

Code of Conduct for the Public Service of Southern Sudan 2007

Issued by the Government of Southern Sudan

CODE OF CONDUCT FOR THE PUBLIC SERVICE OF SOUTHERN SUDAN

Preamble

The Public Service of Southern Sudan is committed to the advancement and improvement of the quality of life of the people of Southern Sudan. In so doing, the Public Service wishes to work hand in hand with other sectors that are essential for good governance to promote social justice in Southern Sudan.

The Ministry of Labour, Public Service and Human Resource Development wishes to institute a Code of Conduct that reflects the minimum core values of the Public Service's staff and institutions with the aim of effectively meeting its objective to deliver social and development services to the people of Southern Sudan. Thus, the Ministry of Labour, Public Service and Human Resource Development hereby issues this code of conduct committing all the Public Service institutions and staff to uphold the standards of conduct enshrined herein.

Purpose of the Code of Conduct

Aside from appropriate compensation and personnel management procedures the Ministry of Labour, Public Service and Human Resource Development must ensure that certain core values are disseminated and internalized by all public servants, public managers, and leaders. The effective embodiment of these core values into the new public service will lead to administrative efficiency and effectiveness. Therefore, the purpose of instituting a Code of Conduct is to provide means that ensure that the main core values of the Public Service of Southern Sudan are realised in practice. The core values are:

- ◆ *Impartiality*
- ◆ *Professionalism*
- ◆ *Accountability*
- ◆ *Responsiveness to the client*
- ◆ *Inclusiveness and non-discrimination*
- ◆ *Equity and affirmative access, including gender and minority ethnic groups, and*
- ◆ *Integrity*

The Mission of the Public Service:

The general mission of the Public Service of Southern Sudan is to improve and advance the public good and the quality of life for the people of Southern Sudan through efficient and effective delivery of services.

PART ONE

THE CODE OF CONDUCT FOR PUBLIC SERVANTS

Each and every Government of Southern Sudan public servant will abide by the under-mentioned set of conduct requirements and values and will do all in his/her power to actively promote the entire Code of Conduct.

Each and every public servant shall act individually and collectively to:

1. Carry out his/her duties in a way that maintains public confidence in the integrity of his/her office and the Government of Southern Sudan
2. Be a tool and catalysts for the provision and delivery of services to the people and communities of Southern Sudan.
3. Empower people to take care of their problems by themselves encouraging and enabling self-reliance and advancing the right of people to fully participate in the decision-making processes of issues that affect their lives.
4. Endeavour to involve marginalized sectors of our population such as, minorities, women, disabled and youth to the greatest extent possible in the running of the Public Service of Southern Sudan.
5. Respect indigenous culture, the dignity and identity of the individual, the faith and values of the communities. However they will not be supportive of traditional practices that harm the individual and the community e.g. genital mutilation for women, tribal body or facial marks, tooth extraction and so forth.
6. Commit to a democratic way of life and values, maintain the principles of public accountability, respect for the supremacy of civilian government and put loyalty to Southern Sudan above all other loyalties.
7. Maintain the political neutrality of the Public Service and provide unbiased service to the government of the day.
8. Adopt the principles of equity, efficiency and effectiveness in the allocation of resources for the benefit of the people of Southern Sudan.
9. Treat the public and his/her fellow Public Servants with courtesy and respect and exercise and promote fairness, impartiality and equity in all their activities and dealings with the public at large and specific clients.
10. Be truthful in all activities and involvements and refrain from practices that undermine the moral and ethical integrity of the Government of Southern Sudan.

11. Avoid behaving in a manner that is deemed incompatible with the proper performance of his/her duties or unfitting of his/her official position.
12. Not to be absent from duty without permission or reasonable grounds and to maintain punctuality, devote him/herself to his/her duty and to carry out all duties diligently.
13. Utilise any and all resources and privileges bestowed upon them to meet the mission and strategic objectives of the Public Service of Southern Sudan.
14. Promote and facilitate appropriate decision-making and the delivery of high quality service that conform to identified relevant standards.
15. Be transparent and accountable in their dealings with the public and other interested parties while using all the appropriate opportunities to inform the public about any work done and the use of resources under their control.
16. Discharge all public functions reasonably and according to the Interim Constitution of Southern Sudan, as well as all laws and rules of Southern Sudan, in particular to the provisions of the Public Service Act of the Government of Southern Sudan and the relevant State Acts.
17. Exercise honesty and integrity in all matters related to the raising, use and accounting of funds.
18. Not ask for or receive any gifts, promises, gratuities, or any other kind of personal benefit for themselves or their immediate family other than their official remuneration.
19. Not undertake any action that may undermine the normal performance of his/her duties, prejudice impartial decision-making or in any way compromise the Public Service's integrity and ethical behaviour.
20. Not use information that has not been made public and is known to him/her by virtue of official duties to their own advantage or that of their immediate family or friends and associates.
21. Seek to advance gender balance and equity and endeavour to ensure equal participation of all in the Public Service of Southern Sudan.
22. Ensure that official decisions and all other transactions are free from conflicts of personal and professional interest.
23. Exercise responsible and responsive approach for the care of the environment and the proper management of the eco-system in all their activities.
24. Exercise discretion in all matters of official business and not disclose information that may jeopardise the efficiency and credibility of the Government of Southern Sudan and/or any State Government.
25. Provide Ministers, Heads of Units, the Southern Sudan Legislative Assembly or State Assembly and the public full information about policies, decisions and actions and not deceive or knowingly mislead them.

