



***PROMOTING ETHICS AND
PROFESSIONALISM IN
THE
NAMIBIAN PUBLIC SERVICE***

**FOR THE WORKSHOP ON STRATEGIES FOR MAINSTREAMING
PROFESSIONALISM AND ETHICS IN THE AFRICAN PUBLIC SERVICE
ADDIS ABABA, ETHIOPIA
01- 03 DECEMBER 2004**

**PRESENTATION BY GEORGE SIMATAA,
UNDER SECRETARY: DEPARTMENT PUBLIC
SERVICE MANAGEMENT,
OFFICE THE PRIME MINISTER, NAMIBIA**

E-mail: gsimataa@opm.gov.na

Phone: +264 61 2873032

Fax: +264 61 225076

1. POSITIONING NAMIBIA

*“ A high performing Public Service must provide the best available advice to government; optimal social service delivery to the society and stimulating workplace for staff members. Forward-looking innovations and courageous leadership go hand in hand. Let’s be worthy of the onerous duties incumbent upon all us. **We are servants of the people and they demand change**”¹*

The 3rd Pan African Conference of Ministers of Civil Service (Windhoek) deliberated on the new challenges, new role and new perspectives of African Public Administration. It also examined ways and means of rehabilitating the role of Public Service, strengthening administrative systems to enable them to address and enhance ethical and professional standards.

Furthermore, the Conference also adopted the Charter of the Public Service in Africa which, in many respects, defines “a framework to guide the public services in Africa in taking such legislative, regulatory, technical and practical measures as may be required to create conditions for the proper functioning of the public service and improve the quality of service. The significance of the Prime Ministers statement in the introductory remarks is threefold:

- A commitment and political will towards improved service delivery
- Emphasizing the imperative of setting standards
- Actualizing governments promises

This gathering contemplates to draw our attention to **what** strategies can be adopted for Mainstreaming Professionalism and ethics in the African Public Service. Writers and Academics across the ideological spectrum have provided diverse definitions of conceptualizing Ethics and Professionalism, respectively. Perhaps it is important to briefly explain our understanding of these issues and their relevance in the context they are to be used. These definitions will thus guide the Namibian understanding of the issues in question, and the subsequent discourses.

Ethics and ethical behavior in the Namibian Public Service can best be defined as “ the science of moral character; where character refers to customs or habits of conduct: An ethical code is a set of rules prescribed by a higher authority to a specific homogenous group of employees (or to members of a social group), with the purpose of eliciting specific behaviour from them under specific circumstances”²

¹ Speech by the Right Honourable Prime Minister, Theo-Ben Gurirab to Pan African Ministers on 24 March 2003, Windhoek.

² Human Resources Management 1, Study Guide 2002: Polytechnic of Namibia. Unpublished

Based on this definition, the following could be said to be the general objectives of any ethical code:

- maintaining of **responsible conduct** by staff members;
- Promoting public confidence and trust in the integrity of staff members;
- Providing guidelines to staff members in their relationship with members of the public;
- Providing guidelines to staff members in the execution of discretionary powers they might have.

Ethics in the Public Service are based on rules and standards that spell out what is right and wrong (that is, moral) in official work, in the context of Namibia's political, economic, technological and social environment. The Public will judge a public servant by the way he or she behaves in terms of those ethics. Professionalism resides in how skillfully and how well a public servant performs his/her functions and duties.

It is our conviction that public sector professionalism can only be established from within the Public Service itself. This is why the training of staff members on issues of ethics and professionalism is at the heart of "delivering professionalism".

2. LEGISLATIVE FRAMEWORK

2.1 Public Service Act of 1995

The Public Service of Namibia established in terms of the Public Service Act, (Act 13 of 1995) is the administrative arm of Government dealing with policy formulation and evaluation as well as the execution of Government policy and directives. The Act obliges staff members in the Public Service not to "perform or engage himself or herself to perform remunerative work at any time outside his or her employment in the Public Service without permission from the authorities"³ The significance of this section is to curb private dealings by staff members outside their official duties that might easily lead to corruption. Staff members are thus encouraged to apply to the Prime Minister for approval to engage in such private practices in order to avoid possible conflict of interest.

The Act further makes provision for punitive measures and procedures in the event of staff members not performing to the required standards and principles.

³ Section 17 (1)(b) of the Public Service Act, 1995 (Act 13 of 1995).

