



The Entrenchment of Public Service Ethics in the Public Schools System: A Case
Study of uMhlatuze Local Municipality

BY

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Submitted in fulfilment of the academic requirements for the degree of Doctor of Administration in Public Administration, Faculty of Commerce, Administration and Law in the Department of Public Administration at the University of Zululand, Richards Bay, South Africa.

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November 2019

DECLARATION

I, Thabani Israel Nxumalo, declare that the research reported in this thesis, except where otherwise indicated is my original work. I hereby submit for the degree of Doctor of Administration in Public Administration. This thesis has not been submitted previously for any other degree or examination at any other University.

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DEDICATION

I dedicate this thesis to the following people: The Almighty God who has always given me the strength and power to carry on with my studies. I also want to dedicate it to my late parents, Mrs Agrineth Nxumalo and Mr Mishack Nxumalo, who gave me an opportunity to pursue my studies and laid a good educational foundation in me. To my wife, Mrs Nobayeni Maria Nxumalo, who gave me support from my first degree up to this PhD. God bless you for your tireless efforts to ensure that I achieve my dreams in life, despite numerous challenges.

ACKNOWLEDGEMENT

To have completed this huge task on my own was going to be very difficult without the immense contribution that was made by the following people. First, I want to thank my supervisor, Dr R.O. Ogunnubi and co-supervisor, Dr N.N. Jili who showed dedication, commitment and enthusiasm in their guidance and positive support. They instilled resilience and hard work in me. Other supervisors include: Prof CA Isike and Prof I. Kaseeram from the University of Zululand, Prof PS Ready, Prof D. Sing and Prof Sathi Moodly from the University of KwaZulu-Natal and Dr Sibongiseni Chonco from KZN Education Department.

I owe my wife Mrs Nobayeni Maria Nxumalo a particular debt of gratitude for supporting me in a number of ways. She gave me strength where I was becoming weak, courage during times of despair, hope when I became hopeless and financial support during turbulent times. My grateful thanks go to my two sons, Lethukuthula and Phakamani, who kept on encouraging me in a number of ways, and to my two grandchildren, Nhlanhla and Minenhle, who have always given me reasons to excel in my life as I prepare them for a brighter future. To my in-laws: the Magagula family; Mr M.J. Magagula and Mrs L.T. Magagula thank you for giving me love, support and motivation.

I also want to extend my sincere words of gratitude to my church leaders: Archbishop General B.J. Mpanza and Lady Archbishop General S. Mpanza, Rev Elizabeth Dlamini in Newcastle and all other church members in the New African Church in Zion Ekuphileni of South Africa, who never stopped praying for me while I was busy with my studies. God bless you and make all your dreams come true, in Jesus' Mighty Name, Amen.

I also appreciate all contributions that were made by all the school-based and office-based educators of the Public Schools in the uMhlathuze Local Municipality. I also want to thank the Incaphayi High School family at Melmoth for support and appreciation. Thank you so much for the support that I received from the Department of Basic Education (DBE) Colleagues and the exposure I got from DBE while

supporting uMkhanyakude, King Cetshwayo District, Elembé and the Eastern Cape. I also want to thank my uMalusi Quality Assurance of Assessment (QAA) Colleagues in KZN and in Pretoria for their inspiration and for believing in me. I acquired skills and expertise that made it easy for me to complete my studies.

Furthermore, I want to thank the University of Zululand Research Committee for assisting me with funding. Your financial support did not go unnoticed by the Nxumalo family. I need to commend UZREC for the excellent job it is doing for UZ students. I want to thank library staff members at UZ, Ms Fikile Gina and Mr Msimango, for their support during my studies and the Admin staff at UZ: Mr B.N. Dludla, Mr W.T. Dlamini, Mr Ngubane, Mr Mngadi and many others who gave me support during my studies.

I also want to acknowledge contributions that were made by teacher unions namely; the South African Democratic Teachers' Union, the National African Teachers' Unions and Die Suid Afrikaanse Onderwys Unie (SAOU). I got positive support from leaders of these social partners. School-based and office-based educators were keen to give me support because there were no objections from their Unions.

I want to thank the School Governing Body (SGB) members who participated in my research study. I was inspired to pursue my studies because there were no impediments to my research journey. SGB chairpersons and members of SGBs in uMhlathuze Local Municipality made positive contributions.

Credit must also go to secondary school learners in uMhlathuze Local Municipality who were brave enough to respond to research questions. It was not going to be easy for me to complete my study without your support. You demonstrated seriousness, commitment and dedication when responding to questionnaires. Your support exceeded my expectations. Well done! God bless you. I want to acknowledge the positive contributions that were made by my colleagues in KZN and all participants in this study at uMhlathuze Local Municipality and Circuit Management Cluster, including Mr Senzo Dube who was fully behind my data collection. I would like to thank my son, Phakamani, and Sindi Magagula who assisted me with the typing work where I had challenges.

I am extremely grateful to Dr Madondo for your support and guidance during my studies. I really appreciate the support of my colleague, friend and brother Mr S.B. Mnguni for his support during my studies. Finally; I am grateful to the University of Zululand and the KZN Department of Education, particularly Dr E.V. Nzama, the HoD, who authorised me to conduct this research study at uMhlathuze Local Municipality. I want to thank my aunt, Mrs Flora Mtshali, who has always given me a reason to pursue my studies. May the Good Lord bless you all!

Nxumalo Thabani Israel: November 2019

ACRONYMS/ABBREVIATIONS

AFDB-	African Development Bank
AFRATA-	Africa Forum of Teaching Regulatory Authority
AGR-	African Government Report
AIDS-	Acquired Immunodeficiency Syndrome
ANA-	Annual and National Assessments
ANC-	African National Congress
ATPs-	Annual Teaching Plans
AU-	African Union
AUC-	African Union Commission
AUCPCC-	African Union Convention on Preventing and Combating Corruption
BP-	Batho Pele
CBOs-	Community Based Organisations
CJCP-	Centre for Justice & Crime Prevention
CMC-	Circuit Management Cluster
COC-	Code of Conduct
CSL-	Community Safety & Liaison
CSO-	Civil Society Organisation
CPC-	Consumer Price Index
CPI-	Corruption Perception Index
CPTD-	Continuous Professional Teacher Development
CW-	Corruption Watch
CWR-	Corruption Watch Report
DAS-	Developmental Appraisal System

DBE-	Department of Basic Education
DCMS-	District Coordination Monitoring and Support
DM-	District Manager
DOH-	Department of Health
DORA-	Division of Revenue Act
DPSA-	Department of Public Service and Administration in South Africa
DSG-	Developmental Support Group
DSD-	Department of Social development
DSG-	Developmental Support Group
ECC-	East African Economic Community
EEA-	Employment of Educators Act
ECA-	Economic Commission for Africa
ECD-	Early Childhood Development
ECOWAS-	Economic Community of West African States
ELRC-	Education Labour Relations Council
FETC-	Further Education and Training Certificate
GEPMDS-	Government Employees Performance Management Development System
GETC-	General and Further Education and Training Certificate
GHS-	General Household Survey
GPAD-	Government and Public Administration Division
HET-	Higher Education and Training
HIV-	Human Immunodeficiency Virus Infection
HSRCQL-	Human Sciences Research Council's Quality of Life
IDP-	Integrated Development Plan
IEB-	Independent Examination Board
IMF-	International Monetary Fund

IQMS-	Integrated Quality Management Systems
KCD-	King Cetshwayo District
LGACS-	Local Government Anti-Corruption Strategy
LTSM-	Learner Teacher Support Material
MEC-	Member of Executive Council
MIMF-	Municipal Integrity Management Framework
MP-	Member of Parliament
MTEF-	Medium Term Expenditure Framework
MTSF-	Medium Term Strategic Framework
NACAC-	National Anti-Corruption Awareness Campaign
NATU-	National Teachers Union
NDP-	National Development Plan
NEPA-	National Education Policy
NEPAD-	New Partnerships for Africa's development
NGOs-	Non-Governmental Organisations
NIM-	Nigerian Institute of Management
NSSF-	National School Safety Framework
NSNP-	National Schools Nutrition Programme
NSLA-	National Strategy for Learners Attainment
NSVS-	National School Violence
NVC-	National Victim of Crime
OECD-	Organisations for Economic Cooperation and Development
PAJA-	Promotion of Administration Justice Act of 2000

PD-	Professional Development
PED-	Provincial Education Department
PEIC-	Provincial Examinations Irregularity Committee
PFMA-	Public Finance Management Act No1 of 1999
PGP-	Personnel Growth Plan
PGSES-	Psychological Guidance Special Educational Services
PM-	Performance Measurement
PPN-	Post Provisioning Norm
PSC-	Public Service Commission
PSR-	Public Service Regulations
PSS-	Public School System
QAA-	Quality Assurance of Assessment
QLTC-	Quality Learning and Teaching Campaign
RACPA-	Regional Anti-Corruption Programme for Africa
RACP-	Regional Ant-Corruption Programme
RBCT-	Richards Bay Coal Terminal
RBIDZ-	Richards Bay Industrial Development Zone
RCL-	Representative Council of Learners
RECs-	Regional Economic Community
REQV-	Relative Education Qualification Value
RSA-	Republic of South Africa
SACE-	South African Council of Educators
SADC-	Southern Africa Development Community

SADTU-	South African Democratic Teachers Union
SAICA-	South African Institute for Chartered Accountants
SAIC-	School Assessment Irregularity Committee
SAOU-	Suide Afrikaanse Onderwys Unie
SASA-	South African Schools Act
SBA-	School-Based Assessment
SDIP-	School Development Improvement Plans
SGB-	School Governing Body
SIP-	School Improvement Plan
SMT-	School Management Team
SOE-	State Owned Entity
SSC-	School Safety Committee
TI-	Transparency International
TSU-	Technical Support Unit
UNAC-	United Nations Convention against Corruption
UN-	United Nations
UNDESA-	United Nations Department of Social and Economic Affairs
UNDP-	United Nations Development Programme
UZREC-	University of Zululand Research Committee
UNESCO-	United Nations Educational, Scientific and Cultural Organisation
UNISEF-	United Nations International Children's Fund
WSE-	Whole School Evaluation
WTO-	World Trade Organisation

ABSTRACT

The entrenchment of public service ethics in the public-school system in the uMhlathuze Local Municipality is aimed at improving the behaviour of school-based and office-based educators which can have a positive significant in reducing corruption and all other forms of unethical conduct in the public sector. Ethics is important in public administration, particularly in public schools of uMhlathuze Local Municipality, and the whole of King Cetshwayo District and South Africa as a whole.

A total of 125 learners from 25 public schools in the uMhlathuze Local Municipality and a total of 125 school-based educators participated in the research study. The study also collected data from five Office-based educators from each circuit including the uMhlathuze Cluster Manager. Data analysis was done using both qualitative and quantitative methods which include inferential and descriptive statistics. Data was based on information related to the perception of school-based and office-based educators about the entrenchment of public service ethics in the public-school system of uMhlathuze local Municipality.

Research findings demonstrated that there were many challenges surrounding the implementation of public service ethics in uMhlathuze Local Municipality. Seventy-five per cent of the respondents indicated that, although there are measures in place, they were not explained to school-based educators. It is clear that school-based educators have a challenge regarding access to information. It is a futile exercise to make a host of policies but to make insufficient effort to ensure that they are understood by the people involved and are properly implemented in the work place.

Controversy surrounds the behaviour of school-based and office-based educators in uMhlathuze Local Municipality and the King Cetshwayo District, particularly in the appointment of post level-one educators and in the promotion posts of Principals, Deputy Principals, Heads of Department and office-based posts. Public servants are expected to conform to ethical standards in the public sector, and to promote ethical leadership. The media has recently exposed a large number of cases of unethical conduct specifically within the South African Education Department, and particularly in the uMhlathuze Local Municipality, where school-based educators use corporal

punishment and are suspected of having sexual relations with learners. Amundsen, (2009:10) argues that, “the public sector is composed of two core elements; at the political level there are political institutions where policies are formulated and the (major) decisions are made, and at the administrative there is the public sector administration, which is in charge of implementing these policies”. South Africa seems to have a number of good policies, but the implementation of policies and decisions are raised only now and again, either at the Provincial Level or at Local Government Level. In the light of what has been stated above, it is evident that there is a need for the entrenchment of public service ethics in the public-school system, particularly in the uMhlathuze Local Municipality.

There seems to be a crisis in public confidence in the government and a lack of public trust in public institutions. A Quality Learning and Teaching Campaign cannot be effective where there is a lack of public trust. Professionalism should be maintained at all times. School-based and office-based morality should be addressed by entrenching public service ethics in the public-school system. All other stakeholders such as learners, educators’ Unions and school governing bodies should also be sensitive to ethical issues. In the last chapter of this study the researcher has highlighted some recommendations to be implemented as a turnaround strategy, which should enhance the entrenchment of public service ethics in uMhlathuze Local Municipality and in South Africa as a whole. The following key words have been used in the study: public service ethics, corruption, professional code of ethics, professionalism, and public sector. It is important to highlight the indispensability of ethics and of sound ethical conduct amongst school-based and office-based educators in the uMhlathuze Local Municipality. Public service ethics need to be understood clearly by school-based and office-based educators, if there is seriousness about the desire to achieve quality education in South Africa. No one should compromise the implementation of the Public Service Code of Conduct, (2016). This can enhance the implementation of the National Development Plan towards the realisation of goals for 2030. The entrenchment of public service ethics in the public-school system in the uMhlathuze Local Municipality is aimed reducing corruption and all other forms of unethical conduct. The entrenchment of public service ethics in public schools is a subject of importance in the third decade of South Africa`s democracy. Various public administration gurus such Wood,

(2004:188), Moilanen and Salimanne, (2006:22), Meguid, (2011:5), Dale, (2000:180), MacCarthaigh, (2008:18 and Kernaghan (2003), unanimously agree that the following principles serve as cornerstones for public life; these include: selflessness, integrity, honesty, leadership, objectivity, openness and accountability. These principles should be instilled in the minds of all school-based and office-based educators so as to produce quality service delivery and quality education in South Africa. Public servants in general and public representatives, including political office bearers should gain the public trust. It is true that corruption is a challenge on a Global, National, Provincial and Local level, and should be tackled ethically. Giving affirmation to the status quo can serve as a major blow to economic development and to social needs. Corruption is perceived as a threat by many authors globally and should be reduced because it has a negative impact on a country that ironically subscribes to democratic values and principles of public administration. These authors include Waweru (2010), Menzel, (2015 and Kimath, (2010).

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1. SHORT DESCRIPTION OF THE TOPIC

The entrenchment of Public Service Ethics in the Public-School System: A Case study of uMhlathuze Local Municipality.

