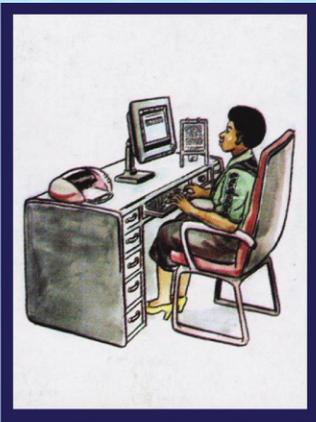




The United Republic of Tanzania

Doing the Right Thing



Explanatory Manual on the
Code of Ethics and Conduct
for the Public Service

May 2007

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1. Our Commitment - Doing the right thing

For Tanzania and her people to prosper it is necessary that every member of society aspires to the highest ethical standards. This means we need to do the right thing consistently in order to earn the trust of our children, colleagues and other citizens.

As public servants, doing the right things indicate that we must be professional, honest and responsible at all times. In turn, it is the responsibility of the government to educate public servants to be professional, honest and responsible. It is therefore a privilege to introduce the **Explanatory Manual on the Code of Ethics and Conduct for the Public Service**. This Explanatory Manual supports the Code of Ethics and Conduct of the Public Service, and should be read in conjunction with all our country's laws, regulations and policies. It contains the public service **core values of professionalism, honesty and responsibility**, and explains them through a series of eight principles supported by various **do's** and **don'ts** informing our actions.

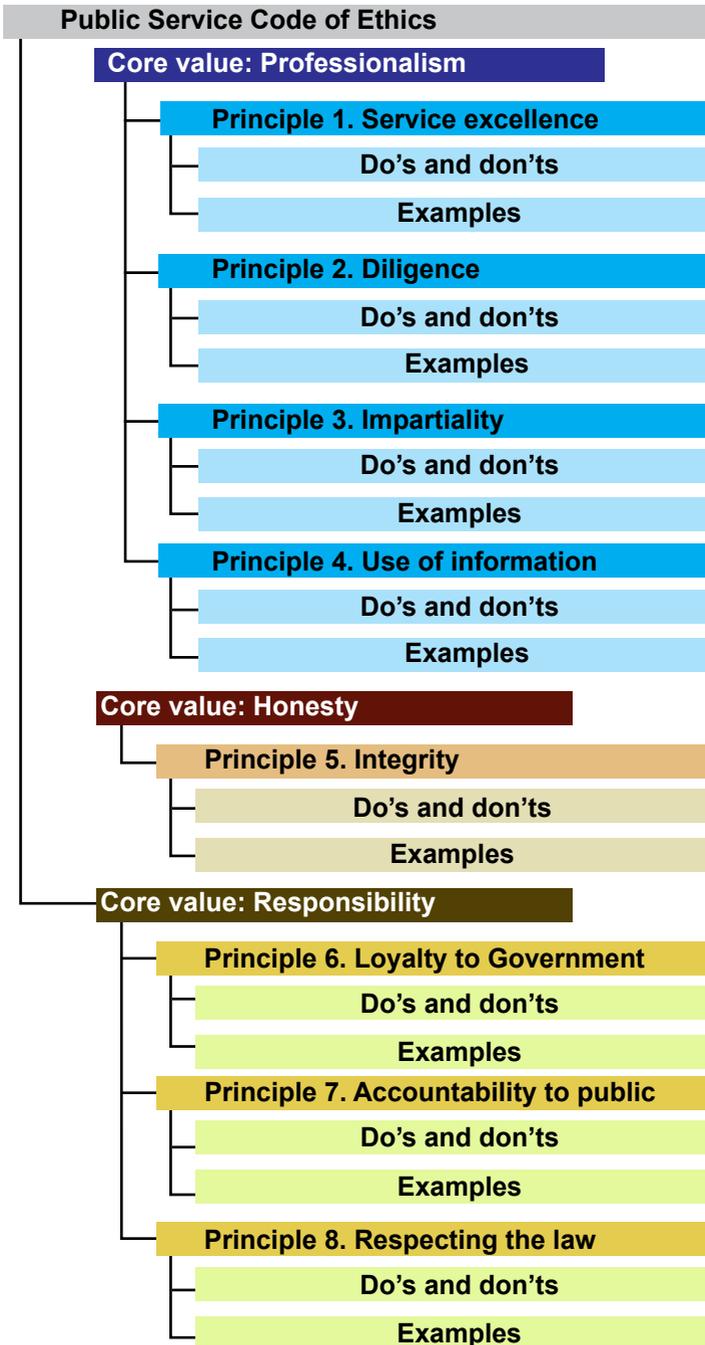
The Explanatory Manual also contains examples to help us understand the ethical challenges we face, and to assist us in making ethical decisions. As professional honest and responsible public servants, it is our duty to always do the right thing. That is why these core values apply to all of us, regardless of our gender, position of employment or age. As public servants, we are custodians of public trust. The people we serve depend on us to carry out our duties ethically and to the best of our ability. We must be worthy of this trust and everyday live the core values of Code of Ethics and Conduct. If you see citizens and colleague not observing the core values of the Public Service, you are encouraged to report such incidences to the relevant authorities. Government is committed provide safe and efficiently managed reporting opportunities to all citizens.

