

The Use of the Code of Conduct as a Tool for Promoting Good Governance at the University of Fort Hare, South Africa

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ABSTRACT There has been an outcry from the civil society, media and public, in conjunction with a growing demand that the provincial government of Eastern Cape Province should prevent the delusion about code of conduct by the employees from becoming an all-consuming problem. Hence, the study assesses the impact of the code of conduct on promoting good governance at the University in the Eastern Cape Province in South Africa. The study adopts a descriptive survey research design. The simple random sampling technique was used to select ninety respondents. The experts in the faculty of Business Management and Administration validated the instrument, and Cronbach's alpha was used to measure its reliability. A little above eighty-two percent of the respondents agree that the code of conduct promoted good governance and 17.7 percent were uncertain. The results showed that the seventy-six percent of the respondents were aware and used the code of conduct. In conclusion, there are some areas, which have to be improved in order for the code of conduct to yield the results, which it was intended for.

INTRODUCTION

The values of integrity, transparency and accountability in public administrations have enjoyed resurgence within the past three decades or so. Sound public administration involves public trust. Citizens expect public servants to serve the public interest with fairness and to manage public resources properly on a daily basis. Fair and reliable public services and predictable decision-making inspire the public's trust and create a level playing field for businesses, thus contributing to well-functioning of markets and stimulating economic growth (Fry et al. 2011). However, there has been a significant increase in the reports of bribery, fraud, nepotism and systemic corruption that take place in the Department of Education in the Eastern Cape. Recently, these challenges have affected the University of Fort Hare. In the year 2012, five members of staff were suspended for soliciting bribes from parents and students to secure admission (Sifile 2012).

Rossouw and Van Vuuren (2006: 9) point out that people are influenced by their working environments. This therefore means that if unethical behavior is ignored, even individuals with good ethical values will eventually be corrupted. When ethical behavior is rewarded, corrupt or unethical can change for better. It is, therefore, imperative that an organization has mechanisms in place to manage behavior. The mecha-

nism used by most organizations in managing behavior, which has become compulsory in most countries, is the code of conduct. Schwartz (2004: 324) notes that most business companies in the United States are to report whether they have a code of conduct or not. If not, they have to explain why not.

In the light of all these, the study assesses the awareness and usage of the code of conduct as a tool for promoting good governance at the University of Fort Hare Eastern Cape, South Africa.

Statement of the Problem

According to Nagiah (2012: 3), corruption in the public sector is considered to be the most "important unethical behavior". However, Wisegeek (2013: 4) points out that the Department of Education in the Eastern Cape encounters a number of challenges such as bribery, fraud, nepotism and systemic corruption. Recently, these challenges have affected most universities in Eastern Cape. In the year 2012, five (5) members of staff of University of Fort Hare (non-academic) were suspended for soliciting bribes from parents and students to secure admission (Sifile 2012). The unethical admission of students results in a high failure of students as well as unnecessary protests. In the year 2013, University of Fort Hare was temporarily closed as a result of violent protests. There has been an

outcry from the civil society, media and public, in conjunction with a growing demand that the provincial government should prevent the delusion about code of conduct by the employees from becoming an all-consuming problem. Hence the need to investigate the impact of code of conduct on promoting good governance at University of Fort Hare

Purpose of Study

The main purpose of this study is to assess the impact of a code of conduct on promoting good governance at the University of Fort Hare in the Eastern Cape Province of South Africa.

Research Objectives

- ♦ To assess the structure of the code of conduct at the University of Fort Hare.
- ♦ To establish the level of awareness and impact of the code of conduct on staff members.
- ♦ To find out if the code of conduct promotes good governance in terms of accountability, transparency, effectiveness in the decision-making and the management of education in the university.

Research Questions

- ♦ What is the structure of the code of conduct at the University of Fort Hare?
- ♦ Is there any awareness of the code of conduct amongst the academic and non-academic staff at the University?
- ♦ Has the code of conduct promoted good governance in terms of accountability, transparency, effectiveness in the decision-making and the management of education at the university?

Factors Contributing to the Effectiveness of the Code of Conduct

There are several factors, which contribute to the effectiveness of code of conducts. Kapttein and Schwartz (2008: 119) point out that some of the factors, which are essential for the effectiveness of a code of conduct includes the inclusion of stakeholders (stakeholders includes employees, the customers, the government, pressure groups to mention but a few), organization-

al objectives, and the nature of the code of ethics. The stakeholders have a significant impact on the code of conduct since they have their own expectations from the business and its employees. In addition, the employees are the ones who will be guided by the regulations hence they should contribute to the drafting of the code of conduct. The employees are the most important elements in the preparation of the code of conduct. Therefore, employees should be included in drafting the code of conduct and also let them debate on some issues and if possible revise the code and provide training frequently (Kapttein and Schwartz 2008: 119).