1.2. BACKGROUND AND OUTLINE OF THE RESEARCH PROBLEM

South Africans were divided in a number of ways before the first democratic elections in 1994, including divisions in the field of education. Five Education Departments in KwaZulu-Natal were integrated into one Education Department. These included: the former KwaZulu-Natal Department of Education and Culture (Blacks), the Department of Education and Training (Blacks who were not under the KwaZulu Government), the Natal Education Department (Whites), the Education Department for the House of Delegates (Indians) and the Education Department for the House of Representatives (Coloureds). There was a need to unite all South Africans under one Minister of Education at the National Level. As a result, norms and standards were introduced so as to address the imbalances of the apartheid era. King Cetshwayo District Municipality is one of twelve district municipalities in KwaZulu-Natal and one of a total of 268 district municipalities in South Africa. UMhlathuze Local Municipality falls under the King Cetshwayo District formerly known as UThungulu District. UMhlathuze Local Municipality has four circuits namely: Esikhaleni Senkosi, oNgoye, Ngwelezane and Mthunzini. There is speculation which this study attempts to confirm or refute, that there is a high level of unethical behaviour amongst school-based and office-based educators in all four circuits.

The Corruption Perception Index (CPI) of 2013 which was released by Transparency International (TI) showed that more than 70 per cent of the 177 countries that were ranked exhibited high levels of unethical conduct, including South Africa. According to Brown & Trevino (2006:595-616), "Corruption seems to escalate globally with the media being instrumental in revealing unethical conduct". Cecilla, Luizzi & Stritjdom 2012 in Naidoo, (2015:1) pointed out that, "Africa as a continent has produced many unethical leaders who have been materialistic and egocentric". African countries

experience a lot of political instability, hence social development and economic reforms are still perceived as a challenge. South Africa has dropped thirty-four places on the Consumer Price Index (CPI) of TI since 2001. “Large scale unethical conduct prevails in various hierarchical levels in government including the Department of Education,” (Chauke, 2014:6). This study focuses on school-based and office-based educators in the Department of Education of the uMhlathuze Local Municipality and the King Cetshwayo District as a whole, in order to investigate the entrenchment of public service ethics in the public schools. The objective of the study is to understand the level of the implementation of the Professional Code of Ethics as laid down by the South African Council for Educators Act 31, 2000. Understanding that quality education cannot be achieved where there is bribery, nepotism, discrimination and many other forms of corruption, this study investigated the relationship between the entrenchment of public service ethics and the pervasiveness of unethical behaviour in public schools of uMhlathuze Local Municipality and the King Cetshwayo District more broadly. Chauke (2014:6) reported that school principals in KwaZulu-Natal inflated learner enrolment numbers, while another investigation in the King Cetshwayo District by the National and Provincial Departments revealed a pattern of systematic inflation of learners’ enrolment by 200 000 with staffing and funds “incorrectly and fraudulently allocated to these schools” (Naidoo,2015:3). Three years earlier Naidoo (2012: 3) had suggested that “South Africa is searching for possible solutions to curb unethical conduct”.

The Service Charter that was introduced in the King Cetshwayo District in 2009 included values that are also applicable in the uMhlathuze Local Municipality. These values include professionalism, honesty, fairness, integrity, caring and empathy. Specifically, there is a need to understand and entrench ethical behaviour in the uMhlathuze Local Municipality especially when school-based and office-based employees are acting against the King Cetshwayo charter.¹

Again, economic growth and development cannot take place where unethical conduct continues to thrive in the workplace. The South African Council of Educators Act 31, 2000 outlines a professional code of ethics for School-based and office-

¹ The researcher worked for more than twenty years as a principal in the King Cetshwayo District. While serving as Principal, several cases of unethical conduct in uMhlathuze were observed and reported.

based educators. There are also fundamental values that are found in the Service Charter of 2009 in the uMhlathuze Local Municipality. These include democracy and prompt the question: To what extent do our schools play their role in promoting this essential value? This research study has been investigating extent to which democratic values are promoted in the public school system with specific reference to the uMhlathuze Local Municipality. There have been allegations that democratic values are not given serious attention in the uMhlathuze Local Municipality. As far as social justice is concerned, we need to ask: Do children enjoy the right to protection from maltreatment, neglect, abuse and degeneration? There have been serious allegations that school-based educators do not give learners proper treatment and it is alleged that there are school-based educators who still use corporal punishment although they know that it is against the law. All of these allegations require investigation.

Everyone is equal before the law and the notion of equality must always be promoted in the public sector. The law requires that learners may not be unfairly discriminated against. There are strong speculations that learners with a good family background receive preferential treatment. Seeing parents involved in the education of their children is a good thing because it improves academic performance. Learners become more focused in their school work (Kwatubana & Makhalemele, 2015:315). This study further considered the substance of such allegations in the public-school system. With non-racism and non-sexism, girls attaining equality with boys should prevail in the public-school system. There should be no victims of sexual abuse. It is alleged that there are school-based educators who still believe that girls are cleverer than boys. Charles Gbollie, and Harriet Pearl, 2017 indicated in 3.14 of their International Journal stated that, Gender Differences for Motivation Beliefs and Strategy Use in Education Research International revealed that female participants, obtained higher means for extrinsic goal orientation and rehearsal, the most preferred motivational belief in the research study, but there is a slight mean difference for both genders in other beliefs and strategies.

Humaneness, compassion, kindness, altruism and respect need to prevail in the public schools. There are school-based educators who have no love for learners and who are not sufficiently interested in the job that they are doing in the public-school system. An Open Society will ensure that no one, for example, is afraid of exposing

those who abuse others and who are involved in malpractices and corruption. There is a perception that learners from poor families are more passive than those who come from rich families. There are many passive learners in rural schools by comparison with those in urban or semi-urban schools. This is caused by the fact that there is a high level of poverty in rural areas, and people who live in poverty are usually passive and voiceless. There is doubt about transparency when it comes to appointments at all levels of the public schools in the uMhlathuze Local Municipality. It is alleged that appointments are not based on merit, qualifications, experience and expertise and this has a negative impact on the quality of education service delivery. The public in the uMhlathuze Local Municipality is not happy about the way things are done when it comes to promotion posts. The researcher came across principals, or posts level one educators, who were denied appointments simply because teacher unions or senior departmental officials had their own preferred candidate. Employment of Educators Act, Act 27, of 1998 as amended, 27-10-2011 elaborated on misconduct as follow;

(g) Stipulates that any person who misuses his or her position in the Department of Basic Education or learning centre to promote or to prejudice the interests of any person should be charged for misconduct. Section 3 (a) of EEA also articulates that: any appointment, promotion or transfer to any post of educator establishment of a public school or a further education and training institution may only be made on the recommendation of governing body of a public school or the council of a further education and training, as the case may be. The public always has question marks if inappropriate appointments were made and nothing was said by the governing body, because it is one of the legal structures in a public school.

There are many competent people who feel marginalised by the education sector which means that the rule of law within a public school is likely to be compromised. There are many school-based educators who are said to undermine the rule of law in the uMhlathuze Local Municipality. Principals, School-based Educators and office-based educators who participated in this research study indicated clearly that appointment were not based on merits in the uMhlathuze Local Municipality, others even decided to remain anonymous, while others decided to tear off that portion with their names in questions. Some had to opt for early retirement because senior positions were reserved for certain people. Some principals felt that unions, and

mention SADTU in particular that it was tempering with fair appointment in the uMhlathuze Local Municipality. There is a need for respect, tolerance and dialogue in dealing with education matters. School-based educators complain about unruly learners. Principals complain about unruly educators and ward managers make serious allegations concerning Principals who have no respect for the public-school system. Recognition, healing and reconciliation of past racial discrimination to achieve transformation is the key. It is alleged that there is cultural intolerance in a number of former model C schools. There is no reconciliation between the treatment of boys and girls in rural and even in the urban public schooling system. Learner integration in former Model C schools in Johannesburg, Radebe, M, (2015:92) University of the Witwatersrand.

Kernighan & Dwivedi (1983:1) argued that, “from a comparative and international perspective, the 1970s may aptly be described as `the ethics decade` in the historical development of the study and practice of public administration. They further argued that a lot of information and knowledge about ethical problems in government was enormously expanded by the publications of academics and journalists and by government studies and reports about unethical activities by officials in the United States of America and in other countries”. Both authors further contended that, “the issue of ethical conduct among public servants is an integral part of the larger issue of reconciling administrative power and administrative responsibility.”

Public officials have powers due to the positions that they hold as public officials. They are expected to be responsible at all times and must always be guided by the code of ethics of the position that they hold in the public domain. Therefore, ethics and responsibility go hand-in-hand. Accordingly, the existence of a common set of ethical standards helps to ensure that public servants are not abusing their public office for private gain. However, people will always take advantage of the situation where there is no proper monitoring and supervision. Public service ethics are principles and guidelines which assist public servants as trustees of the public, to maintain a high standard of performance and to commit them to uphold the public good. The Code of Conduct (COC) for the Public Service promulgated in 1997 in the Republic of South Africa sought to promote the ethical code and to fight against fraud and corruption. It is therefore surprising that South Africa, in the 3rd decade of her democracy, is experiencing such widespread complaints of unethical behaviour

in the public sector, including the public-school system of King Cetshwayo District Municipality. Public complaints about corruption, bribery and misappropriation of funds are rife in South Africa. For instance, uMalusi which is a quality assurance body in the Republic of South Africa, identified some irregularities in 2014 grade 12 final year examination results. Unsurprisingly, public schools in the King Cetshwayo District Municipality were implicated in the irregularity scam which included many other districts in the in KwaZulu–Natal and in other provinces in the Republic of South Africa. Irregularities in the November/December 2014 examinations in grade 12 indicated that public service ethics must be scrutinised and be understood so as to entrench ethical behaviour in the public-school system.

1.3. PURPOSE AND RATIONALE FOR THE STUDY

The researcher has worked in the uMhlathuze Local Municipality for more than twenty- five years as senior manager and ten years as a school-based educator, and is aware of several cases of unethical conduct within uMhlathuze Local Municipality. In his thirty-five years in the Education Sector, the researcher has observed the need for the entrenchment of public service ethics in the uMhlathuze Local Municipal as a way of curbing corruption in public schools. The researcher has experienced several cases of school-based and office-based educators violating the Professional Code of Ethics as laid down by the South African Council for Educators. He has also witnessed school-based and office-based educators who are fully employed by the Education Department, but who are, at the same time, service providers for the National Schools Nutrition Programme (NSNP). This conflict of interest cannot be avoided in this instance, thus compromising the value of the Quality Learning and Teaching Campaign. The researcher has also noticed several cases of sexual relations between school-based educators and learners. This research is therefore motivated by the need to find solutions to the negative impact of unending unethical conduct among school-based and office-based educators. Political appointments, ‘connections’ and nepotism are some of the social ills that can be addressed by the entrenchment of public service ethics in public schools. “The textbook scandal of 2013 in the Eastern Cape and Limpopo encapsulated the extent of corruption and other unethical practices within the Department of Education, and selling of teachers’, Deputy Principals’ and Principals’ posts by senior members of certain Unions and officials of the Department of Education confirmed speculation that there

was corruption in the Education Sector” (Matroos, 2014). The above-named cases warrant the entrenchment of public service ethics in public schools. This will encourage immoral and unethical public servants and learners to change their attitudes and behaviour. It is also aimed at changing attitudes of school-based and office-based educators regarding public service ethics.

The research study was conducted in the uMhlathuze Local Municipality among school-based and office-based educators using different research instruments. The researcher hopes to ensure that school-based and office-based educators are well informed about the importance of the professional code of ethics as laid down by the South African Council of Educators (SACE).

The purpose of this study was to promote ethical leadership and to make a positive contribution to the quality of teaching and learning to improve learner performance and to facilitate the implementation of national, provincial and local policies and circulars. It was encouraging to note that learner performance in the 2017 National Senior Examination results in South Africa improved from 69 to 71 per cent. A remarkable improvement is observed in each and every year. However, it is noted that there is no quality in these results.

It is encouraging to note that the President of South African, Cyril Ramaphosa, spoke about the importance of ethical leadership in all Sectors in the 2018 State of the Nation Address. A study on the entrenchment of public service ethics in the public-school system should contribute positively to the quality of results in this area and in South Africa as a whole. If there is speculation that there is unethical behaviour in the public-school system of the uMhlathuze Local Municipality amongst school-based and office-based educators, there is a need for a paradigm shift. Things should be done in a way that promotes effective teaching and learning. Leadership and all public servants should do their work in an effective and efficient manner. No economic growth and social development can take place in a country where people resist change and decide to adhere to the corrupt status quo.

The entrenchment of ethical behaviour in the public-school system should facilitate the implementation of policies that are aimed at addressing the challenges of South Africa such as poverty and youth unemployment which seems to escalate each and every year according to the report by the Institute for Security Studies in January 2018. The National Development Plan 2030 should be implemented properly.

1.4. SIGNIFICANCE OF THE STUDY

Speculation and allegation of unethical conduct in the public sector demonstrate that there is a need for the entrenchment of public service ethics. Brown et al., (2015); Brown & Trevino, (2006); Salawu, (2012) and Naidoo, (2012) in Naidoo, (2015:40) pointed out that “there has been an increased amount of research into unethical conduct, ethical leadership, and ethical development”. Naidoo, (2012) was instrumental in demonstrating how the paradigm of ethical development could be used to restore good morals and ethics, and to reduce unethical behaviour. Her research is relevant to this study since ethical development can form a major part of the entrenchment of ethical behaviour. There is a need for transformation of education in South Africa so as to achieve an ethical public-school system in South Africa. Naidoo (2012) has investigated different forms of unethical conduct within the public sector in South Africa together with legislation addressing unethical behaviour. Manyaka & Sebola (2013) in Naidoo, (2015:7) argued that, “there is need for ethical training in South Africa”. The entrenchment of public service ethics in the public schools of uMhlathuze Local Municipality can be done by training school-based and office-based educators on ethical issues. This study is significant because it may uncover potential information on how the entrenchment of public service ethics, ethical leadership and ethical development could probably change unethical behaviour into conduct which is based on morals and ethics. It is pleasing to note that the national sphere of government has made some attempts to deal with corruption for example, “the parliamentary Portfolio Committee on Public Enterprises that is tasked with the enquiry into mismanagement of state-owned enterprises has warned the Gupta brothers, Duduzane Zuma and Dudu Myeni that their patience is running out” (Times Live, 18 April 2018-08:47).