Moreover, if you require advice on the content of the Public Service Code of Ethics and Conduct or on this Explanatory Manual, you may contact the President's Office, Public Service Management.

As a fellow owner of the core values of the public service, I personally am committed to being professional, honest and responsible. The public trust that we hold requires you to do the same.

Ruth H. Mollel
Permanent Secretary,
President's Office - Public Service Management

2. Schematic Outline of the Explanatory Manual



3. Purpose of the Explanatory Manual

In our official capacity as public servants we can always do the right, or the wrong thing. Because we often disagree about what is right or wrong, this Explanatory Manual supports the Code of Ethics and Conduct in spelling out the boundaries for doing the right things, being professional, honest and responsible.

This Explanatory Manual is no different from the Code of Ethics and Conduct. It is designed to make it easier to understand what it means to do the right thing, as the Code requires.

4. Frequently asked questions and definitions

4.1 What are core values?

Core values are basic standards guiding us in doing the right thing. Core values are universal - they guide everybody, irrespective of social standing, gender or race. Core values like professionalism, honesty and responsibility are very Important for guiding the conduct of public servants.

4.2 What are the Public Service core Values?

They are professionalism, honesty and responsibility

4.3 What does it mean to do the right thing?

Doing the right means being professional, honest and responsible.

Core value 1: Professionalism

4.3.1 To be professional means delivering service of the highest standards by:

- Striving for service excellence;
- Being diligent in exercising our duties;
- Being impartial when dealing with people; and
- Properly using official information.

4.3.1.1 What does excellence mean?

Service excellence means doing your best.

4.3.1.2 What does it mean to be diligent?

Being diligent means working hard and well.

4.3.1.3 What does it mean to be impartial?

Being impartial means being fair to others.

4.3.1.4 What does proper use of official information mean?

Proper use of official information means being careful with confidential documents

Core value 2: Honesty

4.3.2 What does it mean to be honest?

Honest public servants are truthful and build trust in all their actions by:

- Acting with integrity

4.3.2.1 What does integrity mean?

Integrity means always delivering on your promises and consistently exercising your duties as a public servant

Core value 3: Responsibility

4.3.3 What does it mean to be responsible?

Responsible public servants take full ownership of all their actions and inactions by:

- Being loyal to government;
- Being accountable to the public; and
- Respecting the law.

4.3.3.1 What does loyalty mean?

Loyalty means valuing and showing allegiance to your country, employer, colleagues and fellow citizens.

4.3.3.2 What does accountability mean?

Accountability means answering to others for your actions and inactions.

4.3.3.3 What does respect mean?

Respect means recognizing the right to dignity of others.

4.4 What is morality?

Morality is our human capacity to have values. Possessing values like professionalism, Honesty and responsibility - makes us moral being.

4.5 What is ethics?

Ethics is about living our values. It is what moral persons do. It is about doing the right thing. An ethical person does not just talk about values like professionalism, honesty and responsibility, but acts professionally, honestly and responsibly.

4.6 What is compliance?

Compliance is following specific rules that apply to us - laws, regulations, procedures and policies. All good rules are do's and don'ts rooted in universal core values, such as professionalism, honesty and responsibility

4.6.1 What are laws?

Laws are the rules (do's and don'ts) for large organizations like our Public Service, guiding us in doing the right thing. If we break these rules we may be punished.

