

## **CODE OF CONDUCT POLICY**

### **1. PURPOSE**

- 1.1 The Code shall act as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct and in their relationship with others. Compliance with the Code is expected to enhance professionalism and help to ensure confidence about the image of the HPCSA.
- 1.2 To provide direction to employees with regard to their relationship with the HPCSA, executive management, media, other employees and the public and to indicate the spirit in which employees should perform their duties, what should be done to avoid conflict of interests and what is expected of them in terms of their personal conduct in public and private life.

### **2. STATUTORY PROVISIONS**

The Policy is based on the following statutory provisions:

- 2.1 The Constitution of RSA [No. 108 of 1996], G 17678, 18 December 1996;
- 2.2 Public Finance Management Act [No. 29 of 1999], G 19978, 30 April 1999;
- 2.3 The Labour Relations Act [No. 66 of 1995], G 16861, 13 December 1995, as amended;
- 2.4 The Basic Conditions of Employment Act [No. 75 of 1997], G 18491, 5 December 1997; and
- 2.5 Disciplinary Code and Procedures of HPCSA.

### **3. SCOPE AND DEFINITIONS**

- 3.1 All employees of the HPCSA are expected to comply with this Code of Conduct, including employees on the fixed-term contract, ad hoc, and temporary employees.
- 3.2 Heads of Department by virtue of their responsibility are have to ensure that the conduct of their employees conform to the basic values and principles governing the administration and the norms and standards prescribed by this Code and HPCSA's HR Policies and Procedures. Heads of Department should also ensure that their employees are acquainted with these measures and that they accept and abide by them.

#### 4. DEFINITIONS

In this Policy, unless the context indicates otherwise-

**Chief Executive Officer** – refers to the Accounting Officer who is responsible for the overall management and control of HPCSA.

**Employee** – refers to any person who holds a post on the fixed establishment or is employed temporarily or under special contract in HPCSA, whether in a full-time or part-time capacity.

**Employer** – refers to HPCSA which employs and provides work for any person and remunerates him/her and/or expressly or tacitly undertakes to remunerate him.

**General Manager / Senior Manager/Manager** – refers to a person to whom an employee reports and/or who heads the department and responsible for assessing employees' performance.

**Conduct** – is a behavior exhibited by an employee with regard to his/her relationship with the HPCSA, executive management, media, other employees and the public.

#### 5. EXPECTED CONDUCT

5.1 The HPCSA reserves the right, for the protection of both employees and the HPCSA, to search and inspect work stations, lockers, vehicles, bags and packets of employees whilst they are on the premises of the HPCSA; all such searching will be conducted within the parameters of human dignity and respect; the person of an employee may also be searched if reasonable suspicion of misconduct is present.

5.2 All tools and equipment (with the exception of those purchased by the employee) remain the property of the HPCSA and employees are expected to return or leave behind such equipment on leaving the employ of the HPCSA.

5.3 Access to the premises outside normal working hours is subject to adhering to established security measures.

5.4 The property, equipment of HPCSA and personal assets of fellow employees should be treated with the necessary care and respect. No such property or assets may be removed from the premises without proper authorization.

- 5.5 Employees should behave in an orderly and lawful manner with cognizance and respect of the rights of other employees, the facilities of HPCSA and the clients and service providers of HPCSA.
- 5.6 There are proper procedures in place, i.e. the Grievance Procedure, the Appeal Procedure and the Disputes Procedure, to deal with matters which employees feel adversely affect their employment relationships.
- 5.7 Employees are expected to comply with the various rules, practices and obligations contained in their contracts of employment and all reasonable and lawful instructions given by a superior must be complied with.
- 5.8 Assault, verbal and physical, as well as abusive, obscene and racist language is not acceptable. The HPCSA reserves the right to evict from its premises any person who makes him/herself guilty of assault.
- 5.9 Employees are expected to further the interest of the HPCSA. No confidential information relating to the business of the HPCSA may be disclosed to any person.

## **6. RELATING TO THE PERFORMANCE OF DUTIES**

An employee –

- 6.1 must strive to achieve the objectives of his or her department cost-effectively and in the HPCSA's interest;
- 6.2 must be creative in thought and in the execution of his or her duties, seeks innovative ways to solve problems and enhances effectiveness and efficiency within the context of the law;
- 6.3 must be punctual in the execution of his or her duties;
- 6.4 must execute his or her duties in a professional and competent manner;
- 6.5 must not engage in any transaction or action that is in conflict with or infringes on the execution of his or her official duties;
- 6.6 will recuse himself or herself from any official action or decision-making process which may result in improper personal gain and this should be properly declared by the employee;
- 6.7 accepts the responsibility to avail himself or herself for ongoing training and self-development throughout his or her career;
- 6.8 must be honest and accountable in dealing with public funds and use the HPCSA's property and other resources effectively, efficiently, and only for authorized official purposes;
- 6.9 promotes sound, efficient, effective, transparent and accountable administration;

- 6.10 in the course of his or her official duties, shall report to the appropriate authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes an offence, or which is prejudicial to the HPCSA's interest;
- 6.11 gives honest and impartial advice, based on all available relevant information, to higher authority when asked for assistance of this kind; and
- 6.12 honours the confidentiality of matters, documents and discussions, classified or implied as being confidential or secret.