The nature of the code of conduct includes aspects such as the objective, which the business wishes to achieve. There are two main categories of businesses, namely, the profit and non-profit making organizations. The two groups differ in the goals, which they wish to achieve such that they are either profit-oriented or service-oriented. Thus, the nature of the business affects the development of the code of conduct. In addition, every field of business (medicine, police, and academics) has got its own type of code of conduct (Nagiah 2012: 19). However, for a code of conduct to be effective, businesses should find the most suitable mechanisms of addressing and reporting the actual and potential offences of not complying with the contents of the code of conduct (Nagiah 2012: 53). A number of South African universities are using a concept commonly known as whistleblowing to alert and report or disclose any unethical conduct by the institution or colleagues (Rossouw and Van Vuren 2006: 183). Nagiah (2012: 53) suggests that employees should report all the steps taken for keeping abreast the code of conduct or else they will take the code of conduct for granted.

An Overview of the Contents of the Code of Conduct for the Public Service: Education Department

Since the focus of the study is to investigate on the code of conduct in a public university, this section discusses the contents of the code of conduct of the public service industry, focusing particularly on the code of conduct developed by the Department of Education in South Africa. The contents of the section are as explained in the public service code of conduct

Act of 1994 and amended in 1999 or otherwise stated.

Purpose

The major goal of the public service code of conduct of the department of education is to support and ensure ethical and good business conduct by all employees who work in the education department. The purpose of the code of ethics clearly highlights that the department of education attempts to promote and instill ethical behavior in all employees. The Act further states that employees may not engage in any activity that could create a negative perception regarding the integrity, respect for diversity, impartiality or reputation of the education department. All employees are obliged to comply with the contents of the code of conduct. In addition, the code acts as a guideline to employees as to what is expected of them from an ethical point of view, both in their individual conduct and in their relationship with others (internal and external). An employee in the education department will be in a relationship, which involves three parties, namely, the government, the public and other employees in the department. Thus, an employee has a mandate to carry out ethical obligations with all parties in the relationships. Some obligations, which the employee has towards all the parties as stated in the Act, are stated in the sub-sections below.

Relationship with Legislature and the Executive

- ♦ Is faithful to the Republic and honors the Constitution and abides thereby in the execution of her or his daily tasks;
- ♦ Puts the public interest first in the execution of her or his duties;
- ♦ Loyal executes the policies of the government of the day in the performance of her or his official duties as contained in all statutory and other prescripts and
- ♦ Strives to be familiar with and abides by all statutory and other instructions applicable to her or his conduct and duties.

Relationship with the Public

- ♦ Promotes the unity and wellbeing of the South African nation in performing her or his official duties;

- ♦ Will serve the public in an unbiased and impartial manner in order to create confidence in the public service and in particular, that of the Department of Education and,
- ♦ Is polite, helpful and reasonably accessible in her or his dealing with the public, at all times treating members of the public as customers who are entitled to receive high standards of service.

Relationships among Employees

- ♦ Cooperates fully with other employees to advance the public interest and in particular, that of Education;
- ♦ Executes all reasonable instructions by persons officially assigned to give them, provided these are not contrary to the provisions of the Constitution and/or any other law;
- ♦ Refrains from employing relatives who report directly to the employee or favoring relatives and friends in work-related activities and never abuses her or his authority or influences other employees, nor is influenced to abuse her or his authority and
- ♦ Deals fairly, professionally and equitably with other employees, irrespective of race, gender, ethnic or social origin, color, sexual orientation, age, disability, religion, political persuasion, conscience, belief, or language.

The duties discussed above in the public service Act are in line with the nature of code of conduct Act of 1994 which was amended in 1999. The Act also concludes by highlighting that the employee shall sign a declaration annually that they have read, are familiar with, understand and will conform to the contents of the code of conduct and also to ensure compliance. These are also the factors, which have been discussed as contributing to the effectiveness of the code of conduct. Despite the presence of the public service code of conduct Act, a number of scholars are of the view that the contents of the code are poorly defined to employees in the public service (Nagiah 2012: 53). Magahy and Pyman (2010: 75) conducted a study on 32 countries' defense ministries and armed forces and found that the contents of the codes lack clarity.

Concepts Related to the Code of Conduct

Gilman (2005: 4) points out that the concept of the 'code of conduct' is used in various con-

texts. The same researcher points out that the use of the code of conduct in various contexts creates confusion in understanding the concept of code of conduct. In order to create a better understanding, a definition of code of conduct provided in chapter two is restated. The International Federation of Accountants (2007: 5) defined the code of conduct as ‘the principles, values, standards, or rules of behavior that guide the decisions, procedures and systems of an organization in a way such that it, (a) contributes to the welfare of its key stakeholders, and (b) respects the rights of all constituents affected by its operations’. However, a number of people break down the components of the definition of the code of conduct into various concepts such as the principles, norms and values, standards, rules, ethical conduct and ethical to refer to the code of conduct (Disoloane 2012: 33). Scholars such as Disoloane (2012: 33) argue that the existence of numerous concepts, which are used in synonymous to code of ethics, creates confusion and ambiguity. The following subsequent sections discuss the various concepts, which create confusion in understanding the concept of ‘code of conduct’.

