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PROGRAMME: ETHICS OFFICER CERTIFICATION PROGRAMME

TASK: EOCP PRACTICUM

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Background information about the company

The University of Johannesburg (UJ) came into existence on the 1st day of January 2005. It came into existence through the merger of Soweto and East Rand campuses of Vista University into the Rand Afrikaans University in 2004 and the merger of the Rand Afrikaans University and the Technikon Witwatersrand on 1 January 2005. The establishment of the University of Johannesburg was part of a major programme of the restructuring of higher education in South Africa by parliament. The National Plan for Higher Education, published in 2001, charted a course for a major revamp of South African higher education institutions. The Minister of Education made a decision to restructure higher education institutions and it was published as Government Notice 855 in the Government Gazette of 21 June 2002.

The university is having approximately 5000 employees which include both academic and non-academic employees. These employees are widely distributed amongst the university's four (4) campuses.

STEP 1- Ethics risk assessment

1.1. Ethics risk assessment model

1.1.1. Background

There was ethics risk assessment at UJ which was initiated by the university. The assessment was conducted on the structures or departments and the sub units of the university. The ethics risk assessment was done to identify the good ethical culture of UJ and the bad elements that taint the good ethical culture of UJ as enshrined in UJ values. Various focus groups with stakeholders within and outside the organisation have been consulted during the ethics risk assessment. Data gathered or collected was later analysed and interpreted to provide the ethics risk assessment report or feedback with

findings and recommendations. The report was provided to all stakeholders to know the ethical status of the university.

This ethics risk assessment was done by creating rapport amongst the stakeholders in terms of the endorsement of the ethics risk assessment process and the subsequent findings, results and recommendations. There was a need to get executive management's buy in or blessings before the ethics risk assessment can start. The ethics risk assessment results will provide the basis for the future of UJ in terms of ethical culture.

The ethics risk assessment information will be used to inform the new direction in terms of the new ethical vision (the impact), mission (outcome) and the ethics strategic objectives at UJ. This will help in drafting new ethical codes of conduct and other associated policies. This ethics risk assessment will also help the entire university to have social ethical dialogue and it will provide indicators that will determine the stage/level of ethical culture at UJ.

1.1.2 The risk assessment methodology and background

UJ policies, regulations and guidelines related to the promotion and the prevention of ethics was gathered and reviewed as part of literature and document analysis. The following literature was consulted for the purpose of outlining a broader view and understanding of the concepts and the study of ethical behaviour: Published books, Government policies, The South African Constitution of 1996 and related legislation and government acts. This relates to documentary analysis method and it was used as part of the research method to analyse available documentary data. The ethics risk assessment was descriptive in nature as it observed phenomena and then attempts to describe the negative and positive aspects relating to ethics management at UJ with no formal hypothesis. This assessment is qualitative in nature as it followed a descriptive research method in conducting its risk assessment at UJ and it provided detailed descriptions of the positive and negative aspects of ethics and ethical culture at UJ. The top management was involved in the focus groups as part of management endorsement. The risk assessment was conducted during winter holidays as students

are not in the university and most employees are not very busy. The first focus group that were targeted first are those departments/units that deal with risk management at UJ, e.g. Auditors, Accountants, Security Officers, Safety Officers, Quality Assurance Officers, Compliance Officers, Procurement Officers, Examination Departments and Invigilation Officers, Employee Relations Officers and Human Resource Department.

Various questions were designed and asked to focus groups as part of stakeholder engagement during risk assessment, and they are as follows:

- **Does your department have any ethics management functions within the university?**
- **Does your department have any policy or guidelines that promote ethical behavior?**
- **Do you think ethics is a crucial element of the institution?**
- **Do you know of any ethical challenges at UJ?**
- **Do you have any policy or guidelines that prevent unethical behavior?**
- **What should be contained in such ethics policies?**
- **What mechanisms or institutional arrangements are in place at UJ to promote ethics?**
- **What are the ethical threats that are common at UJ?**
- **Which department can best manage Ethics Office?**
- **What are the procedures of enforcing such ethics policies?**
- **Was the enforcement of such policies successful?**
- **Is there any executive management endorsement of ethics?**
- **Do you have any ethics role models at UJ?**
- **What possible recommendations could be made to improve the management of ethics at UJ?**
- **What are the possible ethical expectations do you have from UJ?**

This risk assessment had many challenges in terms of times and financial constraints. Some employees did not have enough time to spend as they had their work commitments. There were also few people to help in the administration and management of this risk assessment. The main challenge was to build a rapport with the focus groups as some believed ethics is not their jobs as the university need to hire employees who will deal with ethics.