2.2 **Public Service Commission Act, 1990 (Act 2 of 1990)**

The Public Service Commission was established in terms of chapter 13 (Article 113) of the Namibian Constitution, and the subsequent passing of the Public Service Commission Act, 1990 (Act 2 of 1990). This Act mandates the operations of the Commission in so as to advise the President and Government, amongst others, on issues that relates to remuneration, discipline, setting of standards and performance and conduct in the Public Service.⁴

The Public Service Act provides for both the recommendatory and advisory powers of the Commission. The Prime Minister approves various matters on the recommendation/advice of the Commission.

In addition to the functions of the Public Service Commission as articulated in the Constitution, the Public Service Act, the Public Service Commission Act, the Commission acts as an avenue of appeal for the public servants who have been aggrieved by unfair treatment. The Commission, therefore, serves as a check to possible abuse (corruption, nepotism or plain unreasonableness) by Government in the area of personnel management.

2.3 **Ombudsman Act, 1990 (Act 7 of 1990)**

Four distinct mandates can be identified from the provisions of the Constitution of the Republic of Namibia as well as the provisions of the Ombudsman Act (Act 7 of 1990). The four broad mandates are the following:

- Administrative Practices
- Human Rights
- Corruption
- Environment

The Ombudsman Act provides that the Ombudsman must receive complaints before it can act on a specific matter to investigate and to give the proper remedies. The public at large has to deal with government officials on a daily basis. There is a general expectation that such officials be fair, polite, sensitive, etc. towards a member of the public. It happens in specific cases that such an official departs from the standards that are expected from him or her. The general public needs protection against such officials, because the officials are at times put at places where they have been given certain powers. Such powers must be exercised fairly.

⁴ Public Service Commission Act, 1990 (Act 2 of 1990)

The Ombudsman has a duty to offer the necessary protection. The Ombudsman will carry out such an investigation and thereafter propose suitable remedies if the complaint is found to be true. The Ombudsman can negotiate or mediate between the parties as part of methods to resolve the problem. The Ombudsman can also make recommendations to the relevant Respondent Institutions to take action against an officer or to have the offending practices stopped. Should such a recommendation not be carried out by the Respondent Institution, the Ombudsman can approach the High Court, by way of an application to obtain an interdict for the enforcement of its recommendation to have the offending actions stopped or to have its recommendation implemented.⁵

2.4 **Anti- Corruption Act, 2003 (Act 8 of 2003)**

There is to be established an independent and impartial body known as the Anti-Corruption Commission.⁶ The functions of the Commission are:

- to receive or initiate and investigate allegations of corrupt practices;
- to consider whether investigation is needed in relation to an allegation and;
- to consult, co-operate and exchange information with appropriate bodies or authorities of other countries that are authorized to conduct inquiries or investigations in relation to corrupt practices;
- to investigate any conduct of a person employed by a public body or private body which in the opinion of the Commission may be connected with or conducive to corrupt practices, and to report thereon to an appropriate authority within the public or private body;
- to take measures for the prevention of corruption in public and private bodies.

2.5 **PSSR E.X: Public Service Code of Conduct**

This Code of Conduct provides guidance to staff members on the behaviour expected of them, both in their individual conduct and in their relationship with others. Compliance with the Code will help to enhance professional and ethical behaviour and maintain confidence in the Public Service. Non-compliance is dealt with in terms of the abovementioned provisions of the Public Service Act.

This Code of Conduct is informed by three main principles:

- staff members are to perform their duties with professionalism and integrity,

⁵ Ombudsman Act, 1990 (Act 7 of 1990)

⁶ Anti-Corruption Act, 2003 (Act 8 of 2003)

- fairness and equity are to be observed in official dealings with colleagues and members of the public;

real or apparent conflicts of interest are to be avoided.⁷

3. MAJOR SERVICE IMPROVEMENT INITIATIVES AIMED AT PROMOTING PROFESSIONALISM AND ETHICAL BEHAVIOUR IN THE PUBLIC SERVICE

The need for a principle-guided Public Service has spread throughout the African continent and has led to the adoption of the Charter for the Public Service in Africa at the Third Biennial Pan African Conference of Ministers of Civil Service in Windhoek during 2001. The main purpose of the Charter was to establish a common framework and principles for Public Services across Africa.

Our Constitution mandates the Government to promote the welfare of the people of Namibia and to ensure that every citizen has a right to fair and reasonable access to public facilities and services. As part of the process aimed at improving the quality of life of our people, government has embarked upon numerous Service Delivery Improvement Initiatives over the years having in mind the provision of a blueprint for a customer driven Public Service. For this purpose, the transformation of the administration is focused on two themes that will disseminate the message: “*we are here for you*” targeting the public and that “*together we can make a difference*” targeting the public servant.

