

Financial and Fiscal Commission

Code of Ethics

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For an Equitable Sharing of National Revenue

Financial and Fiscal Commission Code of Ethics

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1. Introduction

The Financial and Fiscal Commission (FFC) is a Constitutional entity

- That was established in terms of Section 220 of the Constitution of the Republic of South Africa Act No. 108 of 1996 as amended ("the Constitution");
- That functions in terms of the Financial and Fiscal Act (Act No. 99 of 1997) as amended
- That acts as a consultative body for, and makes recommendations and gives advice to, organs of state in the national, provincial and local spheres of government on financial and fiscal matters;
- That operates in accordance with the right to freedom of expression contemplated in Section 16 of the Constitution which includes the freedom to receive or impart information or ideas; academic freedom and the freedom of scientific research;
- That subscribes to the values of good governance, accountable public administration and sound financial and human resources management as reflected in the Constitution, the Public Finance Management Act and

other laws and regulations applicable to public administration within South Africa; and

- That is accountable to Parliament for its good governance and for the discharge of its mandate.

The Commission and its employees wish to commit themselves to a code of ethical behaviour that accords with this status and with these values, principles and obligations.

2. Purpose of this document

The purpose of this Code is to establish a set of ethical values and standards -

- Consistent with the objects and vision of the FFC;
- Consistent with the constitutional and legal framework binding on the FFC; and
- Binding on Commission members, managers and other employees of the FFC.

3. Vision

The vision of the FFC is to enhance the developmental impact of public resources through the financial and fiscal system in South Africa.

4. Institutional Values

As an institution, the FFC will at all times strive:

- To be an institution whose work is viewed as authoritative and non-partisan;
- To use its Parliamentary grant and other public funds to undertake and promote research that will benefit all the people of South Africa, particular regard being had to the provisions of Sections 214(2)(a) – (j) of the Constitution;
- To collaborate with relevant groupings including government, higher education institutions, donors, non-governmental organisations, media and advocacy groups in the course of its work, while maintaining its independent identity;
- To be guided by this Code of Ethics in introducing, revising and implementing policies and procedures to guide Commission members and employees in respect of ethical conduct in their different spheres of activity. The FFC's policies and procedures will thus seek to integrate ethical issues into day-to-day activities and decision-making within the organisation.

5. Ethical Values

Staff and Commission members at the FFC will be guided in their conduct on behalf of the FFC by the values listed below. These values apply to all activities of the FFC:

5.1 Professional Excellence

The FFC seeks to conduct its work in an innovative, creative and professionally excellent manner. Commission members and employees will conduct

themselves diligently and strive continually to enhance their productivity and the quality of their work.

5.2 Non-partisanship and Independence

The FFC conducts research and provides information free from any political, racial, religious or other bias, guided by the values in this Code.

5.3 Non-discrimination

The FFC strives to eliminate discrimination and promote equal opportunity and affirmative action in all aspects of its activities. Commission members and employees will not make decisions or take actions on behalf of the FFC that discriminate, whether directly or indirectly, on any ground such as race, religion, gender, sexual orientation or any other impermissible ground in terms of the Constitution or other legislation prohibiting discrimination.

5.4 Honesty and integrity

Honesty and integrity are guiding principles in all the activities of the FFC. All reporting obligations must be complied with fully and honestly. Research results must be fully and accurately recorded. All forms of dishonesty are rejected and any dishonest conduct, such as fraud or corruption, will be appropriately sanctioned through disciplinary action or other appropriate means. Any conflict of interest or potential conflict of interest will be fully and timeously disclosed.

5.5 Respect

Commission members and employees acknowledge each other's areas of skills, competence and fields of expertise. Commission members and employees will be transparent in their dealings with one another and will share information and resources and avoid harmful competition in order to promote the overall interests of the FFC.

Relationships between individuals within the FFC, as well as with peers, participants in research programmes and the community at large will be built on respect for each individual's rights, dignity and interests. The diversity and uniqueness of individuals will be acknowledged and respected. Any conflicts that may arise will be resolved in a manner consistent with fairness, mutual respect and collegiality.

5.6 Fairness that Builds Trust

Decision-making and conduct within the FFC are informed by ethical values and policies, and a respect for the rights of individuals. Fair, consistent and transparent decision-making will promote trust between individuals

5.7 Collaboration

Commission members and employees will work collaboratively to promote the legitimate interests of the FFC. The FFC works in collaboration with key constituencies such as government, other research organisations, higher education institutions and NGOs to bridge the gap between research, policy and action in order to increase the impact of research. Commission members and employees will promote and participate in the transfer of skills and knowledge to further the interests of the FFC and the broader research community within South Africa and the African continent.

6. Ethical Standards

6.1 Responsibility

Commission members will provide oversight to ensure that employees who exercise a function that has been delegated to them carry out the fiduciary duty that they have:

- To exercise the utmost care in protecting the assets and records of the FFC;
- To act with fidelity, honesty and integrity and in the best interests of the FFC in managing the FFC;
- To comply with all other legal obligations when performing these functions.

