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**ELIAS MOTSOALEDI LOCAL  
MUNICIPALITY-MASEPALA WA SELEGAE**



**CODE OF CONDUCT FOR EMPLOYEES**

MUNICIPAL COUNCIL RESOLUTION NUMBER

M24/25-07

APPROVED AT THE COUNCIL MEETING OF 30 AUGUST 2024



## **1. SCOPE OF POLICY**

The terms of this Policy shall be observed in the Local Government Undertaking and in specific the Elias Motsoaledi Local Municipality of Groblersdal in the Republic of South Africa and by all employees who falls within the registered scope of the applicable Council.

## **2. OBJECTIVES**

To establish a standard set of rules and regulations for the entire Municipality whereby all employees will adhere to and to adopt such rules and regulations as a standard code of conduct for all employees.

## **3. PERIOD OF OPERATION**

This policy in respect of employee's conduct, rules and regulations will remain in force until it is amended and approved by Council. Schedule 2 of the Systems Act remains applicable.

## **4. DEFINITIONS**

All expressions used in this Policy, which are defined in the Labour Relations Act, 1995 and as amended, shall bear the same meaning as in the Act and unless the contrary intention appears, words importing the masculine gender shall include the feminine.

## **5. PURPOSE/INTENT OF POLICY**

The purpose of this policy is to establish a common and uniform procedure for the management of employee code of conduct (rules & regulations) and to replace all existing procedures and regulations in this regard. The code is an extract from the disciplinary procedure and is a product of collective bargaining and the application thereof is peremptory and is deemed to be a condition of service. The policy is taken from the guidelines set in the Collective Agreement on Disciplinary measures.

## **6. GENERAL CONDUCT**

- a) A staff member of a municipality must at all times loyally execute the lawful policies of the municipal council,
- b) perform the functions of office in good faith, diligently, honestly and in a transparent manner,
- c) act in such a way that the spirit, purport and objects of section 50 are promoted,
- d) act in the best way interest of the municipality and in such a way that the credibility and integrity of the municipality are no compromised and,
- e) act impartially and treat all people, including other staff members, equally without favour or prejudice.
- f) Commitment to serving the public interest

A staff member of a municipality is a public servant in a developmental system, and must accordingly- a)

- a) implement the provisions of section 50 (2),



- b) foster a culture of commitment to serving the public a collective sense of responsibility for performance in terms of standards and targets,
- c) promote and seek to implement the basic values and principles of public administration described in section 195 (1) of the Constitution,
- d) obtain copies of or information about municipality's integrated development plan, and as far as possible within the ambit of the staff members job description, seek to implement the objectives set out in the integrated development plan, and achieve the performance targets set for each performance indicator,
- e) participate in the overall performance management system for the municipality, as well as the staff member's individual performance appraisal and reward system, if such exists, in order to maximise the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents

## **7. PERSONAL GAIN**

1. A staff member of a municipality may not:
  - a) use the position or privileges of a staff member or confidential information obtained as a staff member, for private gain or to improperly benefit another person; or,
  - b) take a decision on behalf of the municipality concerning a matter in which that staff member, or that staff members spouse, partner or business associate has direct or indirect personal or private business interest.
2. Except with the prior consent or the council of a municipality a staff member of the municipality may not:
  - a) be a party to a contract for the provision of goods or services to the municipality, or
  - b) the performance of any work for the municipality otherwise than as a staff member.
  - c) obtain a financial interest in any business of the municipality; or
  - d) be engaged in any business, trade or profession other than the work of the municipality

## **8. DISCLOSURE OF BENEFITS**

1. A staff member of a municipality who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a 81 contract concluded with the municipality, must disclose in writing full particulars of the benefit to the council.
2. This item does not apply to a benefit which a staff member or a spouse, partner, business associate or close family member has or acquires in common with all other residents of the municipality.

## **9. UNAUTHORISED DISCLOSURE OF INFORMATION**



1. A staff member of the municipality may not without permission disclose any privileged or confidential information obtained as a staff member of a municipality to an unauthorised person.
  - a) For the purpose of item “privileged or confidential information” includes, any information determined by the municipal council or any structure or functionary of the municipality to be privileged or confidential,
  - b) discussed in closed session by the council or a committee of the council
  - c) disclosure of which would violate a person’s right to privacy: or,
  - d) declare to be privileged, confidential or secret in terms of any law,
2. This item does not derogate from a person’s right to access to information in terms of national legislation.

#### **10. UNDUE INFLUENCE**

1. A staff member of a municipality may not:
  - a) unduly influence or attempt to influence the council of the municipality or a structure or functionary of the council, or a councillor, with a view to obtaining any appointment, promotion, privilege, advantage, or benefit, or for a family member, friend or associate,
  - b) mislead or attempt to mislead the council, or a structure or functionary of the council in its consideration of any matter or,
  - c) be involved in a business venture with a councillor without the prior written consent of the council of the municipality.

#### **11. REWARDS, GIFTS AND FAVOURS**

1. A staff member of a municipality may not request, solicit or accept any reward, gift or favour for:
  - a. persuading the council of the municipality, or any structure or functionality of the council, with regard to the exercise of any power or the performance of any duty
  - b. making a representation to the council, or any structure or functionary of the council,
  - c. disclosing any privileged or confidential information: or,
  - d. doing or not doing anything within that staff members powers or duties.
2. A staff member must without delay report to a superior official or to the speaker of the council any offer which, if accepted by the staff member, would constitute a breach of sub-item (1)

#### **12. COUNCIL PROPERTY**

A staff member of a municipality may not use, take, acquire, or benefit from any property or asset owned, controlled or managed by the municipality to which that staff member has no right.

#### **13. PAYMENT OF AREARS**



A staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 3 months and a municipality may deduct any outstanding amounts from a staff member's salary after this period.

#### **14. PARTICIPATION IN ELECTIONS**

A staff member of a municipality may not participate in an election of the council of the municipality, other than in an official capacity or pursuant to any constitutional right.

#### **15. SEXUAL HARASSMENT**

A staff member of a municipality may not embark on any action, amounting to sexual harassment.

#### **16. REPORTING DUTY OF STAFF MEMBERS**

Whenever a staff member of a municipality has reasonable grounds for believing that there has been a breach of this code, the staff member must without delay report the matter to a superior officer or to the speaker of the council.

#### **17. BREACHES OF CODE**

Breaches of this code must be dealt with in terms of the disciplinary procedures of the municipality envisaged in section 67 (1)(h) of this Act.

#### **18. DISCIPLINARY STEPS**

A breach of this code is a ground for dismissal or other disciplinary steps against a staff member who has been found guilty of such a breach.

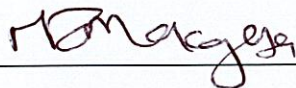
Such other disciplinary steps may include

- a) suspension without pay for no longer than 3 months;
- b) demotion
- c) transfer to another post
- d) reduction of salary, allowances or other benefits, or
- e) an appropriate fine.

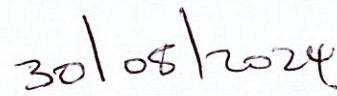
#### **19. POLICY REVIEW**

This Policy shall be reviewed as and when necessary

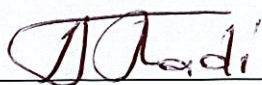
#### **20. SIGNATORIES**



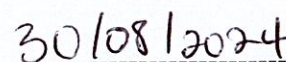
Ms. NR Makgata Pr Tech Eng  
Municipal Manager



Date



The Mayor  
Cllr. MD Tladi



Date