Under the theme “*we are here for you*” the initiatives are aimed at transforming our Public Service through the provision of adequate and relevant information to the citizens. Most importantly, citizens will be aware of the services and standards that they can expect from various Government Offices, Ministries and Agencies. Similarly, under the theme “*together we can make a difference*” Namibian Public Servants are enabled to strengthen their professional capabilities and social consciousness through continuous training and providing them with relevant information required in their daily work.

The following are examples of our recent reform initiatives:

⁷ Public Service Staff Rule E. X. Public Service Code of Conduct

3.1 **Public Service Charters**

3.1.1 African and Namibian Public Service Charter

The Office of the Prime Minister has undertaken a number of Service Delivery Improvement initiatives to ensure that the principles of the African and Namibian Public Service Charters are implemented in all aspects. The Public Service Charter stipulates that public administration should adhere to a number of principles amongst others “*a high standard of professional ethics be promoted and maintained*”⁸

In order to achieve this, a holistic approach is been used to ensure that the principles of the Namibian Public Service Charter, Charter for Public Service in Africa and Customer Service Charters are popularized among the Public Servants and service recipients. This is done, among others, through a comprehensive media campaign aimed at raising awareness of public service improvement initiatives.

3.1.2 Customer Service Charter

The purpose of the Customer/Client Service Charter is to inform the clients/customers, stakeholders and the public in general about the types and standards of services a particular Ministry provides, the approach they use in the provision of those services, and the relationship they seek between themselves and their clients. The Charter also explains the avenues of communication with the Ministry, the client’s rights and obligations, and mechanisms for providing the Ministry with feedback about their services.

Through its Customer Service Charter Programme, the Government has gone a step further in its implementation of the Namibia Public service Charter by assisting all its Offices/Ministries/Agencies (O/M/A’s) in developing individual charters for each of the 58 major functional areas identified, where Government provides a service either directly or through its agencies. 37 customer service charters have been launched while the remainder is in progress.

Customer Service Charters are developed by the relevant line ministries and outlines their specific commitments on the delivery of

⁸ Public Service Charter

service and a complaints procedure. The process of developing these charters is slow as a result of the lack of resources and motivation. The significance of these Charters is that government express commitment and thus becomes answerable to recipients in the event of non-compliance.

3.2 **The Multimedia National Awareness Campaign**

A major campaign has been launched during 2004 with the following aims:

- Make people aware of the principles of the African and Namibian Charters
- Promote an understanding of their right to efficient and effective service;
- Popularize this as part of an African drive to improve services; and
- Encourage and motivate public servants to do better by way of feedback from the public on excellent or poor service.

The campaign's target groups are as follows:

- Public Service customers
- Visitors, tourist and business people;
- Policy makers and national, regional, local and traditional leaders;
- Teachers and caregivers
- Media practitioners; and
- Public servants themselves

The following outputs relate to this drive:

- Posters have been printed and distributed
- Information was again exhibited at trade shows
- The new Service Delivery Improvement Initiatives were launched by the Right Honourable Prime Minister on 23 June 2003, the Day of the Civil Service and Administration in Africa
- The two logos and their associated slogans, namely one for the public "We are here for you" and one for public servants "Together we can make a difference", have been developed and imprinted on T-shirts and caps in order to enhance awareness
- Visits to the 13 Regional Councils were undertaken, and the information disseminated was well received, and
- Civil society was addressed at a workshop organised by the Namibia Institute for Democracy (NiD) to spread the campaign messages.

3.3 **Government Service Directory**

This Directory was initiated to make Government Services more accessible to the public. The Directory specifies each type of service the Government renders, with the appropriate and up-to-date telephone and fax numbers alongside. The Directory forms part of Telecom Namibia's national telephone directory, complementing the so-called Green Papers entitled "Index to Ministry and Government Departments. It has been in circulation since 2003/2004.

The benefit of the Public Service Directory is that the public has easy access to all Government Services by way of direct telephone numbers corresponding to functional service areas. The information in the Directory is arranged according to services, rather than names of Ministries etc. For example, under a listing for "licences", one would find the relevant Government Department or Section with its contact details, if one wanted to apply for a fishing or firearm licences. This initiative aims to reduce the possibility of customers becoming frustrated at constantly being referred from one place to another.