4.6.2 What are regulations?

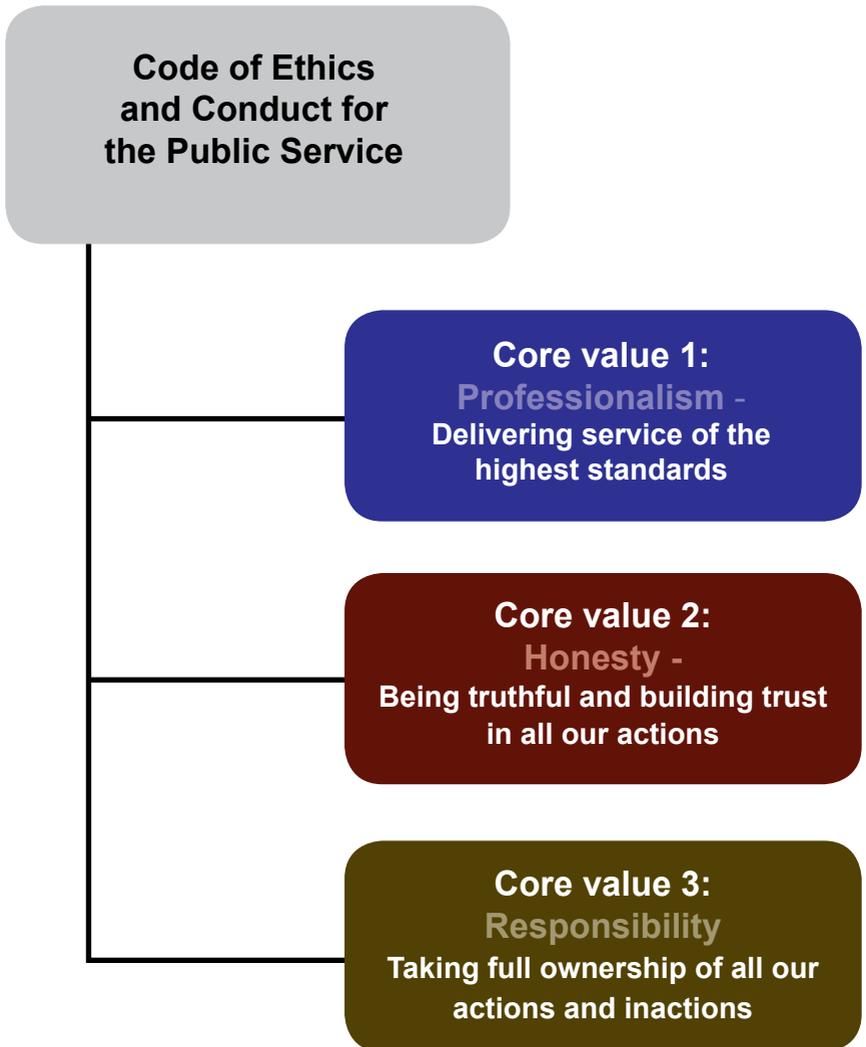
Regulations are rules (do's and don'ts) for large organizations like our Public Service, guiding us in doing the right thing. These rules often support the laws of our country.

4.6.3 What are policies and procedures?

Policies and procedures are rules (do's and don'ts) for our various departments where we work, guiding us in doing the right thing.

5. Doing the right thing - Public Service Core Values

The Code of Ethics and Conduct directs that every public servant should do the right thing by upholding three core values:

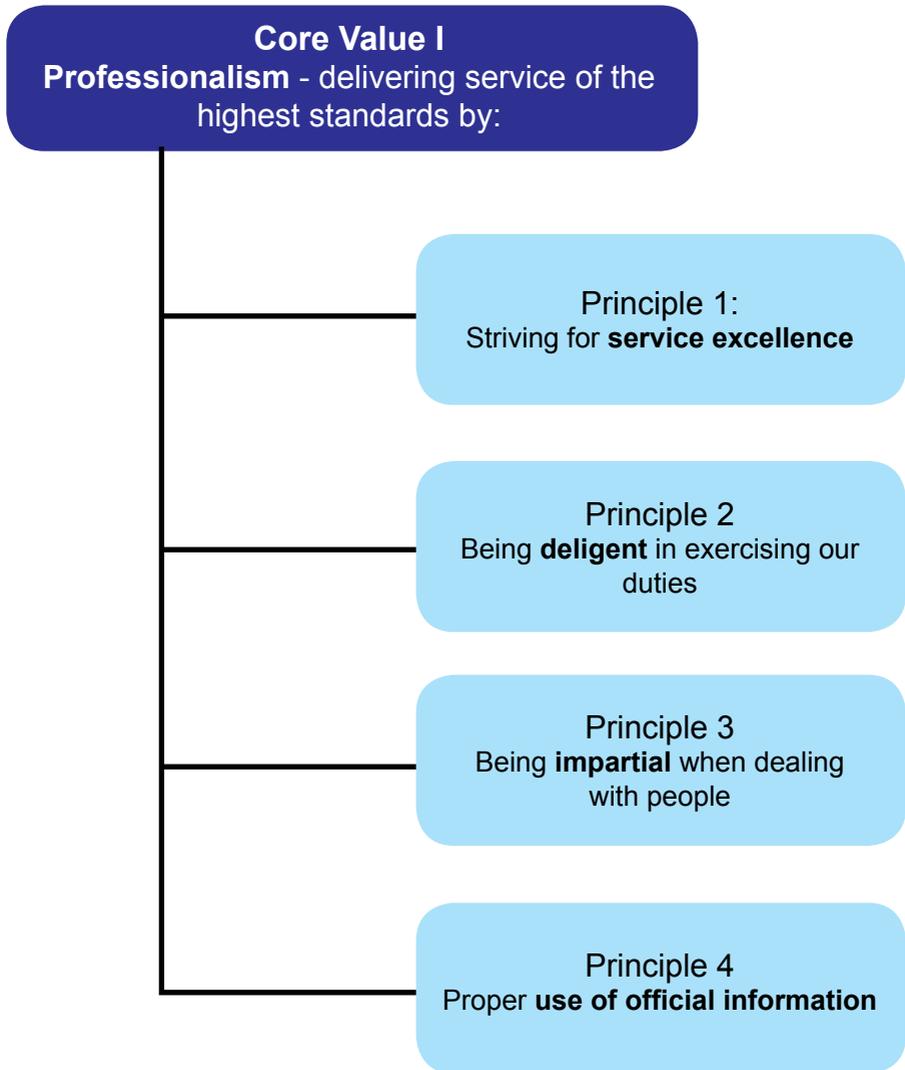


Doing the right thing means being professional, honest and responsible. We all want to live in a society where people **do the right thing**.

6. Doing the right thing - Public Service Ethical Principals

What does it mean to be **professional, honest and responsible**?

There are eight ethical principles in the Code of Ethics and Conduct for the Public Service explaining what it mean to be professional, honest and responsible. **They help us to do the right thing.**



Core Value 2

Honesty means being truthful and building trust in all our actions by:

Principle 5:

Acting with integrity

Core Value 3

Responsibility means taking full ownership of all our actions and inactions by:

Principle 6:

Being **loyal to the government**

Principle 7:

Being accountable to the public

Principle 8:

Respecting the law

It is easy to understand the Code of Ethics and Conduct for the Public Service. Remember three core values - **professionalism, honesty and responsibility**. This explanatory Manual tells us exactly which ethical principles support these core values.

Professional public servants deliver service of the highest standards by:

- Striving for service excellence;
- Being diligent in exercising their duties;
- Being impartial when dealing with people; and
- Proper use of official information.

Service excellence means doing your best.
Being **diligent** means working well and hard.
Being **impartial** means being fair to others.
Proper use of official information means
being careful with confidential documents.

Honest public servants are truthful and build trust in all their actions by:

- Acting with integrity.

Integrity means always delivering on your promises and consistently exercising your duties as a public servant.

Responsible public servants take full ownership of all their actions and decisions by:

- Being loyal to government
- Being accountable to the public; and
- Respecting the law.

Loyalty means valuing and showing allegiance to your country, employer, colleagues and fellow citizens.

Accountability means answering for your actions and inactions.

Respect means recognizing the right to dignity of others.

7. Do's and don'ts

Are the core values and ethical principles supported by specific instructions directing me to do the right thing?

To make it easy to understand how to do the right thing, the core values and ethical principles are supported by specific instructions for things that we should or should not do. These instructions are called **do's and don'ts**:

The Code of Ethics and Conduct for the Public Service does not list all possible do's and don'ts. Only some of the most important ones are listed.

What should I do when faced with a situation not described in the do's and don'ts?

Should a particular situation not be completely addressed within the Code of Ethics and Conduct for the Public Service or in this Explanatory Manual, or in the laws, regulations, policies and procedures of our country, public servants should always revert to the **core values** and **ethical principles** for guidance.

Remember, **doing the right thing** is about being **professional**, **honest** and **responsible** even if there are no laws, regulations, policies or procedures for practical guidance.

It is every public servant's responsibility to understand how to apply these core values.

To make it easy to understand, some do's and don'ts are explained with examples.

If you are uncertain you can obtain advice from the President's Office, Public Service Management

Core value 1: Professionalism

Ethical principle: Service excellence

[Item 2 in the Code of Ethics and Conduct for the Public Service].

A commitment to service **excellence means:**

1. Being knowledgeable of, adhering to, and respecting the values and provisions of the Code of Ethics and Conduct for the Public Service.
2. Setting the highest possible standards and evaluating self and others according to these standards.

