Enhancing Professionalization of Human Resource Management in the Public Service in Africa


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PRESENTATION

ETHICS, ACCOUNTABILITY, TRANSPARENCY, INTEGRITY AND PROFESSIONALISM IN THE PUBLIC SERVICE: THE CASE OF UGANDA

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Abstract
Scandals involving public officials have often captured world attention. Most of these scandals are as a result of the deteriorating ethical behaviours of the public officials who have indulged themselves into all sorts of malpractices. There is therefore a genuine demand that public sector institutions should strengthen ethics, integrity, transparency, accountability and professionalism, in order to protect public resources and enhance public sector performance. This paper discusses the concepts of ethics, accountability, transparency, integrity and professionalism in the public service. It further attempts to discuss some practices and behaviours which undermine the ethical behaviours of public servants by putting special emphasis on corruption, conflict of interest and human resource management malpractices. It also discusses the measures which can be taken to reduce the malpractices. Specifically, the paper discusses the Uganda situation with regard to ethics, accountability, transparency, integrity and professionalism in the Country’s public service. It notes that although the current Uganda government has attempted to put in place a number of institutional measures to combat evils like corruption, the success of such measures will largely depend on the serious implementation and enforcement mechanisms which the government must put in place.

Introduction
Since Northcote – Trevelyan laid down the foundations of the modern civil service in the mid-nineteenth century, a concern with establishing the ground rules for public servants and ensuring that they conform with a core set of standards in their everyday behaviour has been a perennial theme in public administration (Pratchett, 1999). As observed by Sakr Ashour (2004), a consensus has developed world-wide over the importance of reforming public sector institutions to strengthen ethics,
integrity, transparency, accountability and professionalism and to prevent and combat corruption. Such reforms are crucial to protecting public resources, enhancing public sector performance, and strengthening the government’s role in orchestrating development and providing basic services, indeed there is a greater awareness of the need for ethics, accountability, transparency, integrity and professionalism in public life today. According to the study carried out by the United Nations Department of Economic and Social Affairs...... (UN DESA, 2001) in 10 African countries, this realization has been supported by the emergence of a consensus that good governance and sound public administration underpin sustainable development. The impact of unethical and criminal practices in the public service is unsupportable in the development of nations, resulting in the loss of confidence in public institutions and the erosion of the rule of law itself. Furthermore, the notions of ethics and accountability according to Ayee (1998) have become more critical in public administration, because of the continued public sector institutional failing that are attributed to public servants’ lack of moral values, which in turn, are associated with weak values and weak administrative systems. It is now a general reality that the quest of the public for responsibility and accountability in government has been stimulated in most democratic states (Kuye and Mafunisa, 2003). Some of these have been triggered by events involving politicians and bureaucrats.

Understanding the Concepts: Ethics, Accountability, Transparency, Integrity and Professionalism.
Strictly speaking, the above concepts are interrelated and although attempts can be made to define each of them independently, the sum total shows that there are no clear – cut boundaries between them. Therefore the existence or lack of any of them will either positively or negatively impact on the other. This automatically implies that a well-balanced public servant in terms of performance and respect must possess and/or put all of them in practice.

Ethics
There is no universally agreed definition of the term “ethics” (Ayee, 1998). The question of ethics is one that is linked to the history of mankind. Ethics deals with the character and conduct of morals of human beings. It deals with good or bad, right or wrong behaviour; it evaluates conduct against some absolute criteria and puts negative or positive values on it (Hanekom, 1984). Similarly, Chapman (1993) defines ethics as the basic principles of the right action and rules of conduct. These criteria can be in writing
(legislation, circulars, Standing orders etc) or merely the interpretation by an individual of what is acceptable and what is not. The Charter for the Public Service in Africa refers to ethics as “the standards which guide the behaviours and actions of personnel in public institutions” Article 22 of this Charter further provides ethics to mean a sound culture based on ethical values and principles. Such values and principles according to the Charter include: efficiency, professional discipline, dignity, equity, impartiality, fairness, public – spiritedness and courtesy in the discharge of duties. Therefore public service ethics are broad norms that delineate how public servants – as agents of the state and, where applicable, as members of an established profession such as accounting, law, human resource management, etc should exercise judgement and discretion in carrying out their official duties (UNDESA, 2000)