1.2. The results of UJ's ethics risk assessment are as follows:

1.2.1. Positive ethics risk assessment results

- ❖ There is a culture of policy making of policies that promote ethical behaviour.
- ❖ UJ's is based on the values that define its vision and mission.
- ❖ There are practices of promoting ethical behaviour through the code of conduct or disciplinary code.
- ❖ There is an intention from Human Resources Department to promote ethics through Employee Relations section.
- ❖ There is a whistle-blowing policy that is intended to discourage and detect unethical behaviour.
- ❖ There is an anti-corruption hotline managed by external company.
- ❖ The UJ's code of ethics and other related policies are on the intranet and easily accessible to most employees.
- ❖ Campus Directors of each campus on all four campuses are the custodians' of the whistle-blowing policy.
- ❖ Protection services or security department is involved in promoting and detecting unethical behaviour, it also conducts crime free days.
- ❖ Codes of conducts have been written in Zulu, Afrikaans, English and Northern Sotho. It is an attempt to cover all sections of the UJ population.

- ❖ There is Employee Disciplinary code that enforces compliance with the set rules and regulations at UJ.
- ❖ There are auditors at Finance Department that deals with ethics.

1.2.3. Negative ethics risk assessment results

- ❖ There is no consistency in creating ethical culture because not all people suspected of unethical behaviour are investigated or possibly punished.
- ❖ There is little effort in exposing lower class employees to UJ values who do not have access to commuters like cleaners or technical services employees.
- ❖ The UJ vision and missions are not linked with any policy that promotes ethical culture.
- ❖ The main policies that deal with the prevention of unethical behaviour are the Employee Disciplinary Code, Sexual Harassment policy and the Whistle-blowing policy.
- ❖ The disciplinary code is based on punishment or punitive measures.
- ❖ The disciplinary code provides direction on what employees may not do (the dos and don'ts).
- ❖ The disciplinary code does not have management endorsement as part of leadership commitment in promoting ethics.
- ❖ This disciplinary code alone cannot create a culture of ethics or ethics dialogue.
- ❖ This disciplinary code does not create ethics awareness but it creates the fear of punishment.
- ❖ The state of ethics is in the reactionary mode as disciplinary code works after misconduct has been committed.

- ❖ The disciplinary code promotes compliance with the rules.
- ❖ The disciplinary code is rule based instead of encompassing the vision, mission and the values of the institution.
- ❖ There is no dedicated Ethics Office.
- ❖ There are no direct or full time Ethics Officers (dedicated Ethics Officers).
- ❖ There are no ethics education and training officers.
- ❖ There is minimal or no formal ethics education and training across all the four campuses.
- ❖ There is minimum sanctionality on people who are known to have committed gross unethical behaviour.
- ❖ There is no congruency between the expected ethical behaviour of some middle level management with their real general conduct.
- ❖ There is no coordinated ethics management.
- ❖ There is no employee ethics management model.
- ❖ There are no employee ethics ambassadors or champions.
- ❖ There is minimum ethics talk.
- ❖ There is little transparency or discussability in terms of punishment of unethical behaviour.
- ❖ There is little strategy on rewarding ethical behaviour.
- ❖ There are few visible practices of ethical role modelling from the top management.
- ❖ There is little or no promotion of ethical behaviour from employee union representative.

- ❖ UJ policies are on the intranet with easy access to employees with computers excluding employees at floor levels like cleaners, technicians, security officers, etc.
- ❖ There is no ethics communication strategy.
- ❖ There is no ethics education or training strategy.

1.2.3. Conclusion

The ethics risk analysis report has shown the status of UJ in terms of stages of morality, which is the reaction and compliance mode. This information or report will help the university to chart the way forward in terms of institutionalising of ethics through the introduction of Ethics Office, and the subsequent employment of Ethics Officers. It will help UJ build their ethical culture and integrate their vision, mission and strategic objectives within a well-defined ethical culture.

STEP 2-Strategy and change management

2.1. Set of recommendations

- Creation of ethics charter for UJ that will contain all the ethics that embodies UJ to all its stakeholders.
- Move from compliance based ethics to value based ethics which need to be inculcated amongst the employees through education and training.
- Introduction of ethics induction or orientation programmes.
- Introduction of marketing or promotional strategies like awareness campaigns, competitions on the intranet, etc.
- Vetting of new employees during the recruitment and selection processes.

- Constant ethics communication through the intranet, ethics dialogue, ethics hotline, awareness programmes, crime free days, flyers, newsletters, etc.
- Training of all staff members on UJ values and ethics.
- Introducing methods that will help resolve ethical conflicts through dialogue on less serious ethical infringements by employees.

2.2. Ethics change management plan

2.2.1. Phases of the plan

- **Auditing**

Auditing is done as the assessment of the current status of ethics management at UJ. It will look at the effectiveness or lack of effectiveness of the current ethics management model at UJ and how it is implemented. It is meant to look at the strengths and weaknesses of the current ethics management model. This will be done in order to improve the UJ ethical culture. The present ethical culture will be assessed through auditing as a continuous monitoring and evaluation method. There is a need to do internal and external auditing in order to verify the effectiveness or non effectiveness of the current ethics management structure or model.