Recognizing and rewarding good performance

Songambele works very hard at improving his skills. He always produces excellent work and completes given tasks in a timely manner. His manager does not seem to acknowledge his good efforts. Songambele is starting to feel discouraged.

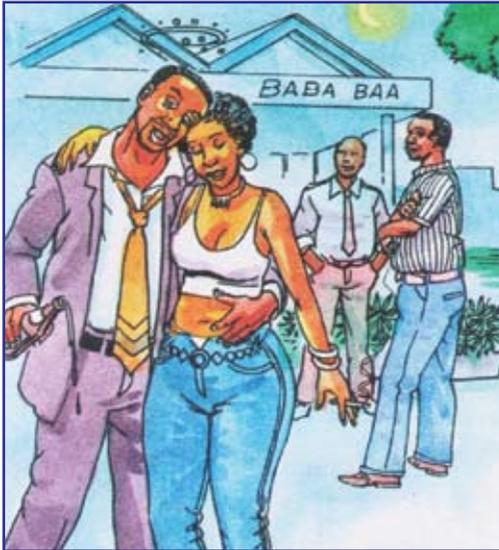
***Is the manager doing the right thing?
What should Songambele do?***

3. Continuously improve service standard through:
 - Creativity
 - Innovation; and
 - Enhancing knowledge and skills
4. Projecting a good image of the public service by:
 - Adopting appropriate attire;
 - Refraining from drugs and alcohol abuse;
 - Refraining from associating with disreputable people;
 - Refraining disorderly behavior; and
 - Maintaining good personal hygiene.

Being drunk after work hours

Chembele is a senior public official. He enjoys his beer and is often seen leaving bars in a drunken state, late at night with many different women. His colleagues are concerned about the image he is portraying as a leader in the public service.

***Is Chembele doing the right thing?
What should his colleagues do?***



5. Encouraging teamwork through

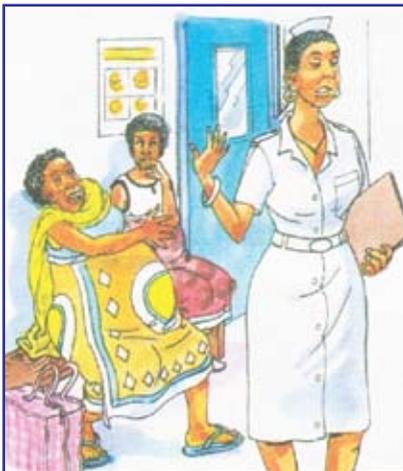
- Proper communications;
- Respect for self and others;
- Good oversight and mentoring:
- Consistent rewards and discipline; and
- Confidential handling of private information.

Ethical Principle: Diligence

[Item 4 in the Code of Ethics and Conduct for the Public Service]

Being Diligent means:

1. Maintaining the highest standards of discipline;



Use of bad language

Pili is heavily pregnant. She has been sitting in the waiting room for two hours without any service.

When the nurse walks past, Pili politely requests assistance, “Please nurse I think I am going into labour!” “So what, it is not my problem”, the nurse replies.

**Is the nurse doing the right thing?
What should Pili do?**

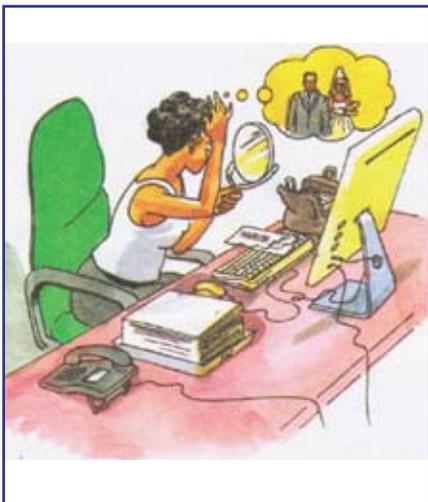
2. Being dedicated to those you serve;
3. Completing tasks in a timely manner;

Maintaining high standards and job dedication

Sara is a teacher. During work hours she is not dedicated to her work and does not teach in an effective manner. Rachel tells her students that if they want to pass their exams they need extra tuition. After collecting money from their parents some students attend Rachels after-hours tuition classes.

**Is Sara doing the right thing?
What should the parents do?**

4. Being flexible with regard to job placements; and
5. Being punctual for work engagements.



Wasting time and not focusing on tasks at hand

Chaurembo is very excited about attending a wedding over the weekend and is not concentrating on tasks given to her. These tasks must be completed by the end of the day. The supervisor leaves the office for a meeting and does not return until after 4pm. He finds the work not done and Chaurembo is nowhere to be seen.