Values and Norms

Recently, a number of researchers and scholars have gained interest on the values and norms of public institutions (Disoloane 2012: 33). Steyn and Niemann (2008: 1) argue that organizations have to consider values and norms in order to maintain a good reputation. Hilliard and Ferreira (2001: 93) defined values as ethical standards, and entail deep emotional dedication to certain cognitive views of the value of objects normally relating to human activity. Mulki et al. (2008: 127) highlight that employees in various organizations use their personal values as a frame of ethical reference but also rely on cues received from coworkers and managers. The other important point raised by the trio is that using values as a frame of ethical reference. In other words, values play a critical role in deciding what is right or wrong behavior.

Mitchell and Scott (1990) point out that values are understood to have a significant influence on the emotional and behavioral responses of individuals or a group of people. The same researchers further point out these changing values is frequently evoked as explanations for a variety of social ills, employee problems in the workplace and a purported increase in unethical

business practices. O’Reilly and Chatman (1996) note that values at the organizational level form the major component of organizational culture and are frequently labeled as the critical of successful management of most organizations (Disoloane 2012: 33). The Treasury Board of Canada Secretariat (2008: 1) identified values, which have to be followed by the employees in the public sector. The values are democratic, professional, ethical, and people values. The aforementioned values should be incorporated in the everyday running of any public or private organization to achieve organizational goals.

RESEARCH METHODOLOGY

Research Design

The study adopted a descriptive survey research design to assess the use of the code of conduct as a tool for promoting good governance at the University of Fort Hare.

Population/Sample

The study covers the entire workforce at the University of Fort Hare. In studies of Stoker (1987) cited in Adu (2014) gave a guideline on the sample size in relation to population. The simple random sampling techniques was used to select ninety respondents

Validity and Reliability of Research Instrument

A structured questionnaire was used to elicit information from the respondents. The experts in the same field validated the instrument and Cronbach’s alpha was used to measure its reliability. The reliability coefficient is $r=0.81$.

Data Administration and Analyses

The structured questionnaire was administered to the respondents with the support of research assistants. The data collected was analyzed using descriptive statistics.

RESULTS AND DISCUSSION

The results of this study were basically from the outcome of the fieldwork with the questionnaire administered. Hence, the results presented in this section will follow a logical sequence as presented in the questionnaire.

General Information

The general information elicited from the respondents comprised of the gender of the respondent, educational qualifications of the respondent, department and position of the respondent.

Gender of Respondents

This questionnaire allowed the researcher to make general inferences on the gender of respondents, whether they were males or females. This also allowed the researcher to determine the gender balance of the respondents. The results on gender of responders are depicted in the Table 1.

Table 1: Gender according to respondents

<i>Gender</i>	<i>Percentage (%)</i>
Male	57.8
Female	42.2

The results in Table 1 show that 57.8 percent of the respondents who participated in the study were males and 42.2 percent were females. This shows that males dominated in the academia. The results are consistent with propositions found by Barkhuizen and Rothmann (2008: 324) who pointed out that male domination exists in the institutions of higher education.

Educational Qualifications of the Respondents

This question sought to assess the highest educational qualification of the respondents. The educational qualification assisted in understanding the respondents' level of awareness of the code of conduct. The results obtained are displayed in the Table 2.

Table 2: Respondent's educational qualification

<i>Educational qualification</i>	<i>Frequency</i>	<i>Percentage (%)</i>
PhD and above	22	24.4
Masters	28	31.1
Honours	6	6.7
Bachelor's	16	17.8
Diploma	12	13.3
Secondary school leaving certificate and below	6	6.7
Total	90	100

Source: Data Analysis October 2013

Table 2 depicts that respondents with a master's qualification were the highest with 28 (31.1%) respondents, followed by PhD and above with 22 (24.4%) and the least was metric and below with 6 (6.7%) respondents. Thus, the results show that the majority of the respondents 84 (93.3%) had qualifications equivalent to a metric certificate and above. The results are consistent with the results of a study conducted by Barkhuizen and Rothmann (2008: 324) who found that the majority respondents had a qualification grade 12 certificate and above.

Respective Faculty/Department of the Respondents

This question was asked to evaluate whether each faculty/department was represented in the survey. The results are in the in Table 3.