**Accountability**

Although accountability is widely believed to be a good thing, the concept is highly abstract and it is often used in a very general way (Hulme and Sanderatne, 2008). A typical definition is that accountability concerns the processes by which “those who exercise power whether as governments, as elected representatives or as appointed officials, must be able to show that they have exercised their powers and discharged their duties properly”

Fox Meyer (1995) defines accountability as the “responsibility of government and its agents towards the public to achieve previously set objectives and to account for them in public” It is also regarded as a commitment required from public officials individually and collectively to accept public responsibility for their own action and inaction. In this case, the burden of accountability rests on each public functionary to act in the public interest and according to his/her conscience, with solutions for every matter based on professionalism and participation.

Accountability in the public sector is broader than in the private sector (Ole Ingstrup and Crookall, 1998). In the private sector, every one in the company is accountable to its board. The public sector is also accountable to a board of sorts: the minister, cabinet and legislature. But the public sector has additional accountability to its employees and to its customers, the citizens who use the services – as well as to its non – customers, the
citizens who don’t use the service. It is a different kind of accountability, more subtle and indirect. Therefore, in general accountability for performance and the obligation that public functionaries (elected and appointed officials) have to give a satisfactory explanation over the exercise of power, authority and resources entrusted in them on behalf of the public (tax payer). Subsumed with this definition is a myriad of legal, oral and ethical obligations that come with the occupancy of any public office (Sarji, 1995).

In short, it is the obligation to carry out assigned activities in a responsible and responsive manner, and being held answerable for success or failure. As such when we talk about “accountability” in the public service, we can not but consider the question of bureaucratic responsibility. Internal accountability means that at each level in the hierarchical organization, public officials are accountable to those who supervise and control their work. On the other hand, external accountability means answerability for action carried out and performance achieved to other relevant and concerned authorities outside his/her department or organization. Accountability is therefore an ethical virtue, since ethics concern principles and rules that govern the moral value of people’s behaviour. Improving ethics is crucial to enhancing accountability and vice-versa.

**Transparency**

Generally, “transparency” implies openness, communication and accountability. It is a metaphorical extension of the meaning a “transparent” object is one that can be seen through. With regard to the public services, it means that holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest demands it (Chapman, 2000). Radical transparency in management demands that all decision making should be carried out publicly. All draft documents, all arguments for and against a proposal, the decision about the decision making process itself, and all final decisions, are made publicly and remain publicly archived. Article 12 of the Charter for the Public Service in Africa demands that:

“Administrative decisions shall always be taken in accordance with transparent, simple and understandable procedures, while ensuring accountability.”
All administrative units shall make available all the necessary information on acts and procedures in their respective domains, as well as the information required to assess their management, with a view to enabling those interested to have full access.

The administration shall inform the person concerned of any decision taken concerning him/her, should he/she decide to challenge the decision.

The administration shall establish or strengthen reception and information units for users in order to assist in gaining access to services and recording their views, suggestions or complaints.

Transparency therefore promotes accountability and provides information for citizens about what their government and its agents are doing.

**Integrity**

Integrity is one of the most important and oft-cited of virtue terms. The concept of integrity has to do with perceived consistency of actions, values, methods, measures, principles, expectations and outcome. When used as a virtue term, “integrity” refers to a quality of a person’s character. Some people see integrity as the quality of having a sense of honesty and truthfulness in regard to the motivations for one’s actions. Persons of integrity do not just act consistently with their endorsements, they stand for something: they stand up for their best judgement within a community of people trying to discover what in life is worth doing. Some commentators stress the idea of integrity as personal honesty: acting according to one’s beliefs and values at all times. Speaking about integrity can emphasize the “wholeness” or “intactness” of a moral stance or attitude. Some of the wholeness may also emphasize commitment and authenticity. In the context of accountability, integrity serves as a measure of willingness to adjust value system to maintain or improve its consistency when an expected result appears incongruent with observed outcome. Some regard integrity as a virtue in that they see accountability and moral responsibility as necessary tools for maintaining such consistency.