**Individual
Acceptance and Commitment**

I, _____(name)_____, ID number _____, employed by the Ministry of _____, the Government of Southern Sudan/_____ State Government do accept the provisions of this Code of Conduct and commit to uphold and actively promote the Code in all aspects both individually and collectively with other Public Servants with whom I work.

Signed _____

Dated _____

PART TWO

ADMINISTRATION AND OBSERVANCE OF THE CODE OF CONDUCT

Role of the Ministry of Labour, Public Service and Human Resource Development and the Southern Sudan Civil Service Commission

1. The custodian of the code of conduct shall be the Ministry of Labour, Public Service and Human Resource Development of Southern Sudan. The Ministry shall provide procedures for Ministries and other Public Institutions to follow in the investigation and primary judgement of discipline cases involving breaches of the Code.
2. The Ministry of Labour, Public Service and Human Resource Development and the Civil Service Commission of Southern Sudan shall work in collaboration to administer the Code of Conduct.
3. The Southern Sudan Civil Service Commission shall oversee, promote and maintain the observance of the Code. It shall provide an annual report on the general state of adherence to the Code throughout the Southern Sudan Public Service for submission to the GOSS President and the Southern Sudan Legislative Assembly.
4. The Civil Service Commission shall meet at least every quarter for the purpose of considering the general state of compliance by public servants with the Code of Conduct and review any specific petitions and appeals presented by individuals or group of persons about non compliance or breach of code of conduct by some staff or institutions.
5. Arising from its deliberations the Southern Sudan Civil Service Commission may recommend to the Minister of Labour, Public Service and Human Resource Development amendments and additions to this Code of Conduct. All changes shall be ratified by the Council of Ministers.
6. The Civil Service Commission shall work in collaboration and cooperation with other appropriate Commissions and other agencies, including the Southern Sudan Anti-Corruption Commission and the Southern Sudan Employees Justice Chamber to investigate alleged breaches of the Code and hear appeals against disciplinary judgements made in connection with breaches of the Code.

Complaints and Allegations

7. Complaints alleging a breach of or non-compliance with the Code of Conduct may be made by:
 - a. An individual public servant against a co-worker
 - b. A public servant's supervisor or other senior officers of the Ministry
 - c. A member of the public or a group against a named individual public servant or group of public servants
 - d. A member of the public or a group against a 'corporate' Ministry or other Public Institution

8. Any one person or group of persons may file a complaint or petition supported by evidence. A complaint against a named individual or group of individuals should be made to the Under Secretary of the relevant Ministry or Institution. A complaint against a Ministry or Public Institution as a whole should be made to the Southern Sudan Civil Service Commission.

9. Complaints alleging non-compliance or breach of the Code of Conduct should be made in writing and shall include the following:
 - a. The name and address of the complainant
 - b. The name and address of the Ministry and/or official against whom the complaint is lodged
 - c. The nature of the alleged non-compliance or breach
 - d. The circumstances in which the breach or violation of the Code is alleged to have been committed; and
 - e. Where possible make a reference to the section(s) of the Code that was breached.

10. The authority receiving a complaint is obliged to instigate an investigation and set a date for a formal hearing within 28 days of receiving the complaint. The receiving authority is obliged to inform the complainant in writing of the steps taken and the date and place of the hearing within 28 days of receiving the complaint. The complainant has the right to be present at the hearing.

11. Where a public servant or member of the public has reported a complaint to a Ministry in accordance with these procedures and believes the response is not reasonable he/she may report the matter to the Chairperson, Southern Sudan Civil Service Commission.

Enforcement

12. The relevant Departmental or Ministerial Board of Discipline, shall hear and decide all instances involving the alleged violation or breach of the Code of Conduct of any individually named person or persons acting for or on behalf of the Ministry.

13. When a complaint is made, the Board may dismiss the case where no breach of the Code is established and notify the Under Secretary of the Ministry, the official or

officials against whom the complaint has been made and the complainant(s) of this verdict.

14. Where the Board finds that the public servant or servants against whom the complaint was made has or have contravened the Code of Conduct, as specified in the original complaint, then the Board shall take the appropriate disciplinary action or refer the matter to a higher authority with their recommendation for action. The Board's decision is to be made known to the accused and the complainant within 28 days of the completion of the Board's hearing.
15. The Disciplinary Code shall govern what disciplinary action is appropriate.
16. If, as a result of an investigation under these regulations the Board is of a view that civil or criminal proceedings ought to be considered, the Board shall refer the matter to the Ministry of Legal Affairs and Constitutional Development.
17. Where a complaint is made against a Ministry or other Public Institution as a whole or in general then the complaint shall be heard by the Southern Sudan Civil Service Commission. Where the Commission finds that the complaint has validity it shall send a report and recommendations for action to the Council of Ministers through the Minister for Labour, Public Service and Human Resource Development.

Appeal

18. An aggrieved party may appeal the decision of a Ministerial or Departmental Disciplinary Board for consideration by the Southern Sudan Civil Service Commission within 28 days from receipt of a copy of the decision.
19. The Commission may, after considering the decision of the Board, the memorandum of appeal and the available evidence:
 - a. Remand the case to the Board for reconsideration or,
 - b. Confirm; reverse or vary the decision.