**Is Chaurembo doing the right thing?
What should the supervisor do?**

Ethical principle: Impartiality

[Item 5 in the Code of Ethics and Conduct for the Public Service]

Being impartial means:

1. Respecting the rights of public servants and all other citizens to be members of and vote for a political party of their choice;
2. Engaging in political activities only if they are unbiased and consistent with a political nature of the Public Service.
3. Refrain from using public office to communicate with political representatives to advantage yourself in personal dispute with government, or to further your personal ends at the expense of government.

Engaging in political activities during office hours or at work premises.

Sikitu and Majuto hear about a political rally taking place that afternoon. Rather than go back to work Sikitu takes the afternoon off to attend the rally. She asks Majuto to join her.

Is Sikitu doing the right thing?

What should Majuto do?

4. Respecting the rights of public servants and all other citizens to profess a religious faith provided it is within the law and does not interfere with the secular nature of the Public Service and is separated from official duties.

Furthering your ends at the expense of government

Mwakambaya is a procurement officer under investigation for possible corruption. Using a network of politician friends he acquired over the years, he tries to influence the investigating officers to suspend their investigation into his activities.

Is Mwakambaya doing the right thing?

What should the investigating officers do?

Ethical Principle: Proper use of official information
(Item 9 in the Code of Ethics and Conduct for the Public

1. Any disclosures of official information should be:
 - Through a properly authorized official only;
 - Truthful; and
 - Respectful of confidentiality.

Proper use of confidential information

Sikujua is a secretary. His daughter applies for a position in the same office. Sikujua gets hold of the interview questions and passes them on to her daughter. The Director of Administration and Personnel has heard a rumour that Sikujua has done this.

Is Sikujua doing the right thing?

What should the Director do?

Core value 2: Honesty

Ethical principle: Integrity

[Item 6 in the Code of Ethics and Conduct for the Public Service]

Acting with **integrity** means:

1. Protecting public assets by:
 - 1.1 Safeguarding public funds, time, equipment and property; and
 - 1.2 Using public funds, time, equipment and property solely for Government purposes.

Abuse of state assets

Matata is a senior officer entitled to a government vehicle for work purposes. Matembezi, the office messenger, sees Matata over the weekend transporting containers of water in the office vehicle.

***Is Matata doing the right thing?
What should Matembezi do?***

2. Avoid conflicts of interest by:
 - 2.1 Declaring property and interests of self, spouse and close relations when called upon to do so by a properly mandated authority;
 - 2.2 Not representing any entity before government upon leaving the Public Service in matters dealt with while you yourself were a Public servant.
3. Refrain from abuse of power by:
 - 3.1 Exercising authority without undue gain to self or others, and only within the boundaries determined by official positions;
 - 3.2 Giving due regard to subordinates' job descriptions or official responsibilities when issuing instructions.

Nepotism and abuse of power

Pesambili works in a procurement department. He regularly passes on confidential tender information to companies owned by his close family. As a result they often produce the lowest bid and get awarded contracts. One day a colleague overhears Pesambili discussing confidential tender information to his brother.

***Is Pesambili doing the right thing?
What should the colleague do?***

3.3. Refraining from using previous position to unfairly influence, Extract undue gain or receive preferential treatment from State organs upon leaving the public service;

3.4 Honour gifts policy by not;

3.4.1 Soliciting gifts;

3.4.2 Giving gifts;

3.4.3 Receiving gifts other than small office items like pens and calendars.

If you are uncertain whether the gift you are being offered is permissible it is your duty to contact the **Head of the Department or the Presidents Office, Public Service Management.**

Gifts

During the Christmas season, Makelele receives a selection of diaries and calendars from clients. He also receives a brand new mobile telephone. His Director cautions staff not to accept gifts other than basic office stationary. He has seen Makelele receive the new mobile phone.

***Is Makelele doing the right thing?
What should the Director do?***

3.5 Refraining from corruption by:

- Not exerting inappropriate influence or extracting undue benefit, directly or indirectly, through soliciting, giving or receiving bribes.

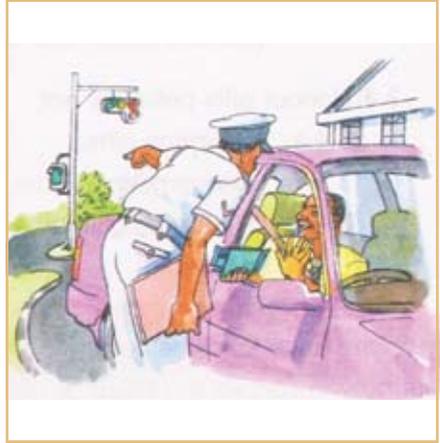
3.6 Refraining from fraud by:

- Not lying or misrepresenting with the purpose of extracting an undue personal gain.

