
 - C.2.8 respects & protects every person’s dignity & her or his rights as contained in the Constitution; &
 - C.2.9 recognizes the public’s right of access to information, excluding information that is specifically protected by law.
- C.3 Relationships Among Employees
- Employees shall-
- C.3.1 co-operate fully with other employees to advance the Commissions interest;
 - C.3.2 execute all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution &/or any other law;
 - C.3.3 refrain from favouring relatives & friends in work-related activities & never abuse her or his authority or influences another employee, nor is influenced to abuse her or his authority;
 - C.3.4 use the appropriate channels to air grievances or to direct representations;
 - C.3.5 show commitment to the optimal development motivation & utilization of her or his staff & the promotion of sound labour & interpersonal relations;
 - C.3.6 deal fairly, professionally & equitably with other employees, irrespective of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language; &
 - C.3.7 refrain from party political activities in the workplace.
- C.4 Performance of Duties
- An employee shall -
- C.4.1 strive to achieve the objectives of the commission cost-effectively & in the public’s interest;
 - C.4.2 be creative in thought & in the execution of duties, seek innovative ways to solve problems & enhance effectiveness & efficiency within the context of the law;
 - C.4.3 be punctual in the execution of duties;
 - C.4.4 execute duties in a professional & competent manner;
 - C.4.5 not engage in any transaction or action that is in conflict with or infringes on the execution of official duties;
 - C.4.6 recuse herself or himself from any official action or decision-making process which may result in improper personal gain, & this should be properly declared by the employee;
 - C.4.7 accept the responsibility to avail herself or himself of ongoing training & self development throughout her or his career;
 - C.4.8 be honest & accountable in dealing with the Commission’s funds & use the Commis sions property & other resources effectively, efficiently, & only for authorized official purposes;

- C.4.9 promote sound, efficient, effective, transparent & accountable administration;
- C.4.10 report to the appropriate authorities, fraud, corruption, nepotism, maladministration & any other act which constitutes an offence, or which is prejudicial to the Commission's interest;
- C.4.11 give honest & impartial advice, based on all available relevant information, to higher authority when asked for assistance of this kind; &
- C.4.12 honour the confidentiality of matters, documents & discussions, classified or implied as being confidential or secret.

C.5 Personal Conduct & Private Interests

An employee shall -

- C.5.1 during official duties, dress & behave in a manner that enhances the reputation of the Commission;
- C.5.2 not use alcoholic beverages or any other substance with an intoxicating effect during official business hours;
- C.5.3 not use her or his official position to obtain private gifts or benefits during the performance of her or his official duties nor does she or he accept any gifts or benefits when offered unless declared & approved by the CEO, as these may be construed as bribes.
- C.5.4 not use or disclose any official information for personal gain or the gain of others; &
- C.5.5 not, without approval, undertake remunerative work outside her or his official duties or use office equipment for such work. The employee is employed to further the business interest of the Commission. Therefore, the employee shall devote all her/his time to the Commission during normal working hours.

C.6 Communication with the Media

- C.6.1 An employee shall direct all media enquiries to the Office of the CEO.
- C.6.2 An employee, in her or his official capacity, shall not irresponsibly criticize the Commission at a public gathering or in a publication, or in any