6.2 Research Ethics

All research conducted by or on behalf of the FFC must uphold the highest ethical standards including:

- respect and protection of confidentiality
- transparency,
- scientific and academic professionalism,
- accountability and responsibility;

The Commission will adopt, and revise from time to time, on the advice of the FFC Research Committee, a detailed Code of Research Ethics which is binding upon all FFC employees who undertake research activities. It is the responsibility of the relevant FFC employees to ensure that persons or organisations who undertake research in collaboration with the FFC comply with acceptable ethical research standards in such collaborative work.

6.3 Business Ethics

All decisions concerning the conduct of business by or on behalf of the FFC must be made in an ethical manner consistent with this Code. These principles apply to situations in which the FFC seeks to obtain revenue-

generating work as well as in its conduct towards suppliers and other persons doing business with the FFC.

6.4 Conflicts of Interest

A conflict of interest may occur in any situation in which an employee or Commission member has a personal interest, which may interfere with his or her objectivity in performing duties on behalf of the FFC. It is the responsibility of individual Commission members and employees to disclose potential conflicts of interest. Any conflict of interest that is disclosed must be recorded.

Commission members:

- Must disclose any direct or indirect financial interest that they may have in respect of any matter being considered by the Commission
- Subject to any decision by the Commission, must recuse themselves from decision-making and voting where a conflict of interest compromises their position
- Must not utilise information that they have obtained as a result of their service on the Commission and that is not available to the public, to further their private interests or the interests of any other organisation with which they may be affiliated;

Managers or other employees:

- Must not hold financial interests that conflict with the conscientious performance of their duties;
- Must not utilise information that they have obtained as a result of their work and that is not available to the public, to further their private interests or the interests of any other organisation with which they may be affiliated;

- Must disclose any interest that they have, or that a family member, or other person with whom they are closely connected has, in any entity that wishes to engage in any activity or transaction with the FFC;
- Must not receive any benefit from any person as an inducement for obtaining work or business from the FFC and must declare any gift received in connection with FFC work or business in accordance with FFC policy;
- Must not participate in making any decision on a matter in respect of which they may have a conflict of interest or a potential conflict of interest;
- Must not undertake any work for personal income, unless such work has been expressly authorised at the appropriate level of management and unless undertaking such work does not constitute a conflict of interest;
- Must bring any situation in which a conflict of interest may have influenced decision-making to the attention of the appropriate level of management.

The FFC will maintain:

- A register of interests of Commission members and of employees that have been disclosed;
- A set of procedures to facilitate the identification of conflicts of interest.

7. Implementation

7.1 The ethical values and standards set out in this Code and the other Codes adopted by the FFC reflect the constitutional and legislative framework within which the FFC operates. Compliance with these ethical values and standards is therefore an ethical and legal obligation on Commission members and employees.

- 7.2 All Commission members must endorse and subscribe to the ethical values and standards set out in this Code. It is the responsibility of Commission to review, and when appropriate, revise the Code. The review of the Code will include a process of consultation with employees of the FFC.
- 7.3 All FFC staff will, after a process of consultation, be asked to indicate their commitment to this Code.
- 7.4 All new Commission members and employees will be given orientation and induction into the FFC's ethical values and standards and into compliance with this Code of Ethics. Compliance with the Code of Ethics will be a term of employment for all new employees.
- 7.5 It is the responsibility of management to ensure that:
- ethical considerations are taken into account in decision-making for which they are responsible,
 - all employees are familiar with, and cognisant of, their ethical obligations as employees of the FFC.
- 7.6 Any person who becomes aware of conduct by an FFC Commission member or employee that may breach this Code or any other FFC policy or procedure has a duty to bring this to the attention of the appropriate level of management. This includes any situation in which any third party has improperly sought to obtain work from or do business with the FFC;
- 7.7 Employees have the right and duty to seek guidance from their superiors about the application and interpretation of the applicable ethical values and standards. For example, any employee who is uncertain as to whether he or she has a potential conflict of interest in respect of a decision is entitled to request guidance from management. Any such request for assistance will be treated as confidential.

- 7.8 Employees have the right and duty to raise concerns about the content or application of this Code or any other document prescribing acceptable standards of conduct within the FFC. These may be raised with management and, if they cannot be resolved, may be dealt with in accordance with the applicable grievance procedure

8. Sanctions

- 8.1 Any breach or suspected breach of ethical standards by an employee will be dealt with in accordance with the applicable disciplinary policies and procedures.
- 8.2 It is the responsibility of the Commission to bring any breach of ethical standards by a Commission member to the attention of the President of the Republic of South Africa through the offices of the Minister of Finance.
- 8.3 The FFC will not conclude contracts or collaborate with any third party that has sought in any sphere of activity to improperly influence day-to-day activities and decision-making within the FFC.