Paying a bribe

Masanja is in a hurry to be at an important interview. He goes through a red traffic light, and a traffic police stops him. The traffic police tells Masanja he must come to the police station to pay his fine. Masanja knows this will delay him further and offers the traffic police some money to allow him to go.

**Is Masanja doing the right thing?
What should the traffic police do?**



Falsely claiming overtime

Dotto works in the registry. He regularly submits overtime forms for extra hours. He has a big family and he needs the money for school fees. However most evenings a colleague, Tumaini finds him fast asleep behind his desk.

**Is Dotto doing the right thing?
What should Tumaini do?**

Core value 3: Responsibility

Ethical **principle**: Loyalty to government

[Item 3 in the Code of Ethics and Conduct for the Public Service]

1. Being **loyal to government** means:

Respecting the duly constituted government by implementing policies and lawful instructions given by their Ministers and other government leaders.

Loyalty to government

Sikudhani is a senior official working in a Ministry. The Minister issues him with an instruction to assist in the implementation of a new law recently Passed in parliament. The law is right, good and fair. Sikudhani does not like the Minister and decides to frustrate the implementation of the law in various ways.

**Is Sikudhani doing the right thing?
What should the minister do?**

Ethical **principle**: Accountability to the public

(items 7 in the Code of Ethics and Conduct for the Public Service).

Being **accountable to the public** means:

1. Recognizing that public servants primary responsibility is serving the public;

Public Service is a public trust

Zawadi needs to renew her vehicle registration. She has been standing in the queue for many hours. The official responsible is working very slowly and is often seen leaving his desk to talk to colleagues about the latest sport and social event. When it is finally her turn to be served she reprimands the official. The official interrupts her and tells her that she needs to be thankful that she is being helped. "I am doing you a favour, so don't complain" he says.

**Is the official doing the right thing?
What should Zawadi do?**

2. Treating the public and colleagues courteously, especially vulnerable 4 populations like the elderly, sick, children, poor, the disabled and other disadvantaged;
3. Clarifying or providing direction on, promptly and without bias, matters of law, regulations and procedures.

Treating vulnerable persons with respect

Mawazo has AIDS. She is very ill. Every week she needs to go to the hospital for medical attention. The situation is getting worse. The doctor always ignores her for hours while attending to others less critical patients. Her relative confronts the doctor about this. The doctor states that at this stage of her illness there is nothing they can do.

**Is the doctor doing the right thing?
What should Mawazo do?**

Ethical principle: Respecting the law
(Item 8 in the Code of Ethics and Conduct for the Public Service)

Respecting the law means:

1. Knowing and abiding by rules, regulations, policies and procedures;
2. Applying rules, regulations, policies and procedures when discharging your duties;
3. Refraining from discriminating against fellow public servants and members of the public on irrelevant grounds.

Discrimination on irrelevant grounds

Furaha is a very competent internal auditor. She and a number of male colleagues are being considered for promotion. The appointment committee admits that she is the most competent candidate but during her Interview the members tell her that they think such a senior position should not be held by a woman.

**Is the Appointment Committee doing the right thing?
What should Furaha do?**

4. Refraining from any form of sexual harassment such as:
 - 4.1 Soliciting sexual favours;
 - 4.2 Engaging in any form of sexual assault(i.e, molestation or rape);
 - 4.3 Inappropriate remarks or actions (sexual jokes or grabbing); and
 - 4.4 Viewing pornographic material during working hours.

Sexual harassment

Whenever Neema reports to her director, Majivuno, he makes comments about her attire and her body. He often puts his hand around her shoulders. This makes Neema feel uncomfortable.

**Is Majivuno doing the right thing?
What should Neema do?**

5. Refraining from soliciting sexual favours or sex to receive preferential treatment or rewards.

Sexual favours

Amanda's director offers her the opportunity to go for an important training course in Johannesburg. However, he informs her that she can only go on the condition that she has sex with him.

**Is the director doing the right thing?
What should Amanda do?**



8. Solving ethical dilemmas

Sometimes values that guide what we do in life compete, making us uncertain of what to do. In such cases one needs to choose one value Over the other. There are many types of ethical dilemmas, but the most Common ethical dilemma public servants face is when **truthfulness** competes with loyalty.