1.5. PRELIMINARY LITERATURE REVIEW

Sexual harassment and bribery are widely perceived as commonplace in public institutions in the uMhlathuze Local Municipality, which has a negative bearing on quality education, and has produced unintended consequences amongst employees. Public employees are expected to demonstrate a high level of professionalism when carrying out their day-to-day activities. Clapper in Wessel & Pauw (1999a:141) argues that, "professionalism presumes specialised knowledge resulting from formal education and training." More than eighty per cent of public employees have specialised knowledge for the job that they do when they deal with education matters. Education is one of the ten key priorities that were identified by the Zuma administration in 2009. Former President Zuma indicated in 2009, in the State of the Nation address, 3 June 2009 (after National elections), that the ten priorities formed part of Medium-Term Strategic Framework for 2009-2014. He pointed out that the government wanted teachers to teach, learners to learn and parents to work with the government to turn schools into centres of excellence. School-based educators are expected to be in schools, in class, on time, teaching with no neglect of duty and attendance also applies to pupils. Children are supposed to be in class, to be on time learning, to be respectful of their teachers, and to do their homework.

There was need to improve school management. Training was going to be a precondition for promoting teachers to become principals or heads of departments. It is of great concern that there were strong allegations in 2018 that other factors were used to promote teachers to positions in the uMhlathuze Local Municipality, hence the need for entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality. This study was conducted in 2018 and numerous complaints came from school-based and office-based that practice fraudulent activities so as to promote or appoint school-based and office-based educators. It was said there was a high level of nepotism, corruption and favouritism in the uMhlathuze Local Municipality. There was also a commitment by former President Zuma's administration to ensure that guidelines on sexual harassment and violence in public schools were widely disseminated, that learners and teachers were familiar with all of them and observed them.

This study confirmed that there were initiatives that were presented in 2009. Indeed the education sector does not work in isolation, but in tandem with other departments such as the Department of Social development which caters for the social welfare of children by processing social grants. The Code of Conduct for the Public Service was promulgated in 1997 and is contained in Chapter 3 of the Public Service Regulations (PSR). “The Code of Conduct (COC) is central to the promotion of ethical conduct and the fight against fraud and corruption,” (Public Service Commission, 2007:12). Similarly, the Batho Pele (People First) principles were introduced as a guide for public servants, but it is evident that the implementation of these in the uMhlathuze Local Municipality has been less than ideal. Consultation, value for money and reward for excellence are some of the Batho Pele principles which are hardly taken seriously in the uMhlathuze Local Municipality (White Paper on Transformation of the Public Service, 1995).

Lower morale amongst public employees becomes a challenge because it aggravates absenteeism, which consequently has a negative impact on quality of service delivery. This is notwithstanding that school-based and office-based educators are expected to be familiar with the Batho Pele (putting people first) principles which included: consultation, service standards, access to information, openness and transparency, redress, value for money, encouraging innovation and rewarding excellence, customer impact and leadership and strategic direction. The South African Schools Act 84, (1996) and national education policies expect all stakeholders: parents, learners, educators, business people, social partners like educator unions and other interested parties to be involved in education matters. Quality learning must always be promoted at all times in the General Education and Training Certificate (GETC-Gr1-9) and Further Education and Training Certificate (FETC-Gr10-12) so as to improve the standard of education in South Africa. The Education policies demand that no one must be denied access to education and other resources that facilitate growth and development. Public service ethics should be entrenched in the public-school system so as to redress the imbalances of the past.

Public schools in uMhlathuze and in other local municipalities and the whole of South Africa should promote openness and transparency in all activities including finance. The introduction of the Performance Management and Development System in 2001, which evolved into the Government Employees Performance Management and Development System (GEPMDS), effective from April 2006, made an attempt to improve service delivery. Former President Jacob Zuma appointed the National Planning Commission in May 2010 to draft a vision and a National Development Plan (NDP).

The National Development Plan (NDP, vision 2030:15 document) states that, “the Commission is an advisory board consisting of twenty people drawn from outside government with expertise in key areas”. The board released its report in 2011, where it indicated South Africa’s achievements and shortfalls since 1994 (NDP, vision 2030, document). This research was based on all nine primary challenges that were identified by the Commission. The second point of those challenges is the point that the quality of school education for black people is poor (NDP2030:15). There are many initiatives that have been set up to turn this situation around.

The Commission felt that a critical analysis of the entrenchment of public service ethics in the public-school system would add value to the education sector and could ensure that quality education is achieved, especially in school education for black people. The Commission also highlighted the fact that the delivery of public health service is uneven and often of poor quality. One needs to look at leadership in the public health service. The school profiling that was done from June 2013 to November 2014 concurred with the Commission which pointed out that the infrastructure is poorly located, inadequate and under-maintained. 2015 DBE, Reports from all nine Provinces, that were prepared by School Improvement Support Coordinators, the researcher was also part of the DBE Team which embarked on school profiling in 2015, and addressed the infrastructure challenge in public school system

The National Development Plan (NDP) put an emphasis on professionalism. It points out that, “Professionalism and conditions that enhance professional conduct must be rebuilt, and accountability for performance needs to be enhanced”, (NDP 2011:40). School-based and office-based educators are professionals, and are therefore expected to behave in a professional manner when they do their professional work. The State sets the ethical bar for society as a whole. “If corruption is seen as acceptable in government, it will affect the way society conducts itself.

This makes it even more important that government acts to address the high levels of corruption in its ranks,” (NDP-2030:47). The National Development Plan-2030:65 further points out that the “South African Government is prepared to fight to root out corruption so that a corruption free society, a high adherence to ethics throughout society and a government that is accountable to its people.” can be established. The National Anti-Corruption Forum should be strengthened. (NDP-2030:65). The National Development Plan-2030 talks about expanding the scope of whistle-blower protection to include disclosure to bodies other than the Public protector and Auditor-General, and strengthens measures to ensure the security of whistle-blowers.

The report on school profiling indicates that more than 83 per cent of our public schools have serious problems in terms of infrastructure. The Commission also highlights that corruption levels are high. The entrenchment of public service ethics should therefore serve as a deterrent to corruption which is considered to be very high in South Africa. Poverty, youth unemployment, crime, inequalities and other critical challenges cannot be addressed properly when public employees demonstrate unethical behaviour in the workplace. It is the aim of this thesis to offer the entrenchment of public ethics in the public-school system by examining the case of the uMhlathuze Local Municipality. The intention is to assess the value of improving the behaviour of school-based and office-based educators.

A number of cases of unethical conduct were exposed by print media, social media and broadcast media in 2017, where school-based and office-based educators were still using corporal punishment and bribery was reported in a number of circuits, including uMhlathuze Local Municipality. Cases of unfair discrimination were also reported when interviews for posts of Principal were conducted in 2017 and prior to that period. The Zululand Observer, which is a local newspaper in uMhlathuze Local Municipality, reported numerous cases of unethical conduct in 2017. The entrenchment of public service ethics in public schools is a strategy to attempt to root out corruption in public schools so as to achieve quality education. The Quality Learning and Teaching Campaign (QLTC) was launched on 17 February 2009 by the Parliament of South Africa. The Department of Basic Education launched the QLTC campaign on 3 June 2009.

All stakeholders had to commit themselves to the campaign for quality education. School-based and office-based educators had to teach to advance and develop learners. They had to be punctual at all times and to be well prepared for their lessons. The learners' main task was to be at school and to learn, and to develop academically, socially, culturally and also to avoid antisocial behaviour like theft, vandalism, assault, alcoholism, drug abuse, and other activities that disrupt the learning process. All government officials, teachers, unions, learners and parents had to make a commitment to a code of Quality Learning and Teaching. The Africa Forum of Teaching Regulatory Authorities (AFRATA) launched a code for quality education from 24-29 June 2013. African countries were prepared to promote the professionalism of teaching globally and they "set international standards norms and principles, in order to facilitate cooperation among members' states for the benefit of the education systems of the various countries" (Kenya 2013:6).

1.6. PROBLEM STATEMENT

The Integrated Quality Management System (IQMS) was introduced to improve educator development, whole-school evaluation and performance measurement. The researcher a gap in its implementation because school-based and office-based educators give themselves high scores so as to get salary progression, yet the performance of learners is dropping annually, as was visible in the 2014-2016 National Senior Certificate Examination Results. There are wide-spread complaints about the ethical behaviour of school-based and office-based educators.

The researcher is aware of several cases of unethical behaviour in the King Cetshwayo District Municipality. It seems as if there are numerous vacant posts that are sold, either by school governing body members or office-based educators. Unethical behaviour in the workplace has a negative bearing on quality service delivery. It leads to the lack of productivity in an organisation. Employees lose their focus if they have little or no information about ethical behaviour. The Batho Pele White Paper, of 1997 was introduced as a way of improving service delivery. The new political dispensation which was ushered in after the first democratic elections in the Republic of South Africa was aimed at resolving issues of the imbalances of the past, not promoting unethical conduct amongst the public servants. Any behaviour which is contrary to quality service should be reduced at all costs. The school-based

and office-based educators are guided by the South African Council of Educators Act 31 of 2000, which has laid down a professional code of ethics applicable to school-based and office-based educators. Bribery, misappropriation of funds, 'connection' power, nepotism, late coming and early departure, corporal punishment, sexual harassment and various forms of child abuse are some of the social evils investigated in this study.

There is a great need for proper school governance architecture and circuit or district governance. There is therefore a pressing demand for understanding and entrenchment of ethical behaviour in the King Cetshwayo District Municipality. School-based and office-based educators should be more sensitive to ethical issues, because these have a positive bearing on the Quality Learning and Teaching Campaign. The Professional Code of Ethics as laid down by the South African Council of Educators (SACE) should be applied at all times. The entrenchment of ethical behaviour should be perceived as one of the ingredients for quality education in South Africa. All appointments should be based on merit and should avoid unfair discrimination. Seemingly, unethical conduct has caused a division amongst school-based educators. Unity must be promoted amongst school-based and office-based educators for the benefit of learners, because those who are side-lined when there are promotions always feel frustrated and lose their self-esteem and do not give of their best at all times. e.tv MorningShowSA 6am-8am, June 19, 2018 pointed out that SA Council of Educators indicated that corporal punishment cases topped the list of 593 complaints nationally. It was further indicated that most cases came from KZN, uMhlathuze Local Municipality in particular. Cases of corporal punishment that were reported in a few public schools in the uMhlathuze Local Municipality in 2017 indicated that public service ethics are not taken seriously. Corporal punishment should come to an end in the public-school system in the uMhlathuze Local Municipality. There is the perception that no one is responsible for monitoring the implementation of public service ethics in the uMhlathuze Local Municipality.

The escalation of drug abuse in the public-school system of the uMhlathuze Local Municipality is of great concern to the community and should be addressed in the public-school system as soon as possible.

1.7. AIMS AND OBJECTIVES OF THE STUDY

The objectives of this research study include the following:

1. To ascertain the existing institutional and policy measures for promoting ethical behaviour among school-based and office-based educators in the uMhlathuze Local Municipality`s public school system.
2. To establish the linkage between institutional/policy measures and the promotion of public service ethics at these institutions.
3. To investigate the extent to which existing organisational structures and processes apply codes of ethics in fostering ethical behaviour.
4. To assess the role of Unions in entrenching public service ethics.
5. To determine whether or not employment policy includes the Code of Professional Ethics in the employment of school-based and office-based educators in the uMhlathuze Local Municipality.

1.7.1. Research Questions

The research seeks to provide answers to the following questions:

1. What existing measure of ethical standards exists for promoting professionalism within the public-school system in the uMhlathuze Local Municipality?
2. What is the linkage between institutional and policy measures for promoting ethical conduct?
3. To what extent do the existing and organisational structures and processes apply codes of ethics in fostering ethical behaviour?
4. What is the role of the Unions in understanding and entrenching ethical behaviour?
- 5 Does the employment policy of school-based and office-based educators in the uMhlathuze Local Municipality include the Code of Professional Ethics?

1.8. RESEARCH HYPOTHESIS

Numerous cases of unethical conduct have been reported in uMhlathuze public schools in previous years and in the current year. The entrenchment of ethical behaviour amongst school-based and office-based educators should positively impact on quality education in the uMhlathuze Local Municipality.

1.9. INTENDED CONTRIBUTION TO THE BODY OF KNOWLEDGE

The Integrated Quality Management System indicated that school-based and office-based educators are performing above normal expectation, yet public schools in the uMhlathuze Local Municipality are underperforming and quality education is questionable. This study revives and strengthens the implementation of the Professional Code of Ethics as laid down by the South African Council for Educators Act 31, 2000: E-17 of Education Labour Relations Council, 2003. The study would also contribute to gaps that were created in the implementation of the Department of Education's Revised Five-Year Strategic Plan 2015/16-2019, March 2016 and the Department of Basic Education Annual Performance Plan 2016/17. This evidence-based research levels the ground for effective policies to be implemented in the uMhlathuze Local Municipality and in the whole of South Africa. The Department of Basic Education is trying to implement the Curriculum and Assessment Policy Statements (CAPS) and the Annual and National Assessment (ANA) for Maths, Science and English, but as is to be expected, no policy can be successfully implemented where there is a high level of unethical conduct amongst school-based and office-based educators. This research therefore brings a new approach to the implementation of the Integrated Quality Management Systems (IQMS), because IQMS scores should align with salary progression and school-based and office-based educators across the board. For example, if the performance at school level is below 60 per cent, IQMS scores should not be expected to be above 60 per cent. The issue of postponing the ANA till February 2016 was a clear indication that there was a need for a critical examination of public service ethics and the entrenchment of ethical behaviour in the public-school system in general. All social evils that hinder the promotion of effective teaching and learning in the uMhlathuze Local Municipality have to be ameliorated. This study can also to boosts the morale of

school-based and office-based educators by providing clarity concerning the concept of professionalism.

This study has the potential of making a positive contribution in the building of an ethical state and an ethical public service. Economic growth would always be hindered in a country that is full of corruption. Foreign investors would be reluctant to invest in a corrupt country.

1.10. INTELLECTUAL PROPERTY AND INNOVATION

Information on public service ethics contributes to the body of knowledge that is already available in literature and journals on public service ethics. Research findings are presented to the Circuit Management of uMhlathuze local Municipality and respondents. The researcher avails the research findings to all uMhlathuze Principals and other stakeholders. A copy of the study is presented to the Head of Department in KwaZulu-Natal Department of Education.

1.11. HARVESTING THE RESEARCH

This research topic, the thesis structure and the research methodology also create the possibility of publishing articles from the material generated. This includes articles to accredited journals, covering the following themes: Potential threat of unethical conduct in the Education Sector. Ethical dilemma due to the conflict of interest amongst school-based and office-based educators in the Education Sector. There are allegations that some public schools are dysfunctional public entities due to the lack of professionalism. It is also alleged that politics in the public-school system makes it very difficult to promote work ethics. It is strongly suspected that there are school-based and office-based educators who promote self-interest, as opposed to public interest, in the new dispensation in South Africa.