Halfon (1989) offers a different way of defining integrity in terms of moral purpose. Halfon describes integrity in terms of a person’s dedication to the pursuit of a moral life and their intellectual responsibility in seeking to understand the demands of such life. He writes that persons of integrity:
“........embrace a moral point of view that urges them to be conceptually clear, logically consistent, appraised of relevant empirical evidence, and careful about acknowledging as well as weighing relevant moral considerations. Persons of integrity impose these restrictions on themselves since they are concerned, not simply with taking any moral position, but with pursuing a commitment to do what is best”.

As Carter (1906) has stated, integrity requires three steps:

i. Discerning what is right and what is wrong

ii. Acting on what you have discerned, even at personal cost; and

iii. Saying openly that you are acting on your understanding of right from wrong.

**Professionalism**

Within the context of this paper, public service professionalism is defined as the over all value that encompasses all other values that guide the public service. They include loyalty, neutrality, transparency, diligence, punctuality, effectiveness, impartiality, and other values that may be specific to the public services of individual countries (UNDESA, 2000). Public Service Professionalism embraces the notion that those people who join the Public Service need to be inculcated with shared values and trained in basic skills to professionally carry out their official duties. This is in accordance with Article 21 of the Charter for the Public Service in Africa which states that:

“Professionalism manifests itself in the public service employee’s behaviour at work and in his/her constant effort to improve, reinforce and update his/her knowledge, refine the skills that are necessary for carrying out his/her tasks and enhancing his/her output and productivity”.

The rationale behind professionalism is that public servants should be neutral, impartial, fair, competent and serve the public interest in carrying out their duties. They should be top people who are fairly remunerated and adequately trained to perform their work.
According to Sarji (1995), professionalism, in a sense means excellent work culture, and in a benign sense, is an internalized duty to do well. It is a kind of performance ethic, close to a noble calling, by which professionals simply are called to do their best, for anything less would be embarrassing to them. It is an ingrained pride in performance. He adds that professionalism is adherence to a set of normative and behavioral expectations usually embodied in a code of ethics.

**Practices and Behaviours Undermining Ethics, Accountability, Transparency, Integrity and Professionalism**

The undermining practices and behaviours are many but this paper emphasizes the following:

i. Corruption

ii. Conflict of interest and

iii. Human resource management malpractices.

**Corruption**

Corruption threatens the economic and political fortunes of developing countries the most. Bribery, conflict of interest, and illegal deals impose heavy costs on the economy while distorting development policies and undermining confidence in public institutions. Broadly defined, corruption is the abuse of entrusted power for personal gain (Cipe, 2008). However, three specific conditions must apply for an act to be considered corrupt:

i. The arm’s – length principle is violated. The two parties in a transaction display bias for working with each other that is inconsistent with impartial treatment.

ii. The bias, or conflict of interest must be intentional.

iii. There must be some advantage for both parties to commit this violation. This advantage need not be monetary in nature; it could involve favouritism or non – monetary gifts.

Corruption is one of the most serious unethical practices that undermine trust and confidence of public officials. Public confidence can only be reclaimed by establishing a reputation of integrity. Both business and society bear the costs of corruption through:
i. **Resource Misallocation** – Resources that could be put to productive uses are instead devoted to corruption. Firms waste time and resources on rent-seeking – cultivating relationships with officials and spending on bribes. Officials make biased decisions (e.g. in investment) that do not serve the public interest, and taxpayers swallow the cost.

ii. **Lower investment** – Foreign and domestic investors are scared off by unpredictable costs. Rampant corruption signals to potential investors that the rule of law, and thus property rights, are very weak in the country, making an investment there a risky proposition. Lower investment means lower growth.

iii. **Reduction in competition, efficiency and innovation** – Rent-seeking means that favoured companies do not compete on market signals alone, while new firms face high barriers to entry. Consumers end up paying in terms of higher prices, lower quality, and limited product offerings.

iv. **Unresponsive policies and poor administration** – Law makers in corrupt systems use their powers to help rent-seekers, not citizenry as a whole. Bureaucrats are not held accountable for their performance and actually have incentives to delay services in order to extract bribes.

v. **Exacerbated poverty** – Corruption lowers the income potential of the poor because there are fewer private sector opportunities. It also limits their access to quality public services such as health care and education.