## **7. RELATING TO PERSONAL CONDUCT AND PRIVATE INTERESTS**

An employee –

- 7.1 during official duties dresses and behaves in a manner that enhances the reputation of HPCSA;
- 7.2 acts responsibly in as far as the use of alcoholic beverages or any other substance with an intoxicating effect is concerned;
- 7.3 shall not, without prior written approval of the Chief Executive Officer obtain or accept any gifts exceeding R200 in cash or value from any person; organization and or/institution in relation to the performance of duties as these may be construed as bribes;
- 7.4 does not use or disclose any official information for personal gain or the gain of others; and
- 7.5 does not, without approval from the Chief Executive Officer, undertake remunerative work outside his or her official duties or use office equipment for such work.

## **8. RELATING TO THE RELATIONSHIP WITH HPCSA AND THE EXECUTIVE MANAGEMENT**

An employee -

- 8.1 is faithful to the HPCSA and honours this Code and all HPCSA's policies and abides thereby in the execution of his or her daily tasks;
- 8.2 puts the HPCSA's interest first in the execution of his or her duties;
- 8.3 loyally executes the policies of the HPCSA in the performance of his or her official duties;
- 8.4 strives to be familiar with and abides by all statutory and other instructions applicable to his or her conduct and duties; and
- 8.5 co-operates with public institutions established under the legislation and Constitution of the Republic of South Africa (herein referred as 'the Constitution') in promoting the HPCSA's interest.

**9. RELATING TO THE RELATIONSHIP WITH THE PUBLIC**

An employee –

- 9.1 promotes the unity and well-being of the South African nation in performing his or her official duties;
- 9.2 will serve the public; clients; service providers and health practitioners in an unbiased and impartial manner in order to create the confidence of the general public in the HPCSA's ability to render excellent service to them;
- 9.3 is polite, helpful and reasonably accessible in his or her dealings with the public, at all times treating members of the public as customers who are entitled to receive high standards of service;
- 9.4 has regard for the circumstances and concerns of the public in performing his or her official duties and in the making of decisions affecting them;
- 9.5 is committed through timely service to the development and upliftment of all South Africans;
- 9.6 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.
- 9.7 respects and protects every person's dignity and his or her rights as contained in the Constitution; and
- 9.8 recognizes the public's right of access to information, excluding information that is specifically protected by the law.

**10. RELATING TO THE RELATIONSHIP AMONG EMPLOYEES**

An employee -

- 10.1 co-operates fully with other employees to advance the HPCSA's interest;
- 10.2 executes all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution and/or any other law;
- 10.3 refrains from favoring relatives and friends in work-related activities and never abuses his or her authority or influences another employee, nor is influenced to abuse his or her authority,
- 10.4 uses the appropriate channels to air his or her grievances or to direct his/her representations;
- 10.5 is committed to the optimal development, motivation and utilization of his or her employees and the promotion of sound labour and interpersonal relations;
- 10.6 deals fairly, professionally and 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; and

10.7 refrains from party political activities in the workplace.

**11. RELATING TO THE RELATIONSHIP WITH THE MEDIA**

- 11.1 No employee, unless duly instructed by the Chief Executive Officer may make comments in or to the Press or other public communications media on the business of the HPCSA.
- 11.2 Unless duly authorized by the Chief Executive Officer, an employee may not use information gained or conveyed to him during the course of his employment, for any purpose other than the discharge of his/her official duties.
- 11.3 Unless authorized or instructed by the Chief Executive Officer, employees may not divulge, publish nor communicate any information or documents concerning the HPCSA or any of its activities, which was gained or came into his/her possession during the course of his/her employment, except insofar as it may be required for the purposes of the proper discharge of his/her official duties or performance of his/her functions, and then only to the persons entitled to receive it.

**12. POLICY AMENDMENTS**

The policy may be amended when a need arises. Inputs for amendments may be submitted to the Senior Manager: Human Resources Management and Labour Relations for consideration.

**13. APPROVAL OF THE POLICY**

Recommended by REMCO on 20 March 2008, for approval and adoption by EXCO on 02 February 2009