The researcher makes presentations at uMhlathuze Circuit Management Cluster meetings, uMkhanyakude and in all other districts in KwaZulu-Natal, as a way of contributing to the Quality Learning and Teaching Campaign (QLTC). The researcher believes that the entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality promote professionalism within the district, and inculcates a spirit of excellence amongst school-based and office-based educators.

The researcher could publish key points about the importance of entrenching ethical behaviour in the public school system in the print media: Zululand Observer, Zululand fever, Newcastle advertiser in the Amajuba District, Post and in the Natal Mercury, and many other local newspapers in KwaZulu-Natal. The researcher could arrange with radio stations such as uKhozi FM, SAFM and many other community radio stations to broadcast findings and recommendations. 1KZN TV could be used to ensure the critical analysis of the entrenchment of public service ethics reaches the whole of South Africa. Social media: Facebook, Twitter, Google and others, could be used to add to the campaign which opposes unethical conduct which leads to corruption.

1.12. LIMITATIONS OF STUDY

McMillan & Schumacher, (2010) in Naidoo (2015:53) argue that, "limitations include the restraining and restrictive factors that delineate a study". "The limitations of the research allow the researcher to plan the study within such constraints as access, time, participants and finances" Cohen, et al., 2011 in (Naidoo, 2015:53). "They can include any features of the research design and methodology that affect the interpretation of the data", (Simon & Goes, 2013).

The research focuses on: learners, school governing body members, educator unions, school-based educators from 25 public schools and office-based educators in the uMhlathuze Local Municipality. UMhlathuze has 130 public schools. Only participants who were employed in the uMhlathuze Local Municipality participated in the study. There may have been resistance to respond to questionnaires due to the fact that some parties could have been directly linked to unethical conduct within uMhlathuze Local Municipality. The research at the sites was limited to the time frame of 25 August 2016 to 26 March 2018. The researcher had to observe the following conditions stipulated by the Head of Department: Education-KZN:

- The researcher had to ensure that the learning programmes were not interrupted; and
- Learners, Educators, Schools and Institutions were not to be identifiable in any way from the results of the research.

Participants were motivated to participate, because the research would add value to District Coordination, Monitoring and Support.

This study was limited to the uMhlathuze Local Municipality which falls under the King Cetshwayo District. UMhlathuze Local Municipality was chosen because it is located next to the Richards Bay Industrial Development Zone (RBIDZ), and many public schools that were chosen are in the proximity of the area of residence of the researcher. Data collected came from school-based and office-based educators, educator Unions, learners from grades 8-12 and school governing body members. The period of investigation was limited to the period from 25 August 2016 to 26 March 2018. The University of Zululand Research Higher Degrees Committee committed itself to reimburse research expenses that were incurred in conducting this study. Finally, this research study was restricted only to uMhlathuze Local Municipality, and cannot be generalised to other circuits within the King Cetshwayo District or to any other circuits.

The Department of Basic Education caters for the functionality of public schools in the whole of South Africa. Circuit Managers work with the National Department of Basic Education officials to promote effective teaching and learning so as to bring about quality education. They needed to participate in the study. It was evident that some participants responded better in face-to-face interviews and some participants appeared very afraid to respond to questionnaires, but the researcher managed to allay their fears by placing an emphasis on the academic side of the research project. However, some school-based educators were not comfortable with fact that learners were also participants, but the researcher managed to win them over in the end.

1.13. CHAPTER OUTLINE

Chapter One: Introduction and Background to the Study

This chapter provides a short descriptive title, background and outline of the research study.

Chapter Two: Literature Review and Theoretical Framework

An outline is given of the classifications in the public-school system in South Africa, KwaZulu-Natal and in the UMhlathuze Local Municipality.

Chapter Three: Research Design and Methodology

This gives the structure of uMhlathuze Local Municipality. It declares the research methodology, explains the data generation procedure, the data analysis and presents and discusses the findings.

Chapter Four: Public School Ethics in South Africa: Policies, Principles and Practices

The Professional Code of Ethics will be examined and this will be viewed in the context of an ideal situation in the public-school system.

Chapter Five: Data presentation and analysis

Data that were collected from the respondents at uMhlathuze Local Municipality will be presented and analysed by the researcher so as to discern their level of understanding of public service ethics.

Chapter Six: Achieving Embedded Public Service Ethics in uMhlathuze Local Municipality: Myth or Reality?

The Technical Support Unit has a crucial role to play in all spheres of government regarding the management of ethics, integrity and disciplinary matters. The Public Service Code of Ethics for 2016 has key principles that can assist in achieving an embedded public service ethic. This study has findings and possibilities for achieving an embedded public service ethics in the uMhlathuze Local Municipality.

Chapter Seven: Summary, Conclusion and Recommendation

Analysis of the data and discussion of the findings will be undertaken by the researcher, and an indication will be given of the necessity for and the value of the entrenchment of public service ethics in the uMhlathuze Local Municipality. The thesis will finally be summarised with an emphasis on the results obtained and, on the contribution, made by the results. Recommendations will be made for further articles to be considered that could add to the literature on the promotion of ethical conduct.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1. Introduction

Corruption in any place or in any sphere of government is an indication that there is violation of public service ethics. The United Nations Convention Against Corruption (UNAC) of 2003, and the African Union Convention on Preventing and Combating Corruption (AUCPCC) (2003), constituted the main policy and political frameworks for the formulation of the Regional Anti-Corruption Programme for Africa (RACPA) (2011-2016). Corruption is undoubtedly the most pressing governance and development challenge that Africa is confronted with today. Corruption has debilitating and corrosive effects on progress, stability and the development of the continent. While corruption is a global phenomenon, its impact is felt more in poor and underdeveloped countries, where resources for development are duly diverted into private hands, which exacerbates poverty. South Africa is experiencing a number of service delivery protests due to corruption. "Corruption is perceived as the senior national problem next to poverty and unemployment" (Global Corruption Report, 2005:1-10).

"Corruption cannot be overcome without political will and courageous leadership. Politicians and government officials are in a position to show that leadership, but civil society must also be ready to monitor their actions to check that they keep their promises", (GCR, 2005:4). Seemingly, this statement suggests that all citizens have a responsibility to curb corruption. The revised Local Government Anti-Corruption Strategy (LGAS) and the Municipal Integrity Management Framework (MIMF) provide a high-level road map for the three spheres of government (national, provincial and local) on how to deal with fraud, maladministration and corruption (van Rooyen, 2015). The South African Government introduced the Anti-Corruption Strategy which seeks to professionalise the Local Government Sector and to promote ethical conduct (LGACS, 2015). This is an indication that the South African Government made an attempt to deal with corruption at local government level. School-based and office-based educators are therefore expected to demonstrate this ethical behaviour at all times as a way of complying with the Local Corruption Anticorruption Strategy.

The Anti-Corruption Task Team was set up by the South African Government in 2015 to ensure that the government strategy was implemented by all public sectors, including the education sector. The Anti-Corruption Task Team is responsible for implementing a coordinated National Anti-Corruption Awareness Campaign (NACAC), and focuses on areas that include: facilitating a national dialogue on governance and ethical leadership (Local Government Anticorruption Strategy, 14, 2015:14). There is therefore a need for a framework that consolidates initiatives and requirements to promote integrity and to combat corruption. South Africa is in the third decade of its democracy, but instability is perceived in a number of areas including the parliament. Power struggles and unethical conduct in the uMhlathuze Local Municipality is said to be taking place in a number of sectors. This study is interested in the entrenchment of public service ethics in the public-school system of this local Municipality.

UMhlathuze Local Municipality falls under the King Cetshwayo District Municipality (KCD), formerly known as UThungulu District Municipality. “A Heuwelland teacher was dismissed after a sexual misconduct investigation, and he was accused of sharing inappropriate messages with young pupils in WhatsApp”, (Orri Singh, 24 May, 2018, Zululand Observer). Singh also reported in the same newspaper on August 16, 2018 that, “in March 2018, Times Live reported that more than 300 cases of sexual abuse towards young girls were investigated in uMhlathuze Local Municipality”. The media reports on 7 June 2018 regarding unethical conduct on the side of learners in one of the high schools in uMhlathuze Local Municipal, where a female learner was severely beaten by another female, indicate that there is a high level of unethical conduct in this Municipality. Orri Singh, in the Zululand Observer, 3 September 2018, reported that “a High School teacher was charged for rape and sexual misconduct”. Furthermore, complaints of corruption such as in the manipulation of the recruitment process were reported by the South African Council for Educators (SACE) on 7 June 2018 in KwaZulu-Natal by a senior union member: SACE Ref 473/2017-KZN warrants Service Ethics in the Education Sector. School-based and office-based educators violate SACE, if they are involved in cases of misconduct. This study sought to add value in drawing the attention of school-based and office-based educators to areas that may assist in the public-school system of uMhlathuze Local Municipality in terms of ethical behaviour.

This research aimed at providing evidenced-based solutions towards turning around ethical conduct in the public schools of uMhlathuze Local Municipality. The ANC has identified three critical areas that must be addressed in South Africa namely poverty, social injustice and inequalities. Although South Africa has entered the third decade of her democracy, there are still numerous grey areas that need to be attended to. Poverty is one of those grey areas. Current perceptions show that the majority of people still live in poverty. It is not surprising, therefore, that the land issue is perceived by many people as something that can address the issue of escalating poverty, along with the high level of unemployment which has a negative impact on economic growth and development. Unethical conduct is also perceived to be a contributory factor to poverty since unethical individuals care very little about value-for-money, because misappropriation of funds enriches a few individuals. The entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality, could, in some ways, resolve the issue of misappropriation of funds. It is imperative to render quality service delivery where state resources are distributed in a fair and equitable manner. Corruption affects people emotionally, socially and psychologically.

Employees should be encouraged to do their work without prejudice so as to keep community members happy and to avoid unnecessary protests which end up opening doors for criminal activities in the name of service delivery. The gap between the rich and poor seems to be widening due to unequal distribution of resources. There is also the conviction that tenders are not properly awarded, and that this contributes to inequalities which must be addressed by the entrenchment of public service ethics. Wolhutter, (2017-07-31, 09:11), commented in the Citizen on the School Nutrition Case that was in Court. He further pointed out that, "The KwaZulu Natal Department of Education planned to challenge a high court interdict against its awarding of R14 billion worth of new tenders for the National School Nutrition Programme (NSNP), in Pietermaritzburg that Monday". The cases centred on allegations of irregularities in the tender process. Seemingly, some business people and companies "claimed some of those to whom three-year tenders were given did not exist, or were in the process of deregistration or had not paid their annual returns".

The awarding of such tenders was perceived either as corruption or favouritism. Another school feeding saga was reported by Yende, 2018-08-12, in City Press. "The province's school nutrition programme established to feed more than a half a million poor pupils, has been marred by tender rigging allegations as unscrupulous officials are accused of favouring some companies above others in Mpumalanga" (Yende, 2018, 08-12. It did not come as a surprise that the Minister of Finance, Pravin Gordhan, in his budget speech indicated that people who earn above 1.5 million will pay 45 per cent tax (The Mercury, February, 23, 2017). The Minister of Finance emphasised the importance of ethical behaviour in financial management.

In Eduard's (2001: 11-16) assessment, "Ethics is defined as, among others, the entirety of rules of proper moral conduct corresponding to the ideology of a particular society or organisation". Eduard continues as follows: "Public sector ethics is a broad topic because values and morals vary between cultures" (Eduard, 2001:11-16). This topic is expanded on: "Ethics addresses the fundamental premise of a public administrator's duty as a 'steward' to the public. In other words, it is the moral justification and consideration of decisions and actions made during the completion of daily duties" (Eduard, 2011:11-16). The public service has its own values and the most important of these is integrity, interpreted to cover a broad range of bureaucratic behaviour, but used to refer to administrative or public service ethics, to principles and standards of right conduct for public servants. School-based and office-based educators should be reminded on a regular basis of the right conduct in education. Punctuality, preparation, supervision, lesson-planning, classroom management and setting a good tone for teaching and learning, are some of the basics in the public-school system. Kernighan & Dwivedi (1983:1) argue that from a comparative and international perspective, the 1970s may aptly be described as "the ethics decade" in the historical development of the study and practice of public administration".

They argue further that a lot of information and knowledge about ethical problems in government was enormously expanded upon by the publications of academics, journalists and by government studies and reports about unethical activities by officials in the United States of America and in other countries. Both authors further contend that the issue of ethical conduct among public servants is an integral part of the larger issue of reconciling administrative power and administrative responsibility.

Public officials have powers due to the positions that they hold as public officials. They are expected to be responsible at all times and must always be guided by the Code of Ethics of the position that he/she is holding in the public domain. Therefore, ethics and responsibility go hand-in-hand. Accordingly, the existence of a common set of ethical standards helps to ensure that public servants are not exploiting their public office for private gain. However, it is common for people to take advantage of the situation where there is no proper monitoring and supervision. Public service ethics are principles and guidelines which assist public servants as trustees of the public, to maintain a high standard of performance and to commit themselves to upholding behaviour that promotes the public good.

After twenty-five years of democracy in South Africa, public service ethics is still perceived as challenge in the public schools of uMhlathuze Local Municipality. This research addresses the issue of unethical conduct in public schools and seeks to advocate for an effective and efficient programme that is both stable and structured. To be clear, there must be structures that deal with the entrenchment of public service ethics in public schools. In other words, for any `service delivery` to be sustainable, a predictable environment is essential so as to cater for the significant of unfair labour practices in public schools. This applies equally to the natural world, as it does to social sciences. The entrenchment of public service ethics is aimed at making a positive contribution to the Quality Learning and Teaching Campaign (QLTC). Ethical behaviour needs to be entrenched in various spheres of government, in other words principles of co-operative government and intergovernmental relations must be enforced at all times. Section 41 (1) (h) of the RSA Constitution states that: all spheres of government and all organs of state within each sphere must co-operate with one another in mutual trust and good faith by fostering friendly relations; assisting and supporting one another; informing one another of, and consulting one another on matters of common interest; co-ordinating their actions and legislation with one another; adhering to agreed procedures; and avoiding legal proceedings against one another. When the African National Congress (ANC) assumed control of the new democracy in South Africa from 1994 – 2019, it was challenged to meet significant demands for service delivery with limited available resources.