- **New ethics management strategy.**

This involves going back to the drawing board and design new ethics management model or refine the current ethics model. A value-based ethics management model needs to be introduced at this stage. This will help in building the new ethical culture at UJ. This new ethics management model must be based on the following:

- ❖ Creation of ethics charter that need to involve all stakeholders in its creation. This will help in creating the stakeholder's buy-in in the new ethics management

model. It will create a sense of ownership from stakeholders, it will minimise resistance.

- ❖ The employment of Ethics Officers who are capable in organising and management of educational or training programmes. This can be done during orientation of new employees and the constant training of old employees on the value of values or ethical behaviour.
- ❖ Better communication strategies need to be employed in order to inculcate the culture of ethics within the organisation.
- ❖ The new strategy requires that one of the senior management members be elected as an ethics ambassador to be the phase of ethics within UJ. This person may be the CEO which may be the Rector of the university. This will serve as part of leadership role modelling.
- ❖ New and proper ethics reporting lines are essential in order to allow employees or stakeholders to report suspected unethical conduct within the institution. This must also include confidential reporting and protection of employees involved in such confidential reporting in terms of victimisation at the workplace.
- ❖ There is also a need to introduce sound recruitment policies that will guard against employing unwanted or unethical elements. This involves selection, screening, checking of references, psychometric and lie-detector tests, checking of criminal records and interviewing of suitable candidates who will appreciate the ethical culture of the institution.
- ❖ Education and training must be the pillar or centre of the new ethics strategy at all levels of employment.

- **Fostering the culture of ethics**

1. There is a need to promote and enhance the culture of ethics through ethical leadership.
2. There is also a need for strong control mechanisms for effective ethics management by universities. This includes risk control management policies; code of conduct; internal investigation processes or strategies

that are linked to physical protection of assets. Internal investigation processes can be done by security departments.

3. Awareness campaigns can be done through education and training. It will play a critical role in the promotion and maintenance of ethical behaviour at UJ. This is part of moral development and education. There is also a need for social, emotional and ethical programmes that promote the development of ethical behaviour amongst employees. Employee peer group programmes can also be used effectively as part of education programmes. This may include honesty and integrity programmes that can be conducted by UJ.
4. Discipline and punishment had to be effective to serve as a deterrent when it comes to unethical conduct by employees. Employee disciplinary process is part of dealing with unethical conduct included in the code of ethics or conducts. Employees may be given a fine; verbal warning; written or a final written warning; community service or suspension or expulsion as part of dealing with unethical conducts.

2.2.2. The activities

- ❖ A comprehensive effort in communicating ethics.
- ❖ Modelling of ethics management on ethical leadership.
- ❖ Alignment of UJ activities/operations with core UJ values.
- ❖ Promote public social ethical dialogue.
- ❖ Proper conflict resolution methods are essential to create the environment conducive in promoting workplace ethics. It will assist in creating harmony and stability.
- ❖ Honouring achievements of moral and ethical lifestyles.
- ❖ There is a need to create provision for policy reviews and amendments when there is such a need. It will help in introducing new trends in ethics promoting and removing redundant policies.

- ❖ The review of the entire ethics change management need to be conducted after a certain time frame to assess if the strategy is having desired or intended outcomes. This review need to be in a report form that will be submitted to the relevant authorities for consideration.

2.2.3. The persons responsible for the activities

- ❖ Head of department of Ethics Office
- ❖ 4 Ethics Officers
- ❖ 4 Ethics Office administrators
- ❖ Ethics council or committee
- ❖ External speakers
- ❖ Ethics training institutions
- ❖ CEO of the company as a role model

2.2.4. The time frames

A five (5) year time frame is needed to achieve the objectives set by the Ethics Office to implement the strategy to achieve the desired outcome.

2.2.5. Desired outcomes

To achieve the ethical environment that embodies the culture and the value of ethics, and social ethical dialogue. This will help in the fostering of the culture of ethics, discipline, law and order.

2.3. From change management perspective:

2.3.1 Communication with stakeholders.

Communication with stakeholders will be conducted in various forms depending on the type of the audience. Pamphlets, flyers, internal notice boards, intranet, employee union meetings will be utilised as a form of communication with the university.

2.3.2. Anticipated obstacles

- ❖ Apathy from other employees.
- ❖ Resistance to change by some employees.
- ❖ Illiterate or lower class employees do not have computers where they can constantly access code of ethics on their own.

2.3.3. Expected positive and negative responses to the change

- ❖ Positive responses may be as follows: employees will adapt to the move from compliance to values-based ethics, UJ will be an ethical institution with ethical employees, ethics within UJ will also serve as a public relations exercise, stakeholders will be happy to be associated with ethical institutions, increment in the number of new students who want to enrol with an ethical institution, prospective ethical employees will like to be associated with an ethical institution like UJ.
- ❖ Negative responses to the change may be attributed to unethical employees not interested in the new ethics management model as it will expose them, lack of interest from employees as they think management is wasting money on useless projects instead of paying them more money, lack of management support as ethics may be seen as a side issue not part of the core business of the university.