Table 3: Respondent's faculty/department

<i>Department</i>	<i>Frequency</i>	<i>Percentage (%)</i>
Administration	28	31.1
Education	14	15.6
Faculty of Law	2	2.2
Management and Commerce	24	26.7
Faculty of Agriculture	8	8.9
Social Sciences and Humanities	8	8.9
Transport Department	6	6.7
Total	90	100

Source: Data Analysis October 2013

The results in Table 3 shows that 31.1 percent of the respondents were from the administration department, 15.6 percent from the Faculty of Education, 2.2 percent from Faculty of Law, 26.7 percent from Faculty of Management and Commerce, 8.9 percent from Faculty of Agriculture, and 8.9 percent from the Faculty of Social Sciences and Humanities and the Transport Department each. In addition, the results show that the majority of respondents (31.1%) came from the administration department.

Respondents' Position in the Department

The results showing the results of the respondents' position in the department are shown in Table 4.

The results in Table 4 reveal that 48.9 percent of the respondents were lecturers, forty percent were administrators and 11.1 percent

Table 4: Respondents position in the department

<i>Position</i>	<i>Frequency</i>	<i>Frequency percent</i>	<i>Cumulative percent</i>
Lecturer	44	48.9	48.9
Administrators	36	40.0	88.9
Other	10	11.1	100.0
Total	90	100.0	

Source: Data Analysis October 2013

came from other departments (for example, drivers from transport department). The results show that lecturers dominate the respondents who participated in the survey. This is mainly because the sole objective of the university is to impart knowledge to students hence there should be a lot of lecturers.

During the course of questionnaire administration, the respondents provided the structure of the code of conduct. Hence, Table 5 represents how frequent each element is in the code of conduct document.

Table 5: Code of conduct structure

<i>Elements of code of conduct</i>	<i>Frequency</i>
Sex harassment at workplace	14
Violence at workplace	19
Alcohol consumption at work	26
Fraud and corruption at workplace	31
Total	90

Source: Data Analysis October 2013

The results show that most respondents managed to identify four major contents of the code of conduct. Fourteen percent of the respondents agreed to sexual harassment as a problem at work, nineteen percent agreed on violence at workplace, twenty-six percent on alcohol consumption at workplace, while thirty-one percent agreed on fraud and corruption at the workplace. This clearly shows that the majority of the respondents were aware of some elements of the code of conduct. Thus, the respondents were able to identify the structure of the code of conduct.

Research Question 2: Is there any awareness of the code of conduct by the academic and non-academic staff at the University?

This question was asked to assess whether the respondents are aware of the contents of the code of conduct. This question assisted in attaining the research objective, which is restated below:

To establish the level of awareness and impact of the code of conduct on staff members.

The results show that most respondents managed to identify four major contents of the code of conduct namely, sexual harassment at work, violence at workplace, alcohol consumption at work, and fraud and corruption at the workplace. This clearly shows that the majority of the respondents were aware of some elements of the code of conduct.

This question was asked to assess whether the respondents' faculty/department had a well-documented code of conduct. The results show that all the respondents (100%) responded that their departments had a well-documented code of conduct in their department. This shows that all the departments are abiding to the purpose of the University's code of conduct. According to Fatoki and Chiliya (2012), a well-documented code of conduct gives employees a sense of belonging and encourages them to be satisfied with their job description.

Research Question 3: Has the code of conduct promoted good governance in terms of accountability, transparency, effectiveness in the decision-making and the management of education in the university?

The results, which were conducted to assess whether the code of conduct promoted good governance in terms of accountability, transparency, effectiveness in the decision-making and the management of education in the University, showed that 82.3 percent of the respondents agreed that the code of conduct promoted good governance and 17.7 percent were uncertain. Overall, it can be concluded that the code of conduct promoted good governance in terms of accountability, transparency, effectiveness in the decision-making and the management of education at the University. This is alluded to by Disoloane (2012) who succinctly described that the impact of code of conduct in any organization cannot be over-emphasized. Not only that it promotes effective decision-making but it fosters productivity in any organization.

CONCLUSION

This study has made effort to make a contribution to the assessment of the code of conduct as a tool for promoting good governance in one public university. A code of conduct af-

fects both individuals and business organizations. In the context of individuals working in the public service industry, ethical challenges may come in the form of accepting bribes, committing fraud and using public funds or resources for personal gain. In the business context it refers to the principles, which an organization imposes on the employees to manage their behavior and achieve organizational goals of effective and efficient public service delivery. If the code of ethics/code of conduct is used as the foundational documents they can provide the framework that public servants, political and civil service can use to carry out their public responsibilities. Hence, it can promote good governance.

RECOMMENDATIONS

After the results have been well analyzed, the study recommends that top management should design policies which every employee have to agree to after a human resources practitioner explains the contents of the code of conduct. The management should conduct self-assessment tests to determine whether employees carefully understood the contents of the code of conduct.

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