Unethical conduct has also made an impact by hampering transformation and service delivery; hence South Africa is experiencing wide-spread service delivery protests. This chapter deals with: the essence of public service ethics, the role of school-based and office-based educators in public service ethics; the positive contribution of prominent scholars to public service ethics; expectations from public officials with regard to public service ethics, the impact of public sector units on public service ethics; Africa`s approach to public service ethics; the South African approach to public service ethics. Complaints about corruption, bribery and misappropriation of funds are rife in South Africa. For instance, uMalusi which is a quality assurance body in the Republic of South Africa identified some irregularities in 2014 grade 12 final year examination results. King Cetshwayo District Municipality had public schools that were implicated in the irregularity scam. Many other districts were involved in the irregularity scam in KwaZulu–Natal and in other provinces in the Republic of South Africa. The November/December 2014 examinations in terms of grade 12 irregularities indicate that public service ethics must be scrutinised and be understood so as to entrench ethical behaviour in the public-school system.

2.2. PROFESSIONALISM AND ETHICS IN THE EDUCATION SECTOR

Professionalism and ethics in teaching examines the ethical issues of teaching. There are central ethical and moral issues in education and teaching. For example, national policies say that learners who are pregnant should not be expelled from the school. This issue has moral and ethical implications. This study will check the views of school-based and office- based educators, and how they handle this issue for the benefit of the learner, and the production of quality education. Some people feel that this is a controversial issue which must be considered sensitively. To quote another example: The Member of the Executive Council (MEC) who was responsible for education in KwaZulu-Natal in 2012, gave a ruling that school gates should be closed every day in the morning, in order to lock outside all late comers. The suggestion does not seem to have produced positive results, because some learners enjoy themselves when they are locked outside the school during school hours. This study looks at the level of late-coming in schools that are in the King Cetshwayo District Municipality and how school-based and office-based educators attend to this issue.

The researcher also investigated the rate of teenage pregnancy and its impact on quality education and performance of learners in schools. The researcher checked if school-based and office-based educators are ethical when it comes to such issues. Sirswal (2014:2) argues that presently, the world is facing a leadership crisis. He further argues that we do not find a humanitarian global mind-set in leaders at the present time, and that is the reason why we are facing a crisis of ethics, values and humanity. It is alleged that this lack of humanitarian leadership is apparent amongst school-based and office-based educators. Unethical behaviour is also observed in other districts in KwaZulu-Natal and in South Africa as a whole.

People only focus on their personal aspirations at the expense of the interests of the nation. The economy is unstable due to this unethical conduct in various public sectors including the education sector. Sirswal, in his article, 24 June 2014, gave an example of the American Society for Public Administration Codes for their members. Public representatives and political office bearers must promote the interests of the public and put service to the public above service to oneself. Serve all people with courtesy, respect, and dedication to high standards. The critical analysis of the entrenchment of public policy ethics in the public-school system of King Cetshwayo District Municipality should consider the limitations that would have to be placed on people who think only of themselves and their friends. It is alleged that, "there are leaders who are occupying very high positions, but who do not have courtesy, respect, and dedication to high standards", Copeland, M., K., (2016:3). These school-based and office-based educators do not seem to add value to education and democracy of South Africa. This study draws the attention of such people to what they ought to do, to serve the public. All employees of the government must respect and support the government's constitution and laws, while seeking to improve laws and policies that promote the public good. The Constitution of South Africa, Act 108 of 1996, contains a bill of rights in chapter 2, which also includes the right to learn. The right to learn must be respected by school-based and office-based educators. The standard of education will always diminish if school-based and office-based educators do not honour and uphold the Constitution. It is important to inform the public and to encourage active engagement in governance.

Leaders, managers and educators should be open, transparent, and responsive, and respect and assist all persons in their dealings with public organisations. They should be open and transparent, while protecting privacy, rights and security. Some managers do not involve the public in decision-making. School Governing Bodies and other members of committees are always side-lined in issues that are related to school governance in the uMhlathuze Local Municipality. There are many complaints and queries around the filling of vacant posts at school level and office-based level. These complaints are always kept by the Labour Relations Council. Public employees need to treat all persons with fairness, justice and equality, and respect individual differences, rights and freedoms. They should act affirmatively to reduce unfairness, injustice and inequalities in societies. As long as people still complain about job reservation either at Local, Provincial and National level, there is no fairness. Equal distribution of resources is always questionable in the uMhlathuze Local Municipality.

Departmental officials are expected to inform and advise fully: to provide accurate, honest, comprehensive and timely information and advice to elected and appointed officials and school governing body members, and to the organisation's superiors. The issue of the Annual National Assessment (ANA), is a clear indication that there is communication breakdown at all levels. This has a negative bearing on the implementation of national policies. Systematic coordination is required at all times so as to reduce or mitigate conflicts between educators' Unions and the Department of Basic Education. Public employees must demonstrate commitment to duty, to ethical principles and to personal obligations. There is a widespread complaint about the quality of education in South Africa. It is alleged that there is a lack of commitment by other school-based and office-based educators.

School-based educators seem always to complain about learners who have a negative attitude towards education. This research is a wonderful way of identifying some gaps amongst school-based and office-based educators. There are gaps in understanding policies and the implementation of such policies in public schools. Educators should promote ethical organisations and strive to attain the highest standards of ethics, stewardship, and public service in organisations. The

entrenchment of ethical behaviour amongst school- and office-based educators will boost the morale of a number of people. Some school-based educators left Department of Education, because they felt that they were not considered for promotion, although they had all necessary qualifications. Quality education cannot be achieved where there are negative employees. People must learn to apply constructive criticism. School-based and office-based educators should strive for professional excellence. School-based and office-based educators are professionals because they received professional knowledge from tertiary institutions. The South African Council of Educators (SACE) registers all educators with a professional qualification. Therefore, all educators that appear in SACE register should be guided by the Codes of Professional Ethics. Continuous Professional Teacher Development (CPTD) is the main component under SACE in the Education Sector which should develop educators.

Educators must strengthen individual capabilities to act competently and ethically, and encourage professional development. School-based and office-based educators must always be encouraged to excel in the workplace. Growth and development in any country will come from dedicated and committed individuals. Public representatives and political office bearers should strive to fulfil their obligations hand-in-hand with intellectual academics. Economic growth and social development should always be perceived as a joint venture. Public service: Section 8(1) of the Public Service Act of 1994, stipulates that the public service shall consist of persons who: hold posts on the fixed establishment, and those appointed additional to the staff who are appointed temporarily or under special contract in a department, full-time or part-time.

2.3. GENERAL ETHICAL PRINCIPLES ADOPTED BY THE 1996 UNITED NATIONS CODE OF CONDUCT FOR PUBLIC

A public office, as defined by national law, is a position of trust, implying a duty in the public interest. Therefore, the ultimate loyalty of public officials shall be to the public interests of their country as expressed through the democratic institutions of government. School-based and office-based educators must always be reminded that they are in the position of trust. Parents, community and the government trust them. Therefore, the public interest should always be in their hearts and in their minds. People should give due respect if one respects someone's position and

always demonstrate that one acknowledges and respects the public interest. It is an indisputable fact that education is an important commodity in the transformation of people's lives and in the alleviation of poverty and unemployment. It must therefore be handled with care and trust.

2.4. PUBLIC SERVICE ETHICS

2.4.1. The essence of public service ethics

The Institute of Global Ethics (21, January, 2009) believes that, "individuals and organisations will falter if they simply limit the handling of moral issues to after-business hours or weekend retreats". They argue that, "ethics is everywhere and truly matters on every level and in every instance". Training people on ethics not only helps them to take better decisions, but will empower them with key qualities that nurture a culture of integrity in their schools. UMhlatuze Local Municipality needs this kind of training so as to reduce significantly unethical conduct within the district, in the whole province of KwaZulu-Natal and in South Africa as a whole. The public-school system is responsible for grooming future leaders and this task must be rendered by school-based and office-based educators with integrity. Learners should learn about core values at an early stage so that they will become responsible leaders. The behaviour of public managers and public employees is crucial if the issue of service delivery and quality education is taken seriously. These public employees are expected to demonstrate ethical behaviour. Lewis & Gilman (2005:28) argue that ethics in the public service involves thinking systematically about morals and conduct and making moral choices about right and wrong (making moral judgements) when faced with ethical dilemmas. Lewis & Gilman (2005:28) further argue that ethics is an important service in that it goes beyond thought and talk to performance and action.

The subject of public ethics involves action based on judgement of right and wrong and is summarised by three things, "those that count in public service, those that are at stake and the contribution that can be made by professional managers to ensure that there is success in professional ethics and ethical survival" (Lewis & Gilman 2005:28). The behaviour of school-based and office-based educators is crucial for achieving quality and for fulfilling the National Development Plan 2030 deliverables towards 2030 goals, in the uMhlatuze Local Municipality and in South Africa as a

whole. Therefore, public service is about ensuring that the needs and aspirations of the public are satisfied by the public servants.

As with all public servants, school-based and office-based educators have an ethical responsibility to ensure that the quality of teaching and learning is promoted at all times especially in the uMhlathuze Local Municipality and in the twelve district municipalities in KwaZulu-Natal and in South Africa as a whole. In the case of an Education Sector, they are required to ensure that the quality of teaching and learning is promoted at all times.

2.4.2. The role of school-based and office-based educators in public service ethics

School-based and office-based educators are professionals, and are therefore able to render their services in a professional manner. Lewis & Gilman (2005:43) assert that ethics and genuine professional success go together in public service. Lewis & Gilman (2005:44) argue that public service involves public trust and citizens expect public servants to serve the public interests with fairness and to manage public resources properly on a daily basis. School-based and office-based educators are not expected to misuse funds, stationary, public school buildings, furniture and other valuable equipment such as computers. They point out that ethical values involve beliefs about right and wrong (Lewis & Gilman, 2005:50). It is true that public schooling has numerous challenges which include child abuse, lack of discipline amongst learners and educators, misappropriation of funds, teenage pregnancy and late-coming. However, it is important to indicate that in response to the National Development Planning, the Minister of Basic Education in South Africa, Mrs Angie Motshekga, commissioned school profiling under: admissions, human resource provisioning, Learner-Teacher Support Material, academic preparation and curriculum coverage, school management and governance, learner well-being and infrastructure. The recruitment and hiring of professionally qualified educators make a positive contribution to learners' achievements and will promote the quality of teaching and learning in public schools. Misappropriation of funds will have a negative impact on Learner-Teacher Support Material. Academic preparation and curriculum coverage cannot be done by an unethical educator or, if it is, it will be done badly.

All challenges in the public-school system should be resolved in a professional manner. Lewis & Gilman (2005:52) refer to Michael Harmon's "Theory of countervailing responsibility" which organises administration responsibility into three types the political, professional, and personal.

Political responsibility is defined as: "Action that is accountable to or consistent with objectives or standard of conduct mandated by political or hierarchical authority", Lewis & Gilman (2005:53) Professional responsibility is also defined as: "Action that is informed by professional expertise, standards of ethical conduct, and by experience rooted in agency history and traditions", Lewis & Gilman (2005:52) Alternatively this can be defined as: "Action that is informed by self-reflexive understanding and energies from a context of authentic relationships when personal commitment is regarded as valid basis for moral action", Lewis & Gilman (2005:52). The entrenchment of public service ethics will ensure that all political aspirations that are stated above become a reality. Unethical behaviour will hinder the implementation of NDP 2030 vision and there is speculation that, in the King Cetshwayo District Municipality, such unethical behaviour exists in various forms of corruption. This study attempts to investigate such speculation.

2.4.3. The positive contribution of prominent scholars to public service ethics

Garafalo & Lynch (2001:2) identified various strategies for applying virtue ethics to the challenge of corruption. No quality education can be achieved in an environment that is full of corruption. Corruption will also hinder all good intentions for the introduction of the National Development Plan. 2030. Garafalo & Lynch (2001:2) affirms that corruption appears in all sectors in innumerable forms and with receptions varying from hostility to tolerance. They also confirmed that no universal antidote can be administered to curb corruption, but that it can only be addressed by global virtue ethics in conjunction with suitable auditing and monitoring policies and procedures. Many writers such Wood, (2004:187), Dale, (2000:178), and MacCarthaigh (2008:18), have strong feeling that there is a connection between values and ethics. Sindane (2011) in his article argues that values determine what is 'right' and what 'wrong', good or bad. Richardson (2008:4) points out the following characteristics of good governance. Participation based on freedom of speech; and the capacity for constructive engagement. According to Richardson (2008:4), good

leaders strongly believe in participative leadership and strive to democratise everything in an organisation while allowing employees to come out with productive ideas. The empowerment of others is also crucial in a democratic country. This allows others to have their views and opinions and this promotes good human relations. The position an official holds in the public sector allows for the exercise of the rule of law in a fair and impartial manner. Thus, the entrenchment of public service ethics in the uMhlathuze Local Municipality will ensure that the rule of law prevails in a fair and impartial way.

Transparency that is built on the free flow of accurate information is important. There should be transparency in the way funds are utilised and how appointments are made in the public-school system. All public institutions including the public-school system was created to serve the needs and aspirations of the public. Access to quality education is critical in a democratic country. Consensus orientation in which differing interests are mediated is also important. Consultation and consensus are some of the democratic values in South Africa. Constructive criticism should always be accepted and implemented in a proper manner. Equity in which all stakeholders have an opportunity to improve and maintain their well-being is essential. Resources must always be distributed in an equitable manner. There should be no gender bias, discrimination or unfair distribution of resources. Efficiency and effectiveness are key requirements to make the best use of available resources, and an ethical person will always do the right thing, in the right way while executing his/her functions. Accountability is seen in the way in which government officials, public officials, and civil society organisations report to the public. Public officials and political office bearers must know the needs of the public and they are expected to communicate with them whenever necessary. Public officials who are responsible will often prevent unnecessary strikes, boycotts and uprisings. Accountability reduces anger. There is a need for a strategic vision in which all stakeholders have a long-term perspective on public service. Undoubtedly, the successful implementation of the National Development Plan 2030 does not depend solely on the proper entrenchment of public service ethics, but also refer to areas that would deal with the alleviation of poverty. A critical way of thinking is crucial if one works with people who were negatively affected by apartheid for many years. Ehrich, Neil & Megan (2001:2) argue in their paper that corruption, fraud, illegal conduct and other types of criminal

activity have characterised both public and private sectors around the world. The uMhlathuze Local Municipality is no exception in terms of unethical conduct, but the status quo should not remain the same as it is, if there is seriousness about the promotion of quality teaching and learning in the public schooling system. Various countries are placing ethical standards in the spotlight. These include the USA, New Zealand, Austria and many African countries including South Africa.