2.3.4. Plans to overcome the obstacles and negative responses

- ❖ Perseverance and dedication to manage change will pay off.
- ❖ Employing professional and seasoned Ethics Officers.
- ❖ Developing a simple and easy to understand ethics management model.
- ❖ Constant communication of ethics.

- ❖ Developing value-based code of ethics.
- ❖ Senior management to assist in ethics promotion.
- ❖ There is a need for ethics role models.
- ❖ There is need for management endorsement of ethics programme/s.

2.4. Develop an Ethics Training Strategy outlining training for:

2.4.1. The Board

The board needs the ethics training that is centered on business ethics as part of management of ethics, discipline, law and order. This is attributed by lot of ethics dilemmas associated with businesses' new trends related to the triple down reporting system that is expected from businesses by stakeholders. This kind of reporting involves reporting on the business's performance in terms of the environment, economics and social factors. The social reporting is one of the ethics aspect expected by the stakeholders and it is association with new trends on social responsibility by pressure groups since the early 1960s until recently. It has been expected and it is still expected that businesses has moral responsibility to invest in the social environment where they run their businesses. They must help address social ills like poverty/hunger, underdevelopment, provision of services such as roads; clinics; schools, crime, environmental protection, equal rights, etc. This involves regarding local communities as stakeholders in the business. This is now regarded as an ethical matter; hence the board requires high level ethics training workshops so that they can be able to establish an informed ethics committee.

The board must be equipped with high level training that will help them approve right policies and regulations associated with codes of ethical behaviour, roles of ethics officers and the appointment of ethics committees, rules and regulations for employee behaviour, guidelines in resolving ethical dilemmas, ethics training programmes and

workshops. The board requires training that deals with the identification of UJ values and how to relate these values to the junior employees and other stakeholders. This will involve providing guidance and direction the organisation need to take in terms of ethics management.

2.4.2. The Executive team

Executive management team requires a higher order ethics training that will help them provide strategic leadership in terms of ethics management. They must be able to provide the long term goals and objectives that will help yield required ethical outcomes and impacts. Their planning skills must be able to set the tone for the future or desired ethical culture of the organisation. They must get training that will help them oversee UJ ethics management.

2.4.3. The Management team

Managers need to be given ethical training that will assist them in managing front line or junior employees in terms of ethics management. They must be trained in such a manner that they are able to advise or clarify ethical questions from their junior employees or from their peers. They must also be trained in such a manner that they can provide ethics induction programmes and debates at the floor levels where they are managing. They need ethics management and interpretation short courses.

2.4.4. Front line employees

Front lines employees require ethics training that will help them take good ethical decisions when faced with ethical dilemmas. They need to be taught what is ethically right or wrong as enshrined on UJ values and code of ethics and associated policies like sexual harassment policy, whistle-blowing policy, conflict of interest policy, access to information policy, etc.

2.5. Develop an outline of an ethics training workshop for all levels of employment hierarchy at UJ.

There are four categories of employment hierarchy at UJ which need to receive training on ethics in order to facilitate change or transformation in terms of the ethical culture and ethics performance of the university. This hierarchy include executive management, middle level management and employees in general. The fourth level of hierarchy is Ethics Officers; these are the people who will manage the entire ethics management strategy of the university. The training for these four levels of employees will be outlined below as follows:

1. Ethics Officers

Type of training or competency	<ol style="list-style-type: none"> 1. Requires specialised knowledge and skills in order to manage ethics for the whole institution. 2. Training that will help them in training other people ethics and the ability to come up with training manuals and conducting research and benchmarking when it comes to ethics. 3. Theoretical knowledge on ethics, ethics management, organisational or business ethics, building new ethics office like introducing new ethical culture with its instruments like policies, ethics talk, ethical culture, ethics hotline, policy drafting, analysis and implementation. 4. Training on the right ethical values or behaviour ethics officers need to possess. 5. The training that will help them think deep when it comes to ethical decision making, and the use of discretion when taking ethical decisions. 6. Training on conducting ethics risk assessment and reporting.
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Trainers	Specialised training institutes, Universities, Colleges and accredited trainers.
Training period	One to three year training or accredited credible short courses that will help Ethics Officers do their job effectively.
Size of the group	Two to five Ethics Officers.
Venue	External venue organised by training institutes.

2. Executive Management

Type of training or competency	<ol style="list-style-type: none"> 1. Introduction to ethics, the role of ethics in the university and ethics management. 2. Understanding the link between ethics and the vision and mission of the university. 3. Understanding the legal obligations imposed by the legislation when it comes to corporate governance and ethics management. 4. Training on the behaviour of senior managers and the impact of their ethical behaviour on junior employees referred to as ethics role modelling or ethics champions. It also deals with management's endorsement of the culture of ethics in an organisation. 5. Training on the ability to know ethics threats and benefits. 6. Understanding the leaderships' signs of commitment or non-commitment on promoting ethics amongst their employees and its impact. 7. Training them on the ability to analyse and interpret ethics risk assessment reports.
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Trainers	Internal Ethics Officers with the assistance of external facilitators or using external facilitators.
Training period	Full day/One day
Size of the group	Ten to fifteen members
Venue	External executive suite where there won't be office or work disruptions.