**Causes of corruption**

Corruption has multiple roots, but generally can be attributed to the poor design of institutions (Cipe, 2008). Some of the deepest roots include the following:

i. **Unclear, complex, and frequently changing laws and regulations** – when laws are contradictory or require heavy interpretation, the discretionary power of officials is amplified, increasing the risk that they will make arbitrary, self-serving decisions. When laws are unpredictable, entrepreneurs do not know their rights and obligations, so they can not comply fully nor defend themselves for example against illegal inspections. Corruption then becomes a means to circumvent inefficiency and arbitrary official actions.
ii. **Lack of transparency and accountability** – when deals are made behind closed doors, it becomes impossible to assess the criteria behind decisions, whether they serve public interest and respect the law. If violators on both the public and private sides conceal their transactions, they escape being accountable.

iii. **Low public service salaries** – when officials cannot meet what they perceive as their daily needs through their salaries, they resort to corruption to supplement their income. However, simply raising the wages of officials will not curb corruption so long as opportunities to abuse the system persist.

iv. **Inadequate, inconsistent, and unfair enforcement of laws and regulations** – Even if laws to combat corruption are on the books, lax enforcement can invite abuse. A weak justice system, low penalties, and high cost of compliance will render laws ineffective.

**Conflict of Interest**

A conflict of interest situation arises when the personal interest of an employee is in conflict with his/her official position. This means that the private interest of the employee will lead him to discharge his duties in ways that may not be in the best interest of the organization. According to Williams (1985) conflict of interest denotes “a situation in which an employee has a private financial interest sufficient to influence, or appear to influence, the exercise of his/her public duties and responsibilities”. A primary reason for concern about conflicts of interest is that they reduce public trust and confidence in the integrity and impartiality of public functionaries. In this respect, the appearance of conflict of interest can be damaging as an actual conflict (Kernaghan and Langford, 1990). Conflict of interest leads to divided loyalty and in its most serious forum could result in corruption.

The following examples are some conflict of interest situations that an employee of a public body may encounter:

- Giving advice on the strategy of bidding for a tender and contract when he/she is involved in the tendering exercise.
- Having undeclared financial interests in suppliers and contractors that do business with the public body.
Offering assistance secretly to the public body’s competitor through taking on part–time employment or consultancy service
Supplying references for a candidate when he himself is involved in the examination or recommitment process.
Undertaking negotiations with a company in which he, a relative or a close friend holds shares.

Human resource management (HRM) Malpractices
Inappropriate human resource (HR) practices and policies in the public service can actively contribute to malpractices which threaten professionalism, ethical behaviours and transparency. The following are some of the institutional deficiencies in the HRM system that gives rise to malpractices (Sakr Ashour, 2004)

- Failing to state and enforce basic ethical/integrity principles in the overall HRM strategy and policies leaves HRM void of ethical/integrity direction.
- Failing to outline and enforce limits on political and personal influences, thus safeguarding transparency, allows such influences to penetrate into the HRM decisions.
- The absence of clearly stated and enforced policies to promote professionalism in HRM allows the whole system to be vulnerable to malpractices and corruption; and
- A lack of a code of ethics, guiding and enforcing the standards of HRM units and employees can lead to a lack of accountability.

Indeed the implications of the above deficiencies are obvious. A lack of direction for integrity in the overall HRM strategy and policy, and the resulting weakened state of professionalism would be reflected in various HRM functions (e.g. planning, recruitment, selection, promotions, rewards, corruption of the payroll leading to ghost workers and a cost to government, etc. Under these conditions, Sakr Ashour (2004) asserts that deteriorated efficiency, lowered performance, lack of fairness and spread of corruption and spoils – sharing among HRM staff and other public servants risk becoming common.