The Queensland Public Sector Ethics Act (1994) and its amended Act of (1999) gives a mandate to all government entities (Universities included) to develop a code of conduct and to provide ethics training for public officials (Preston 2000:13). Five ethical principles identified in the Act are: respect for law and the system of government, respect for persons, integrity, diligence, economy and efficiency (Preston 1999, pp. 13, 24 Queensland Public Sector Ethics Act 1994, pp. 6-10). Chief Executive Officers in organisations are responsible for the implementation of the Act and the development of the codes of (Queensland Public Sector Ethics Act, 1994 and 1999). In their paper, Ehrich, Cranston & Megan (2001:2) go through the etymology of the word `ethics`. It comes from the Greek word `ethos`, which means `character`. Hence, an ethical person is one who has character, but agrees that character can be interpreted in a broader sense. Greek philosophers, Plato and Aristotle, according to Freakley & Burgh, (2009:97) state that ethics can be understood as what we ought to do. This requires judgement and reasoning in decision-making that raises questions regarding what is right, wrong, good or bad conduct, fair or just. Further, another elaborate way of viewing ethics is to see it as a “set of rules, principles or ways of thinking that guide or claim authority to guide actions of a particular group” (Singer, 1994:4). ‘Guide’ has been used here as the operative word as there is no universal recipe for resolving ethical dilemmas.

It is a fact that all leaders have their beliefs, values and sets of principles. It is true that ethical dilemmas do emerge at any given moment. In an attempt to implement ethical conduct, one should not ignore competing forces which create ethical dilemmas. These forces include: professional ethics, legal issues, policies, organisational culture, interests, and the society, the global context, and the potential framework of economic and financial contexts.

2.4.4. Expectations from public officials with regard to public service ethics

Public officials shall ensure that they perform their duties and functions efficiently, effectively and with integrity, in accordance with laws or administrative policies. They shall at all times seek to ensure that public resources for which they are responsible, are administered in the most effective and efficient manner. Public officials shall be attentive, fair and impartial in the performance of their functions, and in particular in relation to the public. They shall at no time afford any undue preferential treatment to any group or individual or improperly discriminate against any group, or otherwise abuse the power and authority vested in them. In this regard, this study looks at the behavioural patterns of school-based and office-based educators in the uMhlathuze Local Municipality.

This research complements the work of Menzel who on the 2nd of February 2015, made a broad overview of worldwide efforts to put into place ethics management strategies that encourage ethical behaviour and that combat corruption. It is always good to subscribe to the notion of prevention being better than cure. Principles for managing ethics in the public service according to the Organisation for Economic Cooperation and Development (OECD) are as follows: Ethical standards for public service should be clear; and public servants need to know the basic principles and standards they are expected to apply to their work, and where boundaries of acceptable behaviour lie.

The Education Labour Relation Council Handbook, (2003) has a professional code of ethics for school-based and office-based educators. Ethical standards should be reflected in a legal framework. The legal framework is the basis for communicating the minimum obligatory standards and principles of behaviour for every public servant. Ethical guidance should be available to public servants. Guidance and internal consultation mechanisms should be made available to help public servants apply basic ethical standards in the workplace. Public servants should know their rights and obligations when it comes to exposing wrongdoings. Public servants also need to know what protection will be available to them, in cases of exposing wrongdoings. Political commitment to ethics should reinforce the ethical conduct of public servants. Political leaders are responsible for maintaining a high standard of propriety in the discharge of their official duties. The decision-making process should

be transparent and open to scrutiny. The public has a right to know how public institutions apply the power and resources entrusted to them.

There should be clear guidelines for interaction between the public and private sectors. Clear rules defining ethical standards should guide the behaviour of public servants in dealing with the private sector, for example regarding public procurement, outsourcing or public employment conditions.

Government policy should not only be the minimal standards below which a government official's actions will not be tolerated, but also clearly articulate a set of public service values employees must aspire to acquire. Public service conditions and management of human resources should promote ethical conduct. Public service employment conditions, such as career prospects, personal development, adequate remuneration and human resource management policies should create an environment conducive to ethical behaviour. There are allegations that there are school-based and office-based educators who are well known for unethical behaviour when it comes to the employment of post level 1 educators, deputy posts and Heads of Department. One wonders if the entrenchment of public service ethics in the uMhlathuze Local Municipality could perhaps normalise the situation within the uMhlathuze Local Municipality. Participants who came from school-based educators in this study confirmed unethical conduct amongst office-based educators, when it comes to appointment. Some made comments and did not want to disclose themselves. No quality education can be achieved where public employees demonstrate unethical behaviour while rendering their services. The National Development Plan, points out in the Commission's Diagnostic report that nine primary challenges were identified by this Commission. These included three critical ones: Too few people work; the quality of school education for black people is poor; and Infrastructure is poorly located, inadequate and under-maintained. Unethical conduct is a threat to all initiatives that are aimed at addressing the issues of unemployment, poverty and social injustice. Adequate accountability mechanisms should be in place within the public service. Accountability should focus on compliance with rules and ethical principles that are aimed at the achievement of results. Appropriate procedures and sanctions should exist to deal with misconduct. Mechanisms for the detection and independent investigation of wrong doings such as corruption are a necessary part of an ethics infrastructure.

Initially, the researcher alluded to the fact that corruption is found in both the public and the private sector. Waweru (2010), who is a lecturer in the Department of Philosophy and Religious studies at Kenyatta University, acknowledges the fact that there is corruption in Africa. He argues that corruption has resulted in the plundering of resources causing a progressive decline in the quality of life. He also argues that the root cause of corruption in Africa is impunity. He points out that impunity is an ethical problem. He further argues that impunity is a global problem and an unethical issue that is proving hard to deal with, particularly in our own African context.

In his paper on Public and Private Sector Initiatives to combat Corruption, Waweru (2010) quotes Kimath (2010:17), who defines impunity as a behaviour that develops from a null expectation of punishment after wrong doing, resulting into a culture of corruption within systems of patronage. He further argues that in Africa, this culture of impunity has resulted in Africa's own failure to hold senior government officials and political leaders accountable for evils like torture, murder, fraud, rape, land grabbing, xenophobia, while in recent incidents in South Africa and in 2008, they were guilty of crimes against their own people that they are supposed to protect. This unethical culture of impunity is ethically wrong. Every serious citizen needs to speak out against such behaviour both in the public and in the private sector. Whistle-blowing must be encouraged at all levels and whistle-blowers must be protected at all times. Yahaya (2006:18) makes a list of ethical values as highlighted by the Institute of Global Ethics (2001) and this includes love and caring/compassion. Civil servants are required to be compassionate in their interactions with their clients especially with the general public.

School-based and office-based educators are expected to show love and understanding for learners and for the community that they serve. A person must love his/her job first and money will follow. Some people are so deeply in love with themselves that they forget their customers. If a person fails to honour his/her professional duties, s/he has failed or affects growth and personal development of the people. Each and every person has a role to play in his/her own space. Some school-based and office-based educators are deeply loved by learners and the public in general because they show love and are caring towards the community.

Truth must be the watchdog of public servants. There must not be deliberate irregularity, inconsistency or falsehood in records. Public officers are required to tell the truth, to express the truth and to stand by the truth. School-based and office-based educators are expected to tell the truth at all times for example, they should not promise a person a post if there is no post available. Civil servants must be free from extraneous influences that could bias or prejudice their views and opinions in the course of performing their duties. School-based and office-based educators are free to join political parties of their choice in a democratic country, but political ideologies of their political parties of choice should not tamper with their professional duties. Religious doctrines or cultural backgrounds should not interfere with their service delivery. Fairness, justice and equity should be demonstrated by public servants when they are performing their duties. They are to treat everyone as equals irrespective of social, economic and political viewpoints. These are some of the factors that hinder the development of the country. Fairness must always prevail in the workplace so as to promote growth and development in the country.

Civil servants are required to promote national unity and integration. They are expected to promote peace and harmony. School-based and office-based educators must also promote unity. Political tensions and community clashes and civil wars have no place in a democratic country and they do not add value in the economic growth and development. Public servants should tolerate others and respect their views and feelings. They should respect cultural, religious and ethnic differences. South Africa has a number of political parties and school-based and office-based educators should promote political tolerance in public schools and in all public gatherings where they find themselves so that the country can be stable and the Quality of Teaching and Learning can be promoted in a warm atmosphere. Civil servants are required to act responsibly and to give an account of their actions and inactions. They are expected to keep adequate records and to provide necessary guidance.

School-based and office-based educators in the uMhlathuze Local Municipality must always bear in mind that the crime rate is very high in this area, keeping learners in the public school until late, is not acting in a responsible way. There are drugs in every corner of uMhlathuze Local Municipality. Parents are expecting school-based and office-based educators to protect their children, if not, they will be held accountable. Public servants are required to provide an efficient and effective service to the people. They are expected to treat the people with dignity. School-based and office-based educators must always guard against assault, sexual harassment, abuse, sexual, emotional, physical, verbal and psychological abuse.

2.4.5. The impact of the public sector on public service ethics

Wood (2004:187) points to the values and fundamentals that should permeate the public sector unit's operations. His main focus is on wisdom, the reasoning, the beliefs, the ideology and the attitude that should represent the public sector unit in the society. The following seven units are analysed in detail: The organisation's interest in ethics sets the scene for the public sector unit's staff to examine this in the context of the history of their unit and, in some cases, its future vision. The study looks at public service prior to and post-1994. Those who belong to the older group have a perception that the younger generation brings no value to the current situation in the education sector. This erroneous notion must be repudiated. Some of the older educators are failing to accept the changed teaching environment. The newly appointed school-based and office-based educators must accept one another for proper growth and development to take place in South Africa. The Quality Learning and Teaching Campaign can be achieved easily if teamwork is promoted at all times. School-based and office-based educators are always expected to be professional while dealing with education matters in public schools. Wood (2004:189) argues that this is the standard to which one should aspire in the public sector unit, to be professional in every sense.

School-based and office-based educators are expected to reflect this kind of behaviour in the uMhlathuze Local Municipality and in other sectors in South Africa and in South Africa as a whole. Professionalism must be reflected in one's dress code, lesson planning, and punctuality at school and in class, in the organisation of the educator file, communication, leadership, management and administration in

general. There is a need for effective general and curricular management as a whole, but this must also be seen in extracurricular activities. It is always good to work with integrity so as to maintain the public trust. Wood (2004:189) affirms that it is about trustworthiness and about who we are as individuals in the public sector unit. School-based and office-based educators must be trustworthy. Parents are reluctant to send their children to someone who is not trustworthy. A school-based and office-based educator moulds the lives of future leaders.

Public servants are always expected to demonstrate honesty when they communicate with the public. Tell the truth about yourselves and the operations of the public sector unit. School-based and office-based educators must perform their duties in an honest manner. Be honest in recruitment, interviews, selection and in appointments. Any unethical conduct in some of these processes will jeopardise the appointments and compromise quality service delivery. Do not hide situations of unethical conduct in the public sector unit. South Africa has corruption watch which must report corruption in different spheres of government. It must also be pointed out though, that whistle-blowers do not feel protected, and, as a result, they keep quiet and do not report corruption.

A tense atmosphere in the workplace will always destroy the morale of school-based and office-based educators. Wood (2004:188) argues that this refers to the work situation in the operations of the public sector unit, however for the purpose of this study reference is made to public schools at the uMhlathuze Local Municipality where teaching and learning is taking place, that is: in classrooms, premises, sport fields, media centre, library, and offices. Wood (2004:188) argues that the environment must be conducive enough for effective teaching and learning to take place. No one can teach or learn well in a tense atmosphere where crime is at its highest level, bad human relations exist, there is no team work or team spirit and bullying and vandalism is rife. He further argues that the physical work environment for learners, school-based and office-based educators, parents and other interested parties such as educators' Unions and departmental officials should not be in dangerous areas where the level of crime and hijacking is unacceptable.

Wood (2004:188) also argued that no quality teaching and learning can be expected to take place where drugs and alcohol are a norm. School-based and office-based educators should work in an environment that is safe enough for normal duties to take place in. All public schools are expected to have a security guard to provide a safe environment. The general view is that UMhlatuze has one of the highest levels of crime in KwaZulu-Natal. One would expect safety measures to be in place at all times. Wood (2004:188) argues that the dimension of leadership responsibility within the public sector unit refers to the management's, duty, care, and obligation towards the employees of the public sector unit.

Wood (2004:188) argues that, "supervisors need to focus on developing and helping staff to achieve their potential in the public sector unit". This means that the attitude of the supervisor must be very positive towards others. S/he should not see them as a threat, or as enemies, but as colleagues who should be mutually supportive in the pursuit of quality education and performance improvement in all grades. The leader has to motivate others as a leader of the vision of the public sector unit in achieving its objectives on a daily basis. School-based and office-based educators must be able to inspire one another. No positive results can be expected in a negative environment, where people pursue their personal interests and fail to promote the potential in others. Positive motivation can contribute to desirable outcomes where there are no barriers. Leaders are expected to be involved in their work and in the decisions of the public sector unit, leading to a collegial approach based on discussion and engagement. South Africa is a democratic country, which means participative leadership should be promoted at all times.

The entrenchment of public service ethics in the public-school system will be a great success where there is participative leadership. Wood (2004:188) also argued that managers must take responsibility for making decisions and not hide behind the veneer of bureaucracy in the public sector. It is a fact that late-coming is a challenge in a number of public schools in the uMhlatuze Local Municipality. No single approach can be used to address this challenge; the method of locking learners outside the gate when they are late cannot be the only method to address the challenge of late coming. School-based and office-based educators must use different strategies that may be effective and promote quality education.

The dimension of employee responsibility according to Wood (2004:188) refers to the employees' obligations, duty, care, and tasks in the public sector unit. Moilanen & Salmine (2006:21) indicate that the entrenchment of public service ethics is not necessarily about the presentation of policies to school-based and office-based educators, but to ensure that they implement all policies on public service ethics. It is true that the public is aware that Standard and Poor Rating and Fitch put South Africa in junk status in April 2017 and that the newly appointed Minister of Finance negotiated with Moody's which was the last agency to assess the economy of South Africa. The researcher has a firm belief that you can put in office any suitable person as Minister of Finance, but the status quo will not change until there is a change in the perception of the public about the public service ethics. The issue of radical economic transformation, which is President Zuma's speeches and other Ministers in 2017, and talks about the distribution of economy to all South Africans, is not going to succeed in the current scenario, unless there is a review of public service ethics. Public Service and private sector must fully understand the importance of public service ethics in a democratic country. Moilanen & Vaasa (2006:1) argue that an ethics framework indicates core values and basic standards of conduct in the public sector.