3. Middle Management

Type of training or competency	<ol style="list-style-type: none"> 1. Training on UJ vision and mission and its link with ethical expectations of the university. 2. Introduction to ethics, basic terminologies, and ethics management. 3. The link between RSA legislation, sources of ethics and ethics. 4. Basic training is needed that will help them manage ethics in their work stations and the ability to report gross violation of UJ policies. 5. In depth training on UJ Code of Ethics and other policies related to ethics. 6. Training managers on how to create ethics awareness in their work stations, ethics talk or dialogue. 7. Training on the causes of unethical behaviour. 8. Training on the impact of ethics and unethical behaviour on the institution. 9. The impact of unethical behaviour on service provision.
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	<p>10. The advantages and disadvantages of unethical behaviour on the university and the society in general.</p> <p>11. Training using practical case studies on ethics management.</p> <p>12. Training on how to detect suspected signs of unethical behaviour.</p> <p>13. Different types of unethical behaviour.</p> <p>14. The link between technology and unethical behaviour.</p>
Trainers	Internal Ethics Officers
Training period	Two to five days
Size of the group	Fifteen to twenty members.
Venue	External or internal venue.

4. General employees

Type of training or competency	<p>1. Basic introduction to ethics and its link with the university vision and mission, and its values.</p> <p>2. Introduction of UJ Code of Ethics and its implications on them.</p> <p>3. Introduction of the Ethics Office and its role including contact persons and their contact details.</p> <p>4. Informing employees about normal reporting procedures.</p> <p>5. Training them on the value of ethics on the university.</p> <p>6. Training them on the importance of ethical behaviour and the dangers of unethical behaviour to them and the university</p>
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	<p>operations.</p> <p>7. Training them on different forms of unethical behaviour.</p> <p>8. The university stance on unethical behaviour.</p> <p>9. The impact of ethical and unethical behaviour on service provision.</p> <p>10. Training them on the disadvantages of unethical behaviour.</p> <p>11. Doing practical case studies on companies who have been ethical and unethical.</p>
Trainers	Internal Ethics Officers
Training period	One to three days.
Size of the group	Fifteen to twenty (Done department per department).
Venue	Internal venue.

STEP 3-Custodianship

3.1. Create an Ethics Office job description

Title: Ethics Officer

Reports to: Head Employee Ethics

Coordinates: Ethics Committee

This committee comprises of the representative of senate, council, student representative council, employee unions, HR representative and Alumnae member.

Job purpose:

To promote and enhance ethical behaviour from UJ employees and to ensure that ethics policies are in line with the UJ vision and mission.

Suggested job profile:

- General management of Ethics Office.
- The promotion of ethical behaviour amongst employees.
- Facilitation of ethics education or training.
- Facilitation of ethics awareness campaigns.
- To be an ethical role model for the rest of the employees.
- Encourages management involvement in ethics promotions.
- Management of Ethics Office resources.
- Facilitation of constant reviews of ethics policies when there is a need.
- Initiate investigation where there is possible breach of policies.
- Foster the culture of ethics within the university.
- Constant communication and interpretation of ethics.
- Management of basic office administration.
- Designing, facilitation, convening and coordination of ethics training workshops.
- Maintenance of law and order.

3.2. Create an Ethics Office business plan

(a) EO goals and objectives

- Effective and efficient administration of the Ethics Office.

- Fostering the culture of ethics.
- Effective and efficient communication of ethics and UJ values to the entire UJ community.
- Fostering the culture of ethics dialogue and debate within the UJ community.

(b) EO performance areas

- To provide strong ethics management.
- To promote ethical lifestyle in the leadership and the operations of the Ethics Office.
- Create follow up mechanisms after each and every case of breach of ethics code.
- To provide awareness campaigns on ethics code and ethical values.
- To provide a platform for effective communication and liaison on ethical behavior amongst the university community.
- To make sure that the ethics code and values are always in line with the current changes in the Administration of justice field of our country.
- Create a platform for conflict resolutions that arises from the breach of the ethics codes.
- Basic office administration.
- To facilitate reward or punishment on the achievement or failures of ethical lifestyle.

© EO structure and staffing plan

The Ethics Office requires a Head of Department and one Ethics Officer per campus on all four campuses. Ethics Officer need to be assisted by administrative staff at each campus.