3.4 **Customer Service Training**

The Government deemed it necessary to address the Charters principles through tailor-made training courses. The aim is to create an awareness of quality service delivery where the citizens of Namibia and all visitors to our country can be treated fairly and reasonably. The development of specific skills in relation to the content knowledge is the key to success. Therefore, the training is focused on balancing the knowledge and skill components within the training program. The Office of the Prime Minister is tasked with providing training that is aimed at achieving the ideals of the Customer Service Charter.

Further important interventions, which have a direct impact on the success of the multitude of integrated reforms aimed at professionalizing the Public Service of Namibia, are the Strategic Generic Training Programme (SGP) and the Training Network. Courses include:

- Induction Training
- Training of Trainers
- Customer Service Awareness
- Communication Skills
- Leadership and Management, Finance; and
- Strategic Management
- Handling difficult Customer
- Customers Rights

3.5 **E-Handbook**

The e-Handbook, containing basic information relevant to all staff members across all levels of the Public Service in a simple and readily accessible form on-line, was drafted in 2002. This initiative is a supplement to the Pocket Guide. It contains information in electronic form, about what a public servant should know about a public service.

3.6 **The Pocket Guide**

The Pocket Guide was drafted and submitted to the Cabinet Committee on Public Service for approval and was eventually launched in 2003. The guide helps staff members to quickly refer to information required by members of public or for their own reference. These initiatives are all aimed at: Providing an efficient, effective and Professional service to the Public.

3.7 **Performance Management System Project**

Performance Management is ultimately about triggering changes in the organizational behavior that results in improved performance. Much can be done at the organizational level, but most improvements rely eventually on upon individuals choosing to change the way they carry out their work within the organization. This case is built on the premises that all Public Service Reform Initiatives will not achieve much in the absence of a well design Performance Management System (PMS). The PMS Project was established with a mandate to develop a Framework and principles for piloting by 01 April 2004 and subsequent implementation by 01 April 2005.

The PMS Technical Team is currently busy reviewing the Performance Management Framework and Principles for possible implementation. Much needed funding has been solicited from the African Capacity Building Fund for implementation. Pilot testing of the project is now run in two Ministries, namely Ministry of Agriculture, Water and Rural Development and the Ministry of Labour.

3.8 **Performance and Effective Management Programme (PEMP)**

The following requirements by Cabinet⁹ in 1996 drove the development of the closely integrated development of the Performance and Effectiveness Management Programme (PEMP) and the Medium-term Expenditure Framework to –

⁹ Cabinet Action Letter 27th/10.09.96/013 – Annex A, paragraph 3 (vii)

- Work closely with the Ministry of Finance and the National Planning Commission.
- To set up and coordinate the linked process of departmental planning, objective setting and budgetary management.
- To link up with strategic planning.
- To provide for detail plans and objectives.

The final product should be a comprehensive system, which enables Government to judge, on the basis of detailed information, the performance of the Public Service in most areas and to decide on appropriate future action.

This culminated in the integration of the PEMP and the medium-term Expenditure Framework into the Medium-term Plan (MTP), programme-based budget process. The budgetary process has now been radically changed from having a structural, line-item basis, to one that is based on development objectives, programmes and data on performance outcomes, while taking into account the needs of the Second National Development Plan and Vision 2030. Allocation criteria are now centered on socio-economic needs (development objectives), outcome-based objectives and performance data within the financial ceilings set by Cabinet. It is encouraging to note that O/M/As' thinking on strategic planning has since shifted focus towards outcomes, and includes extended financial analyses that are programme-based and linked to the MTP.

The MTP document, complete with performance data, was published and presented to Parliament by the Honourable Minister of Finance on 24 March 2004 during her Budget Speech. This presentation also formally handed the PEMP over to the Ministry of Finance, as it is now an integrated component of the MTP budgetary process.

3.9 **Public Expenditure Tracking Survey (PETS) and Qualitative Service Delivery Survey (QSDS)**

In an effort to establish the real link between budget allocations and the actual quantity and quality of service delivered, Government has commissioned the Namibia Economic Policy Research Unit, an independent research organization to conduct the two- mentioned surveys. Two ministries are targeted through the survey, namely, Ministry of Health and Social Services and the Ministry of Basic Education, Sport and Culture.

Many Governments in Africa have made use of the PETS and QSDS to determine the efficiency of public spending. The tools are designed to identify problems with service delivery, its importance, how and why problems arise and how they can be addressed. Thus, they gather

quantitative data both on inputs and outputs from the service-providing unit. PETS are mostly used to assess leakages of public resources before reaching the intended beneficiaries, while QSDS focuses on the service facility and factors affecting quality of service, thus it is a measure of efficiency.