Measures to reduce malpractices
It is common knowledge that the public service which is entrusted with guarding public resources and executing decisions on behalf of the executive arm of government, plays an indispensable role in the development and governance of a nation. As such it must have in
place a system of measures to create an environment of promoting ethics, accountability, integrity, transparency and professionalism.

**Induction**

The public service core values and standards can not have much effect on the behaviour of government employees unless they are effectively communicated and information about them is disseminated. The most popular method of communicating values and standards seems to be induction training when someone joins the public service. Unfortunately, very often induction programmes are poorly conducted. The responses from the UNDESA (2001) study carried out in 10 African countries revealed that, first values and standards are insufficiently communicated after basic induction training of the public servants. And second, the prevention of corruption or even inadvertent violation of standards has not been given proper attention through ethics advice or counseling. According to the UNDESA (2001) survey, the most frequently named values which should be inculcated among public servants are the clusters around: disinterestedness/impartiality/neutrality and honesty/integrity/professional ethics. Other values cited include: accuracy, accessibility, courage, culture of peace, decency, development – oriented, discipline, economy, effectiveness, financial security, good human resource management, honourability, leadership, meritocracy, obedience, punctuality, responsiveness, sense of reality and timeliness.

**Integrity Strategy and Procedures**

In order to manage the conduct of public servants, it entails having in place – among other systems – an overall national integrity strategy, sound human resource management practices, and comprehensive disclosure procedures. The UNDESA (2001) survey observed that although some African countries espouse a national integrity strategy or espouse a national integrity strategy or broad ethics or un corruption policies, few seem to have coordinating strategies in place.

Similarly, measures for guiding and managing the behaviours of government employees require enforcement procedures to be effective. The government as the employer, must have a way of enforcing minimal standards, not only to punish violations but also to serve as a deterrent for other contemplating similar actions. Essentially, managing the conduct of public servants means being able to monitor their behaviour and being able to detect any
systematic failures that allow high degrees of misconduct in order to take prompt remedial action.

**Oversight Agencies**

Several governments have put in place various independent oversight agencies such as the Ombudsmen, Inspectors General, Auditors General, Public Accounts Committees (PAC) of Parliament etc. Such institutions help in monitoring the ethical behaviours of the public servants. They however need to have the institutional capacities to carry out their mandates. Unfortunately, most often than not, such institutions have complained of being underfunded and understaffed, among other hardship that confront them.

**Human Resource Management**

Fair and transparent HR policies and practices are the foundations of creating a professional and ethical public service. HRM, through upholding the merit principle in recruitment and promotions, transparency in the selection process, sound performance management and setting a good example by managers – plays a key role in creating an ethical environment. Further, well – articulated and fair HR policies on appropriate remuneration, training opportunities, disciplinary procedures and the like if implemented and enforced will promote a culture of professionalism and pride.

**The Uganda Case**

There is abundant literature testifying the fact that in the 1960s and 1970s the Uganda Public Service was characterized by a strong and strict adherence to the code of conduct (standing orders) which had been inculcated by the colonial state (Langseth 1996). The Westminster model inherited by Uganda at independence in 1962 was based on the principle of meritocracy or career of the open talent. Civil servants were recruited by open competition regardless of class, ethnicity, race, sex or religion, promotion was based on merit and performance which was determined through confidential annual reports on all civil servants.

Honesty, integrity, patriotism, incorruptibility and dedication to duty were the underlying pillars of the Westminster civil service model (Mugaju, 1996). Ethics and morals of public officials were regularly monitored through surveillance reports, and since
remuneration levels were largely satisfactory, public servants served the public meticulously (National Integrity Survey, 2008).

The 1970s saw a military government in Uganda and subsequent expulsion of Asians who were the backbone of industrial and economic activity. The result was the ‘dearth” of economic infrastructure, dwindling production, scarcity of essential commodities and unprecedented inflation. This culminated into smuggling and emergence of black market marking the birth of the “magendo” (speculative) economy and collapse of the public service as an institution. Smuggling and black marketeering became lucrative while public service salaries were ridiculed. The result was degeneration of morals, loss of values, emergence of greed and loss of accountability in the public service. Deviant conduct including thefts and embezzlement became the order of the day and public servants strived to eke out a living. Such deviant behaviours were in form of embezzlement, diversion of resources, directly demanding for bribes and earning illegally that entrenched corruption in the public service system leading non – observance of ethics and integrity (National Integrity Survey, 2008).