Moilanen & Salmine (2006:22) argue that the ethics framework lists five human resource management policies to promote better standards of integrity within the organisation. They include the following: Impact of the ethics framework, work on ethics and its connection to the Lisbon Strategy, main future issues and priorities as envisaged by the member states and by the European Commission, the extent of unethical practices, promotion of leadership and human resource management that focuses on: leadership, training, communication, recruitment and mobility. Public school system has to improve, and better standards and integrity are critical to transform the public service. Moilanen & Salmine (2006:26) argue that the main goals of an ethics framework are to generate discussion and to raise awareness of ethical issues. The entrenchment of public service ethics in the public-school system of the uMhlathuze Local Municipality is about raising awareness of ethical issues in the uMhlathuze Local Municipality, and in the whole of King Cetshwayo District Municipality and the other eleven districts in KwaZulu-Natal and in the other eight provinces in South Africa. Economic growth and development will not take place in a

country that ignores or that undermines ethical issues. Crime, corruption, discrimination, xenophobia and inequalities are some of the challenges that are found in South Africa. Consciousness of ethical issues will make education more relevant in the uMhlathuze Local Municipality and in South Africa as a whole.

Moilanen & Salmanine (2006:28) raised a critical question of how public service ethics should be considered in relation to the Lisbon strategy, which according to the source; places the main focus on transparency and on fighting corruption (Maata, 2006:64). Moilanen & Salmine (2006:64) argue that public service ethics is not a clear-cut technical issue that can be approached as an accounting matter. Instead, ethics permeates all actions that civil servants take or fail to take, and it takes generations to build an ethically sound administrative system. The arguments that have been put forward above endorse the importance of the entrenchment of public service ethics especially in the public-school system. It is a fact that there are challenges in doing that, but that does not mean that we should fold our arms and do nothing. There is a need for a paradigm shift amongst school-based and office-based educators in the uMhlathuze Local Municipality and the whole of King Cetshwayo District Municipality. No quality education can be expected where ethical issues are not taken seriously.

Performance should improve in cases where ethical issues are taken seriously and are scrupulously implemented by school-based and office-based educators. It is true that the main focus should be on transparency and on addressing corruption if we want to bring about changes in the public-school system and in other sectors. With reference to the situation in Europe, Moilanen & Salmanine (2006:28) claim that there is a considerable amount of activity among the member states to introduce a Code of Conduct, for Belgium, Cyprus, Denmark, Hungary, Lithuania, Luxemburg and Slovakia, but member states also have their individual codes of ethics. They further argue that several countries are working to improve training in ethical values and standards. Moilanen & Salmine (2006:28) argue that Bulgaria, Cyprus, Czechoslovakia and Estonia are making a strong effort to reform their training system; Bulgaria has plans to include ethical issues in the annual performance assessments. They further point out that Sweden`s approach is to engage the public administration as a whole in discussing questions on ethics and the role of civil servants. Moilanen & Salmine (2006:28) further point out that many countries are

taking measures to fight against corruption, for instance, Austria, Denmark and Germany have taken some action to prevent corruption and they conclude by saying that Austria is going to ratify the Convention on Corruption. School-based and office-based educators should scrutinise their situations and check if their codes of conduct are relevant and in line with their current situation. There is a need for extensive training on ethical values.

In a globalised world, there are many lessons to be learnt from the above. The entrenchment of the public service in the public schools places an emphasis on ethical issues that must be revisited if we want to transform the education system in South Africa. Moilanen & Salmine (2006:22) argue that one important way to foster good administration, which has been neglected, is to integrate ethics into the management system, especially where policies relate to human resources. Leaders need to talk about ethics in their leadership. School-based and office-based educators must be retrained periodically on ethics. Effective communication on ethical issues is imperative in a democratic country. The issue of ethical conduct must be included in the recruitment process to avoid unwelcome surprises after employment.

Ethical awareness can certainly improve productivity if it is implemented properly. Integrity is a key component amongst school-based and office-based educators. Quality education needs sincere and genuine school-based and office-based educators who know exactly the value of education in South Africa. Poverty alleviation can only be done successfully if there is production of quality education. Quality education will also address the issue of unemployment and crime in South Africa. Lewis & Gilman (2005) also drew up a list of core values including commitment to the public good, accountability to the public, commitment beyond the law, respect for the worth and dignity of individuals, inclusiveness and social justice, respect for pluralism and diversity, transparency, integrity and honesty.

Public employees are expected to show commitment to the public good. The entrenchment of the public service ethics in the public-*school* system: a case study of uMhlathuze Local Municipality is about the endorsement of school-based and office-based educators operating as agents for the public good. The public likes committed employees and they are eager and inspired to send their children to

public schools where they see committed school-based and office-based educators. The issue of accountability to the public is an essential ingredient for ethical leadership. It is true that progress reports are sent to parents either on a quarterly basis, on a semester basis or annually, but there is speculation that there are school-based and office-based educators who do not take this exercise seriously. Section 17 (1) (a) of the Employment of Educators Act (EEA) 76 of 1998, stipulates that, “An educator must be dismissed if he is found guilty of theft, bribery, fraud or an act of corruption in regard to examination or promotion reports”. Public employees must show commitment beyond the law. Teaching or education requires school-based and office-based educators who are committed to contributing their expertise beyond the extent to which the law requires them to contribute. Each educator must be passion-driven so as to produce good results. Education laws and regulations should just serve as guidelines.

The issues of inclusiveness and social justice are key concepts in the new dispensation and it is not surprising that they keep coming up as issues amongst leaders and managers when they address the public. South Africa is a democratic country and no discrimination is expected in such a country. Justice must prevail at all times to avoid tensions amongst citizens. School-based and office-based educators have a responsibility to promote inclusiveness and social justice. Public employees should always respect pluralism and diversity within the public-school system including that which relates to the uMhlatuze local Municipality.

School-based and office-based educators have a responsibility to promote this concept of unity in diversity for economic growth and development and to lay the foundation for good future leaders. They should do their best to bring together people who are divided in terms of: financial backgrounds, culture, language, gender, age group, academic achievement, and many other differences. Transparency, integrity and honesty are concepts that promote ethical leadership. These concepts are key amongst school-based and office-based educators. A meeting where there is an involvement of all stakeholders is critical if we want to strengthen the relationship between school-based and office-based educators together with parents and learners in the case of secondary schools that is, grade 8-12. Financial reports must be given to parents on a regular basis to promote integrity, honour and trust.

2.4.6. Africa`s approach to public service ethics

According to Adewumi (1999) the Nigerian Institute of Management (NIM) required the following of its members, especially the professionals: To put service above self and to seek to find and employ more efficient and more economic ways of getting things done; To adopt the most scrupulous and transparent, honest and ethical decisions daily and to be free of any fraudulent and/or corrupt practices; and within the scope of authority, to treat all persons as being equal and to refuse to give special favour or privileges to anyone. School-based and office-based educators have a professional code of ethics as laid down by the South African Council for Educators (SACE), Adenubi identified the following purposes of professional ethics: To maintain high ethical standards, integrity and professional credibility of professional members, clients and public at large. To ensure that accountability, order and uniformity of practice in business dealings are always taken into account. Public servants are expected to bridge the gaps between public policy, professional practice and business morality so as to guarantee quality service delivery. To create a framework for practitioners to be efficient and effective at all times. Whilst this research is about the entrenchment of public service ethics in the public-school system in the uMhlathuze Local Municipality, it is a good idea to refer to models from other countries as has been done with Nigeria above. The researcher also looks at habits that are known to be for the public good in the Swedish society.

2.4.6.1. South African perspective of unethical behaviour

The Minister in the Presidency, Jeff Radebe issued an Anticorruption Strategy Document on the 14 of May 2017 with the following nine points for public comments:

Protect whistle-blowers and support citizen empowerment. Develop partnerships to reduce corruption and to improve integrity management. Better transparency by government, business and civil society. Bolster the integrity of the public procurement system. Support a professional civil service. Improve consequence management for corruption in government, business and civil society. Strengthen oversight and governance mechanisms in the government sector. Build the strength, resources and independence of anticorruption agencies. Spot vulnerable sectors and build added measures and support for anticorruption measures.

The Public Service Commission (2007:19) “Also revealed departments that provided evidence of cases that were disciplined in terms of corrupt and fraudulent activities, these included Education, Local Government and Traditional Affairs, Public Works, Social Welfare and Population Development.” Fear and intimidation are still perceived as a huge threat to whistle-blowers. Members of the public in the Republic of South Africa do not feel protected by the government Security Agency. Many culprits get away with fraud and corruption. The behaviour of school-based and office-based educators is crucial for achieving quality and for fulfilling the National Development Plan deliverables toward 2030 goals, in the uMhlathuze Local Municipality and in South Africa as whole. Public service is about ensuring that the needs and aspirations of the public are satisfied by the public servants. As with all public servants, school-based and office-based educators have an ethical responsibility to ensure that a good quality of teaching and learning is promoted at all times, especially, in the context of this study, in the uMhlathuze Local Municipality and in the ten district municipalities in KwaZulu-Natal and South Africa as a whole. In the case of an Education Sector, they are required to ensure that the quality of teaching and learning is promoted at all times. School-based and office-based educators are professionals, and therefore they should be able to render their services in a professional manner. Lewis & Gilman (2005:43), “assert that ethics and genuine professional success go together in public service”. Lewis & Gilman (2005:44) argue that, “public service is public trust and citizens expect public servants to serve the public interests with fairness and to manage public resources properly on a daily basis”. School-based and office-based educators are not expected to misuse funds, stationary, public school buildings, furniture and other valuable equipment such as computers. They point out that, “ethical values and beliefs are about right and wrong” (Lewis & Gilman, 2005:50). It is true that public schooling has numerous challenges which include child abuse, lack of discipline amongst learners and educators, misappropriation of funds, teenage pregnancy and late-coming. However, it is important to indicate that in response to the National Development Planning, the Minister of Basic Education in South Africa, Mrs Angie Motshekga, commissioned school profiling under: admissions, human resource provisioning, Learner Teacher Support Material, academic preparation and curriculum coverage, school management and governance, learner well-being and infrastructure. Orphans can always be abused by school-based educators who are

unethical. Overcrowding will always lower the morale of educators. The hiring of professionally qualified educators makes a positive contribution to learners' achievements and should promote the quality of teaching and learning in public schools.

Misappropriation of funds will have a negative impact on Learner-Teacher Support Materials. Academic preparation and curriculum coverage cannot be done by an unethical educator. All challenges in the public-school system should be resolved in a professional manner. Lewis & Gilman (2005:52) refer to Michael Harmon's "Theory of countervailing responsibility" which organises administration responsibility into three types: the political, the professional, and the personal as outlined and explained on page 30 above. Garofalo, C. , (2001:2) article 2, of The Departmental of Political Science in South West Texas State University, Dean Geuras Department of Philosophy in South West Texas State University, Thomas D. Lynch of the Public Administration Institute in Louisiana State University and Cynthia E. Lynch Southern University, identified various strategies for applying virtue ethics to challenge corruption. These were discussed on page 31 above.

Chapter 10 (Section 195) of the Constitution of the Republic of South Africa, Act 108 of 1996, prescribes basic values and principles governing public administration, the domain of public leadership, and governance in the public sector. The Quality of Teaching and Learning depends on a public servant's ethical behaviour. It is imperative to promote and uphold democratic values in a democratic country. Richardson (2008:4) points out that the following are characteristics of good governance: "Participation based on freedom of speech and capacity for constructive engagement". According to Richardson (2008:4), "good leaders strongly believe in participative leadership and strive to democratise everything in an organisation while allowing employees to come out with productive ideas".

The position an official hold in the public sector allows for the exercise of the rule of law in a fair and impartial manner. Thus, the entrenchment of public service ethics in the uMhlathuze Local Municipality will encourage the rule of law to prevail in a fair and impartial manner. All public institutions including the public-school system was created to serve the needs and aspirations of the public. Access to quality education is critical in a democratic country. Consensus is a process in which differing interests

are mediated and this should be aimed for. Consultation and consensus are some of the democratic values in South Africa. Constructive criticism should be accepted and evaluated in a proper manner. Equity prevails when all stakeholders have an opportunity to improve and maintain their well-being and when resources are distributed in an equitable manner. There should be no gender bias, discrimination and unfair distribution of resources. Efficiency and effectiveness are achieved when the best use is made of available resources, and an ethical person will always do the right thing, in the right way while executing his/her duties. Accountability in which government officials, public officials, and civil society organisations report to the public: Public officials and political office bearers must know the needs of the public. They are expected to communicate with them on a regular basis. Public officials who are responsible will always prevent unnecessary strikes, boycotts and uprisings.

Ehrich, Cranston and Megan (2006:5) point out the following key points: Professional ethics refers to standards, or norms and principles which members of a professional body hold. These standards may be formal or informal, written or unwritten. “Highlighted here are the ethical obligations generated by being accepted into the standards, or norms and principles that members of a person’s trade or profession hold” (Edwards 2001:15; Campbell 1997:221). Legal issues and policies, “mean legislations impacting on public institutions such as anti-discrimination legislation requirements” (Ehrich 2000) as well as rulings made by courts, especially when they set a precedent. “Also included here is the understanding of the law as a consistent set of universal rules that is widely published, generally accepted, and usually enforced” (Hosmer 2003: 64).

The rule of law is significant in a common law jurisdiction such as Australia. All citizens including public officials are governed by the same law. “The institutional context may, for a senior public servant, manifest as the need to seek to reconcile multiple and competing accountabilities to other colleagues, to the minister and the wider community” (Campbell 1997: 225). The public interest is a central factor in ethical decision-making and refers to expectations, needs, wants, and ultimately the well-being of the community as a whole (Edwards 2001:11,13). Public interest is demonstrated in the use of the ballot box, and participation in ongoing debates and decision-making. It includes things such as ensuring the accountability of public officials for making and administering of laws, policies and regulations, for example,

the usage of corporal punishment and the expulsion of learners. Professional ethics, according to Communication and Information Service (2006:6), is the capacity to promote and maintain a high standard of ethics in accordance with the principle of integrity. This is central to sustaining a credible public service and to the safeguarding of both its integrity and efficacy. It is important to make a critical analysis of public policy in the entrenchment of ethical behaviour in the public-school system of the uMhlathuze Local Municipality.

Professional ethics enhance the implementation of national policies and other relevant policies that promote quality service delivery. Many countries including South Africa place an emphasis on Anti-Corruption Strategies. The study of 26 member countries of the European Union, Bassaert and Demnike (2005:3) note that, “the focus in national public administration and media is on corruption, fraud and conflict of interest, but much less so on unethical behaviour in general”. Menzel, in his paper, further points out that international bodies, including the United Nations, Transparency International, the United Kingdom, the Netherlands, Norway, Sweden, Canada and Germany, and the Organisation for Economic Cooperation and Development (OECD) have launched a number of Anti-Corruption Initiatives.