3.10 **National Integrity Promotion Programme (NIIP)**

Government is working closely with the private sector, research institutions and other stakeholders to constantly monitor the relevance of various policy instruments. The Namibia Economic Policy Research Unit was engaged to carry out a survey, as part of the governments National Integrity Promotion Programme (NIIP). The NIIP was aimed at:

- strengthening the National Integrity systems and raising awareness concerning corruption issues.
- to determine the level of awareness of national integrity and corruption issues
- to develop tools to assess satisfaction with service delivery of selected ministries, Home affairs and Health, in particular.
- commitment towards accountability, effectiveness; and transparency

The results of this survey project proved the following:

- public perception regarding accountability and transparency has increased,
- public services are rendered more effectively,
- more commitment from government required to combat corruption,
- broadening of Service Delivery, Advocacy Programmes; and
- increase in the level of Professionalism and ethical behaviour.

4. **POLICY EVALUATION AND MEASUREMENT**

“Governments should choose policies resulting in gains to society that exceed costs by the greatest amount, and governments should refrain from policies if costs are not exceeded by gains”¹⁰

Policy –making is a rational process where such policies/charters are aimed at achieving maximum social gain. In other words, a policy is rational when the difference between values it achieves and the values it sacrifices is positive and greater than any other policy alternative. Public Services are not a privilege in a civilized and democratic society: *they are a legitimate expectation*. Meeting the basic needs of all citizens is a key priority in the National Development Plans of Namibia. This means that all

¹⁰ Dye R. T. (1992). *Understanding Public Policy*. New Jersey: Englewood Cliffs. p30

citizens, within the context of fiscal constraints, must reorient government institutions to optimize access to their services and the fulfillment of competing needs.

The Office of the Secretary to Cabinet plays a vital role in the Management of the service improvement initiatives and to provide leadership to the different institutions. With regard to the charter programmes, there is certainly a need to establish a measurement programme that will ascertain the impact of Charters on service delivery improvements.

Surveys and Assessments by independent organizations will provide objective information of the condition of service delivery to the nation. Other avenues of rankings on economic forums and corruption index (es) provide an additional source of information on the impact and effectiveness of service delivery.

The Public service Act, provides for the Prime Minister to commission an inquiry into:

- efficient functioning of any office, ministry or agency
- the efficiency of any staff member.

Both external and internal assessments are the measurement instruments that will provide the necessary information on the success of reform initiatives. The Performance and Effective Management Programme (PEMP) and the Performance Management Project are critical instruments for both organization and employee performance assessment. While the PEMP put in place the necessary outcomes based focus, the PMS will manage the strategic input and output of individuals.

The Namibian Public Service prides itself in the transparent way in which services are rendered. Opinion/critique from stakeholders is constantly solicited to bring about the necessary changes, for improvement in delivering an ethics-driven public sector. The Namibia Chamber of Commerce and Industry (NCCI) suggest that government corporatise certain government agencies and generally, look for opportunities to work closely with the private sector. The significance of this relationship is to share new ways to achieve better outcomes for the provision of public services.

5. CONCLUSION

In the introductory remarks of this paper, mention was made of definitional issues with regard to Ethics and Professionalism. It was stated that high moral grounds, of which a true service-oriented public service would

originate, would guide the public service and servants. The same character it is believed, would bring about pride in the mindset of public servants in their dealings with members of the public and customers. Needless to say, it is the quality of our people that differentiate our public service.

Governments today are viewed as essential to a nation's development and prosperity. To hold public officials accountable for service delivery requires that the public be adequately informed about the level of service that they are entitled to. Moreover, the public must be reliably informed about the actual level of service delivery and the performance of individual departments and officials within the public sector.

Lastly, *declaration of intent is imperative*; in that way we open ourselves (perhaps invite) critique/advice to constantly strive towards improving both services and individual capacities to ultimately achieve the objectives set in various Charters. With regard to the implementation of the African Charter, among the critical actions we need to take is the need to widen support for the Charter among key Governance Institutions, ensure thorough consideration of how national administrative laws/ regulations relate to the African Charter; widely disseminate the Charter and popularize it on the continent; arrange sub-regional and regional conferences dealing with the imperatives of this conference and to provide much needed training. For African Public Services to prosper, individual countries need to prosper first.

"We are servants of the people and they demand change"

I THANK YOU