The current National Resistance Movement (NRM) government has attempted to put in place a number of institutions and measures to combat corruption. Prominent among these include: The Inspectorate of Government established by Article 223 of the 1995 Constitution of the Republic of Uganda; Directorate of Ethics and Integrity; The Auditor General (Article 163); Directorate of Public Prosecution; Public Accounts Committee but still government faces challenge of degenerating morals and high prevalence of corruption in the public service. Recently, the Ministry of Public Service introduced a Code of Conduct for the Uganda Public Service which sets out the standards of behaviour for Uganda’s public servants. It was also designed to ensure the impartiality, objectivity, transparency, integrity, efficiency and effectiveness of public officers when performing their duties. This is a welcome development whose success will however largely depend on the serious implementation and enforcement measures which the government must put in place. Public servants must also realize that their ethical behaviours is a cornerstone to national development.
Corruption as a major unethical practice in Uganda has remained the major challenge in not only ensuring that public resources are utilized efficiently and prudently for the benefit of all Ugandans but most importantly in achieving the Millenium Development Goals (MDGs). The Global Integrity (March 2009) reported that Uganda loses US $ 259 million a year through corruption and procurement. Global Integrity further reports that in the assessment of the country’s Auditor General, procurement accounts for 70% of public spending, of which 20% is lost via dishonest practices of government officials responsible for public funds (http://www.commons.globalintegrity.org). There have been tangible progress in establishing the required legal institutional framework to counter corruption. But as pointed out by Transparency International (2009) these efforts have yielded limited results. What is more worrying is the fact that in Uganda the demand for and payment of bribes are no longer secrets. People seem to glorify those who acquire wealth through graft while they ridicule those who uphold principles of integrity and moral values which shows that corruption is becoming an acceptable way of life (National Integrity Survey Report, 2008).

In addition to corruption in human resource management, the Uganda Inspectorate of Government Survey (2008) investigated the different administrative injustices prevalent in public institutions. The most prevalent forms included unfair allocation of works, unfair disciplinary actions, inadequate staff resulting in failure to confirm staff; and victimization of junior staff by their seniors. Other vices were unfair transfers and polarization of staff by senior management through cliques. All these malpractices are indicators that the ethics, integrity, transparency and professionalism still show some negative gaps in the Uganda Public Service.

**Conclusion**

It is rather disappointing that scandals involving public officials are common in most African governments. People are debating and complaining about outright corruption, lack of ethics, transparency, integrity and unprofessional behaviour in government. In these discussions, the public does not distinguish among those in government, whether they are elected political leaders or career public servants. In public perception, all are tainted by the same brush of guilt or indolence. This has to change if the citizens and the general public have to regain confidence in the public service institution. It is also important to
realize that the war against corruption, an evil that threatens and weakens public officials’ ethics and integrity, cannot succeed if the community has come to accept it as a way of life. Therefore public awareness needs to be aroused about the evils of corruption and its implications to the economic and social structures of society.

In order to improve the ethics, integrity, transparency, accountability and professionalism in the public service, the following summarized recommendations, several of which have been suggested by UNDESA (2001) should be considered by the relevant governments of Africa:

- Uphold merit or professionalism
- Enforce public service regulations
- Improve remuneration
- Improve transparency in recruitment and other HR policies
- Strengthen ethics or anti-corruption legislations
- Implement Codes of Conduct
- Improve the induction programmes
- Verify or make public disclosures of conflict of interest
- Give more resources and independence to investigating agencies
- Prosecute corrupt acts.

When the majority of the above recommendations are implemented and enforced, governments in Africa will once again regain glorified and well performing public administration systems which some people tend to believe that such systems were also “liberated” with the departure of colonialism.
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