(d) EO budget

Account description	Items	Total
Salaries	1 x HOD 4 X Ethics Officers	R450 000.00 4 X R175 000.00=R700 000
Telephone costs	5 staff members	R5 000.00
Conference registration attendance	2 staff members per year	R35 000.00
Functions & entertainment	Ethics Office functions	R25 000.00
Marketing & promotions	Promotional items for the whole year.	R40 000.00
Printing equipments	Printers & cartridges	R45 000.00
Professional membership	SA Ethics Institute	R27 000.00
Stationary	Basic office stationary	R10 000.00
Service outsourced	Guest speakers/presenters	R25 000.00
Total		R1 362 000.00

(e) Ethics Office Structure (functions and governance)

- **Head of Department**

The Head provide the strategic direction of Ethics department. The head also supervises the work of the Ethics Officers. To make sure that departmental goals

and strategic objectives are adhered to. The head ensures that there is an alignment of strategic and operational planning of the Ethics Office. The head will also help in the monitoring of the adherence to the set strategic objectives of the Ethics Office. The head must be able to inform and advise the board on ethics related matters.

- **Ethics Officers**

Manages the day to day affairs of the Ethics Office and supervises administrative staff in their day to day administrative duties. They will help implementing the strategic objectives of the Ethics Office. They will maintain proper quality controls when executing their jobs. Ethics Officers must be able to provide training, advice and liaison when it comes to ethics related matters. They must be able to facilitate, convene, design and coordinating ethics management and training workshops for the employees. They must be able to provide effective and efficient Ethics Office administration.

- **Administrative Officers duties**

- Basic office administration.
- Exercise effective secretarial duties.
- Provide an efficient reception service for the department.
- Be able to work individually.
- Be able to provide accurate and relevant information with consistency.

STEP 4-Policy framework

4.1. Policy framework of policies that manages ethical risk at UJ

- **Whistle-blowing policy**

The whistle-blowing policy is centered on the reporting and the investigating of illegal or improper activities by University of Johannesburg employees. This

policy is part of an extension of the South African national policy on Protected Disclosures Act No. 26 of 2000. It is one of the University's internal controls and working methods when it comes to dealing with the violations of the internal procedures, rules and regulations as outlined. This kind of violations may be regarded as a breach of university laws. This policy is meant to encourage employees to report any suspicion of alleged improper conduct by any staff member, university employer, students or university clients that relates to any university property, assets, finances or any object that is owned either directly or indirectly by the university.

- **Conflict of interest policy**

The conflict of interest policy outlines directives that will serve as guidance on matters related to conflict of interest amongst university employees. This policy also covers matters related to outside commitment like outside employment. An example of matters covered by this policy relates to assumptions underlying the design, conduct, and reporting of research that should not be biased because of the researcher's personal interests like relationships of financial gain by university researchers. Conflict of interest may also relate to procurement processes and other related matters such as receipt of improper.

- **Code of ethics**

There is a code of ethics at UJ which is agreed upon by management and the employee unions representing their own members within the university. It outlines the conduct that is acceptable. It also provides a clear description of what is acceptable behaviour and possible consequences if employees fail to adhere to policy directives.

- **Sexual harassment**

The sexual harassment policy is a policy made to deal with misconduct by employees against a fellow employee or a student on the basis of sexual

orientation. It is regarded as a conduct which ridicule or denigrates a person on the basis of sexual orientation. The policy is a statement by the university that it would not tolerate any form of sexual harassment.

- **Access to Information policy**

The Access to Information policy is centered on access to information which is an extension of section 32(1)(a) of the Constitution of the Republic of South Africa (Act 108 of 1996) and the resulting Promotion of Access to Information Act (2 of 2000, as amended), as well as, where applicable, section 16 of the Labour Relations Act. The policy clearly outlines the information that can be put on public domain for public scrutiny or what cannot be accessed by everyone. The policy also outlines the possible and reasonable restriction on some classified information.

4.2. Critical analysis with recommendations of UJ code of Ethics.

4.2.1. Purpose of the code

The purpose of the code is to enforce employee discipline at the university. The name of the code is entitled the “Disciplinary Code” and it is centred on discipline and its subsequent consequences. The code is meant for internal stakeholders who are employees. The code provides guidance on what is acceptable and unacceptable behaviour amongst employees. The code outline what is deemed unacceptable conduct and the subsequent punishment thereof. It outlines a particular unacceptable conduct or behaviour and the punishment that follows from a warning to final written warning and when an employee can be called to the disciplinary hearing. The main purpose of the code is to prevent unacceptable behaviour and promote behaviour deemed acceptable by the university.

The code must also incorporate UJ values, vision and mission. It must provide or outline room for teaching employees the values they need to embrace. It must promote the

culture of ethics dialogue and ethical cultural change. The code must encourage ethical decision-making.

4.2.2. Strategy of the code

The code needs to be developed by all the stakeholders in order to have the legitimacy or the buy-in of all the stakeholders concerned. The University of Johannesburg has a policy on policy development which outlines all the requirements of policy making which is open and transparent. The main idea is to ensure that all relevant stakeholders are involved in a policy making process. The code was developed by the representatives of UJ management and employer trade unions and it was also approved by the same participants. It was approved on the 11 November 2005 by the Employment Conditions Committee of Council.