EXAMPLE 1: Ethical Dilemma

Baraka works in the same department as his best friend Maneno. One day Maneno tells Baraka that he regularly takes stationery from the office to sell to a shop, near his home. He asks Baraka to keep it secret. The following week Barakas supervisor asks him if Maneno is taking office stationery for his own personal use.

The dilemma is
Baraka wants to be loyal to his best friend Marieno.
Baraka is a moral person and wants to tell the truth.

What should Baraka do?

Making an ethical decision using PLUS

Determing how to make an ethical decision can help us to resolve ethical dilemmas.

We should ask four specific questions that can easily be remembered using the acronym **PLUS**.

If you can answer YES to all four questions it will indicate how to do the right thing.

Baraka should ask the following four questions to resolve his ethical dilemma:

P = Policy and Procedures

Are there any relevant Public Service policies or procedures that apply to the situation Baraka is considering, including those in the Code of Ethics and Conduct for the Public Service?

YES, policies and procedures define what Maneno is doing as abuse of state assets.

L = Laws and regulations

Are there national laws or regulations that apply to the situation Baraka is considering?

YES, the law defines what Maneno is doing as theft.

U = Universal Public Service and society values

Are the Public service core values of professionalism, honesty and responsibility guiding Baraka's decision?

**YES, all of these values should guide Baraka.
Maneno is not being professional, honest or responsible.**

Baraka wants to be professional, honest and responsible.

S= Self

Do my own personal values - my own sense of doing the right thing - guide me in deciding what to do?

YES, Baraka's ethical standards might be higher than what is expected in the Public Service.

Maneno's ethical standards might be lower than what is expected in the public service.

It is expected that Baraka's and Maneno's ethical standards must always meet or exceed the standards for conduct prescribed by the Code of Ethics and Conduct for the Public Service.

Resolving the dilemma

Maneno is doing wrong.

Baraka should **do the right thing** and report Maneno to his supervisor.

In this case truthfulness (core value **honesty**) and **loyalty** to Government (core value **responsibility**) are more important than loyalty to Maneno

Example 2: Ethical Dilemma

Maganga is an environmental officer inspecting a factory providing much needed jobs to the surrounding community.

Maganga is concerned to discover that the factory management is disposing of toxic waste at night by dumping it into a nearby river.

Management tells Maganga that if they follow government waste disposal guidelines, it would be too expensive and they would have to layoff many workers.

Maganga needs to submit his environmental assessment and is uncertain what to report.

The dilemma is:

Maganga wants to be loyal to the community and not have people lose their jobs.

Maganga is a moral person and wants to tell the truth.

What should Maganga do?

EXAMPLE 3: Ethical Dilemma

Bahati is a state prosecutor supporting a large family. During a corruption investigation, he uncovers a document implicating senior government officials. He reports this to his manager who instructs him to destroy the evidence implicating these officials. The manager is concerned that their careers might be endangered if they investigate these powerful persons. Bahati is uncertain what to do.

The dilemma is:

Bahati wants to be loyal to his family and not risk losing his job.

Bahati is a moral person and wants to tell the truth.

What should Bahati do?

9. Using the Code of Ethics and Conduct for the Public Service

9.1 Seeking Guidance

If you require any further information related to what it means to do the right thing, please contact the Ethics Department, Presidents Office - Public Service Management who are custodians of this manual.

9.2 Reporting a concern

In the event of experiencing or witnessing unethical behaviour it is your duty as a public servant to 'do the right thing' and report it to the Complaints Unit in the relevant Ministry, Department or Agency. Each Ministry, Department and Agency has a Complaints Unit where grievances can be submitted either in person, confidentially in writing, by telephone or by email. Upon submission of the complaint you will receive prompt feedback.

In order to be consistent with the principle of fairness one can appeal against a decision reached by the respective institution to the

Chief Secretary.



10. Making an ethical decision - using the PLUS model

Making an ethical decision - using PLUS

If you can answer yes to all four questions regarding the choice you are Considering, you are probably doing the right thing.

Ask the following questions:

P = POLICY AND PROCEDURES

- 1) Are there any relevant Public Service **policies** or **procedures** that apply to the situation that you are considering, including those contained within the Public Service Code of Ethics?

L = LAWS AND REGULATIONS

- 2) Are there national **laws** or **regulations** that apply to the situation that you are considering?

U = UNIVERSAL PUBLIC SERVICE AND SOCIETY VALUES

- 3) Which of the Public Service Core values of **professionalism, honesty and responsibility** guide me in deciding what to do?

S = SELF

- 4) Do my own **personal values** - my own sense of what is right, good and fair - guide me in deciding what to do?

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