My recommendation is that there is a need for the university to include external experts who can assist them on the new trends when it comes to the development of code of ethics. There is also a need to have the launch for this kind of policy so that its effects or impact can be felt by everyone in the university. This will be the way of introducing the policy to all stakeholders and the constant communication of the code of ethics to employees. The other recommendation is that the code needs to include external stakeholders in order to clarify the relationship of employees with their clients.

4.2.3. Format of the code

The code of ethics at UJ is directional as it focuses on conduct provisions which employees need to adhere to or face the subsequent disciplinary procedure. It is very specific on what is required from employees and what will happen if they fail to adhere to the stipulated conditions. The code is also enforceable as specific punishments have already been written down inside the code. There are specific sanctions for specific offences inside the code. The code of ethics is rule based and it is centred on compliance not on education and training like awareness campaigns and ethics dialogue.

My recommendation is that the university need to mix their values with the rules of conduct. This will help employees understand the need not to be ethical because they fear punishment, but they must be ethical because ethics are the pillars of the university and they are required or important as part of developing the university into the new heights.

4.2.4. Content of the code

The code of ethics does not have leadership endorsement to show the commitment from them. There is a preamble that indicates that this code of ethics is a disciplinary code and nothing else, there is no rationale for the code. It does not have the vision, mission and values. The code is centred on the conduct provisions and sanctions. It does not have guidelines for decision making, supporting systems and resources like hotlines or whistle-blowing guidelines in it. It does not outline its relationship with other policies like misconduct by employees against students or students against employees.

My recommendation is that this code needs to be revised so that it must contain the vision, mission and the values of the university. It must contain guidelines for decision making and who will be responsible for enforcing employee discipline and the separation of powers between employee line managers and labour relations officers. The code must outline its relationship with other related university policies. It must explain how an employee can report misconduct by their line managers or any other employee who is involved in irregular conduct like in a confidential manner where the employee will receive protection in the workplace.

4.2.5. Tone of the code

The code of ethics is centred on the prohibition of behaviour or conduct that is deemed unacceptable or unwanted and the subsequent forms of punishments that will follow. The prohibition is negative in nature as the code does not encourage employees on behaving ethically; it only talks about misconduct or unacceptable behaviour. This code is informational as it contains the information about what is unacceptable behaviour and

their punishments. It also instructs employees to refrain from unacceptable behaviour or else they will face specified punishments.

My recommendation is that this code of conduct must be changed from instructional to relational where it builds trust between the employer and the employee. It may integrate both instructional and relational.

4.3. Critical analysis with recommendations of UJ advice and reporting mechanisms.

- The UJ code of ethics does not contain provisions on how to report misconducts at all levels of employees.
- It does not have provisions on how to seek advice concerning this code of ethics or disciplinary code or its associated processes and guidelines.
- This code of ethics is also silent on who the custodian of the code is and where to find them.
- The reporting and advice just come naturally to some of us as it is known that disciplinary codes are related to Human Resource Departments. This allows people to guess where to go when they need advice or they want to report some misconduct. It happens because the disciplinary code is silent on some of its important functions and its characteristics.
- There is no formal ethics advice and reporting system as there is no Ethics Office. The only known formal reporting line is when a line manager reports his or her junior employee for committing a misconduct/s at Human Resources department with employee relations. This is the traditional method of reporting unethical behaviour. It is easy to use as everyone knows where their Human Resource Department is allocated.
- Security Office is also responsible for reporting any unethical behaviour that was reported through them or that has been investigated by their office. The Security

Office is also easy to use as everyone is likely to know where it is located.

Security Office is normally the face of the company where employees and visitors get their reception on daily basis.

- There is also an external anti-corruption hotline which is administered by external people. It also deals with anonymous reporting of unethical behaviour.
- There is also the confidential reporting of irregular or improper conduct by employees whereby employees may report their fellow employees or members of management who are involved in illegal or unethical behaviour at UJ. The policy is aimed at reducing or eliminating unethical behaviour by UJ employees or members of management. The policy allows for every Campus Director on UJ campuses to become the custodian of the Whistle-blowing policy on each campus. The policy allows for anonymous reporting of improper conduct and the protection of the employees who have reported such improper conduct.

4.3.1 Recommendations

- The immediate establishment of the Ethics Office which will be administered by capable and well trained people who will draft proper ethics reporting and advice lines for all campuses.
- There must be separate telephone lines for ethics advice and reporting where matters will be dealt with professionally and confidentiality. People can seek advice and report cases telephonically, by email and short message system models or they can physically come to the Ethics Office.
- Protected disclosures need to be encouraged within the required legal framework of the country.
- There is a need for constant ethics education to make employees aware of the existence of the Ethics Office and how to contact them if there is a need.

4.4. A critique of UJ's whistle-blowing policy

1. Background

The policy on the reporting and the investigating of improper activities at the University of Johannesburg is part of an extension of the South African national policy on Protected Disclosures Act No. 26 of 2000. It is one of the University's internal controls and working methods when it comes to dealing with the violations of the internal procedures, rules and regulations. This kind of violations may be regarded as a breach of university laws. This policy is meant to encourage employees to report any suspicion of alleged improper conduct by any staff member, university management, students or university clients that relates to any university property, assets, finances or any object that is owned either directly or indirectly by the university.

The ultimate aim of this policy is to reduce or eliminate all forms of improper activities from university premises. The policy also provide protection to whistleblowers by guaranteeing that their names will not be disclosed for personal safety and they will not be subjected to workplace harassment, intimidation or be subjected to workplace discipline as part of victimization. This kind of reporting is regarded as protected disclosures by the Protected Disclosures Act No. 26 of 2000. It also makes provision for legal recourse for any employees who are victimized because of obeying the UJ whistleblowing policy or the Protected Disclosures Act. These employees may approach the Labour Court which is having the jurisdiction and the powers of the High Court in South Africa in terms of the labour matters.

The university policy also provide terms in which these protected disclosures can be made. This covers circumstances in which employees had a good reason to believe that the allegations they are making are reasonably true and they are not submitting allegation for personal gain. The university is also having dedicated staff members per

campus where protected disclosures can be made at each and every campus, who is a Campus Director.

2. Custodianship of the policy

The Campus Director of each and every UJ campus is called the local designated official. This means they are at the operational level of the policy. Staff members, students and university clients may report protected disclosures to them. This policy also make provision for people to bypass the locally designated official if they have reasonable grounds that he or may not deal with the matter properly or he or she is having conflict of interest. These people reporting can go to the senior official from the locally designated official. It also makes provision that if the suspected employee is the Deputy Vice-Chancellor or chancellor, the whistleblower can report straight to the chairperson of university council.

3. The strength of the policy

- The policy is a good sign of the intention to fight unethical behavior or criminal activities at UJ.
- The policy helps or encourages fellow employees to participate in fighting unethical behavior through protected disclosures.
- The policy encourages accountability and responsibility amongst UJ employees as they will be able to get involved in fighting or combating improper conduct by fellow employees or university management.
- It encourages good governance.
- It put the fight against improper activities to the new heights in the university.
- It will uplift the moral stance of the university in the society.
- It is also a good public relation exercise.

- It will promote the university in such that people of integrity will like to be associated with reputable organizations.
- It will boost the image of the qualifications from UJ.
- It will reduce the level of improper activities or the fight against criminal activities.
- It empowers employees in fighting unethical behavior.

4. The weaknesses of the policy

- ❖ The problem of the policy is that of its implementation, the problem start from the locally designated official as being the campus director. The main point is that the campus director already has too much at his disposal. The campus director has been employed to direct the campus with its main job requirements and skills, including experiences. The UJ whistle-blowing policy requires a person with dedicated qualifications, skills, competences and relevant experience to the job. The job of a locally designated official need a person with a background in law, criminal investigations, interpretation of statutes, crime scene investigation, forensic investigation/auditing, police and security investigation experience.

This is the crux of the problem of this policy on reporting and investigating allegations of improper conduct. This policy is a legal policy which is an extension of the Protected Disclosures Act No. 26 of 2000. This act interrelates with the UJ policies and other law enforcement policies and acts in South Africa. It relates with criminal procedure act, labour relations act, employment equity act, black empowerment policies, the prevention and combating of corrupt activities act, national intelligence act, national prosecution act, it will also require academic knowledge related plagiarism matters, and copyrights acts.

The job also requires liaison with the South African Police Service, National Prosecution, National intelligence Services, and any relevant specialized crime fighting unit that may assist in any special case. The Campus Director may not have enough time to deal with these complicated.

- ❖ The problem with the custodian of the policy is the Campus Director who is having a job description to manage the campus which is a full time job and he or she will have little time to give hundred percent attention to the whistle-blowing policy and its associated activities.
- ❖ The Campus Director may have little skills or understanding of the whistle-blowing policy and its associated activities. This will make him or her ineffective in executing this job in a satisfactory manner.
- ❖ The policy does not provide protection to whistleblowers outside the workplace.

5. Recommendations

- The policy need to be serious when it comes to implementation as there is a need for having a dedicated department or unit or section dealing with matters of suspected improper conduct or activities. The Ethics Office can be the right location for the implementation of this policy on protected disclosures at UJ. The Ethics Office will be able to define the role and job profiling of the right people who will implement this policy in terms of qualification, skills, competencies, experience, and any relevant or related or required issues.
- Ethics Office investigators can be the right people to manage this policy with right qualifications and experience.
- There is a need to educate employees so that they have to understand the importance of protected disclosures within the university environment. Various notions of regarding protected disclosures as part of troublemakers need to be removed from the employees' minds.
- The unwillingness amongst employees to participate in the policy implementation may hamper policy progress or aims and it must be removed through education.