The United Nations, for example, promulgated an International Code of Conduct for Public Officials in 1996 and also, in addition, the UN International Centre for Crime Prevention has developed an Anti-Corruption tool kit to help its member states. Member states and the public understand the insidious nature of corruption; the potentially damaging effect it can have on the welfare of the entire nations suggest measures used successfully by other countries in their efforts to uncover and deter corruption and build integrity should be taken note of. By understanding the concept and complexities of ethics management in one municipality, it might be possible to understand the possibilities of similar trends in other municipalities and the rest of South Africa. Transparency International (TI), as one of the very few international non-governmental organisations devoted to combating corruption, seeks through information and education to discourage corruption and foster integrity in governance. Global Corruption Report and a Corruption Perception Index (CPI) have identified corruption in one hundred and fifty-eight countries. Iceland, Finland, New Zealand, Denmark and Singapore are the five most corruption-free countries in the world, according to the 2015 CPI report. The five most corrupt countries in the world

according to the CPI report are; Chad, Bangladesh, Turkmenistan, Myanmar and Haiti. The US is ranked number seventeen in as far as corruption is concerned, ahead of France and Germany. Menzel points out that a public office is defined by national law, as a position of trust, implying a duty to act in the public interest. Therefore, the public official should be obliged to pursue the interests of his/her country as expressed through the democratic institutions of government. Public officials shall ensure that they perform their duties and functions efficiently, effectively, and with integrity in accordance with laws or administrative policies. They shall at all times seek to ensure that public resources for which they are responsible, are administered in the most effective and efficient manner. Public officials shall be attentive, fair and impartial in the performance of their functions, and, in particular, in relations with the public. They shall at no time afford any undue preferential treatment to any group or individual or improperly discriminate against any group, or otherwise abuse the power and authority vested in them. In this regard, this research study looks at the behavioural patterns of school-based and office-based educators in the uMhlathuze Local Municipality. This research project complements the work of Donald C. Menzel (2015), where, “he made a broad overview of worldwide efforts to put into place ethics management strategies that encourage ethical behaviour and combat corruption”.

Principles for managing ethics in the public service according to the Organisation for Economic Cooperation and Development (OECD) are as follows: Ethical standards for public service should be clear. Public servants need to know the basic principles and standards they are expected to apply to their work, and where boundaries of acceptable behaviour lie. The Education Labour Relation Council Handbook, (2003) has a professional code of ethics for school-based and office-based educators. Ethical standards should be reflected in a legal framework which is the basis for communicating the minimum obligatory standards and principles of behaviour for every public servant. Ethical guidance should be available to public servants. Guidance and internal consultation mechanisms should be made available, to help public servants apply basic ethical standards in the workplace. Public servants should know their rights and obligations in exposing wrongdoings. Public servants also need to know what protection will be available to them, in cases of exposing wrongdoings. Political commitment to ethics should reinforce the ethical conduct of

public servants. Political leaders are responsible for maintaining a high standard of propriety in the discharge of their official duties.

The decision-making process should be transparent and open to scrutiny. The public has a right to know how public institutions apply the power and resources entrusted to them. There should be clear guidelines for interaction between the public and private sectors. Managers should demonstrate and promote an ethical code. An organisational environment where high standards of conduct are encouraged by providing appropriate incentives for ethical behaviour has a direct impact on the daily practice of public service values and ethical standards. Management policies, procedures and practices should promote ethical conduct. Government policy should not only be the minimal standards below which a government official's actions will not be tolerated, but should also clearly articulate a set of public service values employees must aspire to acquire. Public service conditions and management of human resources should promote ethical conduct.

Public service employment conditions, such as career prospects, personal development, adequate remuneration and human resource management policies should create an environment conducive to ethical behaviour. There are allegations that there are school-based and office-based educators who are well known for unethical behaviour when it comes to the employment of post level 1 educators, deputy posts and heads of department. Bongani Mthethwa, Times Lives, 27 March (2018, 17-40) reported that, "a total of 302 young girls- some as young as 12 had been sexually abused in the city of uMhlathuze, which incorporated Richards Bay, Empangeni, eSikhaleni, Ngwelezane, eNseleni, Felixton and Vulindlela. He further indicated that these shocking numbers forced the uMhlathuze Municipality into action by organising awareness on child abuse which took place at Mandlazini Sports Grounds in Richards Bay". The entrenchment of public service ethics in the uMhlathuze Local Municipality might normalise the situation within uMhlathuze Local Municipality. No quality education can be achieved where public employees demonstrate unethical behaviour while rendering their services. The National Development Plan, in its Commission's Diagnostic report, articulates nine primary challenges that were identified by this commission. These include the three critical ones: Too few people work. The quality of school education for black people is poor. Infrastructure is poorly located, inadequate and under maintained. Unethical conduct

is a threat to all initiatives that are aimed at addressing the issue of unemployment, poverty and social injustice. Adequate accountability mechanisms should be in place with the public service. Accountability should focus both on compliance with rules and ethical principles that are aimed at the achievement of results.

Appropriate procedures and sanctions should exist to deal with misconduct. Mechanisms for the detection and independent investigation of wrongdoings such as corruption are a necessary part of ethics infrastructure. Initially, the researcher alluded to the fact that corruption is found in both the public sector and the private sector.

2.4.6.2. South African and the global perspective on public service ethics

It served as a positive contribution that the Minister of Finance, Pravin Gordhan, in his budget speech on the 22-02-2017 indicated that R320bn would go to education, but he emphasised the need for ethical behaviour in all sectors so that expenditure can be utilised properly. Budgets may be very good but there will be a problem if there is no wise spending of money. It is imperative to explore the role of public service ethics in public administration. Tavan, (2004: 45), Dale, (2000:179), and Rollinson, (2005:697) are who authors concur that Public Service Motivation has a strong ethical connotation. Meguid (2011:5) argues that, "Public Service Motivation is indeed connected to ethical behaviour in government".

This research is about the entrenchment of public service ethics in the public-school system; a case study of uMhlathuze Local Municipality. It is an indisputable fact that the entrenchment of public service ethics in this district would also spill over into the uMkhanyakude District Municipality which lies adjacent to this district with its seventeen circuits. The Quality of Teaching and Learning Campaign (QTLC) will not be preached effectively in just one district out of twelve districts in KwaZulu-Natal, but will also have to be addressed in other districts and in the whole of KwaZulu-Natal and South Africa as a whole. Meguid (2011:5) argues that, "research has shown that public servants, when compared with ordinary citizenry, are more concerned about ethical considerations at both the individual (personal honesty and integrity), and collective social justice and fairness levels in the United States". Fairness, justice and integrity should be promoted in the uMhlathuze Local Municipality amongst school-based and office-based educators. Public service ethics

and public service motivation are interrelated because they both deal with human conduct. Meguid (2011:5) points out that Rainey (1982) argues that, “public service motivation is an extensive, many-sided concept that varies over time”. It alters with public image of government service, and takes different forms in different agencies and service areas.

Rainey, according to Meguid (2011:5), concluded that “Public service is an elusive concept much like the public interests” (Rainey, 1982). Meguid (2011:5) quotes Perry, & Wise, (1990) who followed on Rainey’s work, by defining Public Service Motivation as an “an individual’s pre-disposition to respond, to motives grounded primarily or uniquely in public institutions and organisations”. Meguid (2011:5) “points out three possible bases of Public Service Motivation namely; the rational motives, non-based motives and affective motives”. Rational motives according to Meguid (2011:5) are those grounded in enlightened self-interest. The individual believes that his/her personal interests coincide with the larger community. Such motives can lead an individual to participate in policy process, demonstrating commitment to public programmes or policies, because of personal identification with them, or they can serve as advocates for a special interest. It is alleged by the public in their meetings and conferences, that uMhlathuze have school-based and office-based educators who strongly believe in these rational motives. It is alleged by school-based educators whose victims were once abused while they were looking for employment in the uMhlathuze Local Municipality, that uMhlathuze Municipality has a number of individuals who are involved in or who participated in political programmes because they wanted to be identified for promotion purposes and to get tenders or to pursue their personal aspirations e.g. WJ Building & Civil Engineering Contractors CC v uMhlathuze Municipality. Such actions have a negative impact on service delivery and have the potential to cause strikes. Non-based motives according to Meguid (2011:5) “involve dedication to a cause and desire to serve the public”. These motives include patriotism, obligation, and loyalty to the government. These include people who are passion driven. Quality service delivery can only come from people who are passion driven, and who have compassion for the country.

Meguid (2011:5) argues that, “affective motives are grounded in human emotions, and they are characterised by the desire and willingness to help others”. South Africa had a relatively smooth transition from apartheid to the new dispensation in 1994. Perry & Wise (1990) formulated three hypotheses to guide future researchers: the higher an individual’s Public Service Motivation, the more likely it will be that the individual will seek membership of a public organisation. In public organisations, Public Service Motivation is positively related to performance. Public organisations that attract members with high levels of Public Service Motivation are likely to be less dependent on utilitarian incentives to manage individual performance effectively. The vision for the Public Service Commission (PSC) states clearly, “that the Public Service Commission is an independent and impartial body created by the Constitution, 1996 to enhance excellence in governance within the public service”.

Entrenching Public Service Ethics in the uMhlathuze Local Municipality, specifically in the public-school system, would assist school-based and office-based educators to become more accountable and promote ethical behaviour within the district. The researcher would communicate with District Director of the King Cetshwayo District and the Chief Education Specialist who is in charge of the uMhlathuze Circuit Management Cluster (CMC) so that all participants of this study can be made aware of findings and recommendations. Workshops, meetings, conferences and seminars would be organised by the researcher and District’s leadership to unpack how the entrenchment of public service ethics in public schools would be done. School-based educators would desist from using corporal punishment, resist offers in the form of bribes, avoid late coming, be well prepared for their classes, will never inflate school enrolment to get more funds for norms and standards, will never inflate marks to give a better teaching results, apply objectiveness when it comes to the implementation of the integrated quality management system and all other forms of immorality in public schools. There is speculation that some school-based and office-based educators tend to forget that they are accountable to the public, and start displaying unethical conduct in the workplace. Public schools exist so as to fulfil the needs and aspirations of the public. Expectations of high-level professionalism from school-based and office-based educators are crucial in public institutions.

Unethical behaviour has a negative bearing on service delivery and it makes a direct contribution to fruitless, wasteful and irregular expenditure. All schools are given norms and standards to ensure that they service the public in a satisfactory manner. The norms and standards allocation are based on the public school's enrolment and its quintile ranking. Quintile 1-3 rankings are perceived as the neediest schools due to social challenges within those public schools. Most public schools in the above-named category are classified under no fee schools; as such they are not expected to pay school fees. If there are school-based or office-based educators who demand school fees from such public schools, they must be regarded as corrupt employees. Corruption-free societies must be promoted by people who are serving as accountable officers. Mgijima, chairperson of the Public Service Commission (PSC) (2010:3) in the *PSC News* in November/ December 2010 argued that Government has a duty to proactively promote a culture of honesty and good governance, which should, in turn, lead to effective and efficient service delivery and hopefully, effectively reduce unethical behaviour in the workplace in all sectors. Public unrest, riots, strikes and complaints about service delivery indicate that the time has come for debating about how the public sector could function in the best way possible. The Education Sector is not immune to such service delivery protests and marches due to lack of quality service delivery. Amundsen (2009:2), in his article asks, "Great power comes with responsibility, but how much and what form of state intervention (government regulations) is needed to achieve economic development, political accountability, poverty reduction and other objectives"? Amundsen (2009:2) comments further that, "ethics and ethical principles can help people to make better decisions, and help people to evaluate the decisions of others (like public officials)". King Cetshwayo District Municipality's public-school system, in particular, and other districts in KwaZulu-Natal and South Africa in general has a number of people who want to serve as public representatives and to occupy high positions, but it is questionable whether these people are aware of the responsibilities that are attached to such positions. It is suspected that people like high positions in the King Cetshwayo District Municipality, but that they tend to ignore ethical responsibilities and ethical principles that are attached to such positions. It is alleged that people just focus on their personal aspirations, where vacant posts or positions are advertised in bulletins or in the media. Amundsen (2009:3) argues that, "ethics is always part of the debate when people talk about good governance, but the irony is that the focus

is always on professionals, ethics of civil servants, and to a lesser extent the professional and personal ethics of politicians, and elected office bearers". It is imperative that people should change this biased view. There is un researched speculation that politicians and political representatives always expect the academics to comply with what they say at all times. If true, this is a misperception if one considers the integrity and the intellect of most of the academics. Amundsen (2009:5) argues that ethics has long been a controversial area of study in the professions of Law, Politics, Philosophy, Theology, Public Administration and other areas of study such as in the Education Sectors of both Basic Education and Higher Education.

One has to concur those administrators and bureaucrats cannot avoid making decisions, but they should focus on ethical decision-making. Amundsen (2009:5) argues that, "administrators have discretionary powers that go beyond the manual, orders, job discretions and the legal framework of their positions, and duties and professional ethics should come in as guidelines, in addition to the formal regulations". The leadership in South Africa has the challenge to redress the imbalances of the past, to reduce poverty, and to redress social injustice and inequalities in the allocation and distribution of resources. The research looks at the challenges that surround norms and standards and the National School Nutrition Programme (NSNP). Norms and standards involve money that is allocated to individual schools according to their enrolment, and a National School Nutrition Programme was introduced so as to ensure that learners get food while they are still at school. Amundsen (2009:6) argues that politics is less regulated than public administration. He feels that the discretionary powers of politicians are unlimited and autocratic most of the time. Amundsen's (2009:6) "main concern is the fact that politicians do not rule for the benefit of the people (the nation at large, economic and social benefits for all), but for themselves only or they have special interests in their hearts". He further quoted Karl Marx who pointed out: that government was nothing but the executive committee of bourgeoisie (the economically ruling elite propertied class) Amundsen (2009:7). He argues that "to prevent misconduct, is as complex as the concept of misconduct itself". Amundsen's (2009) article covers the outline of the basis and basics of ethics, the 'infrastructure' of ethics (what shapes the ethics of individuals) and he offers a discussion on conflict of interests and corruption.

Bertucci (2000:4) argues that, “public service ethics is gaining prominence in the discourse about governance today. There is a perception that standards in public life are in decline” (Bertucci 2000:4).

This section focuses on the question of ethics and social values in the civil service. “Morals, ethics and professional values are interrelated and interdependent in the public domain” (Perreira, 2000:19). Perreira argues that, “morality is a set of norms through which societies historically define behaviour that is good or bad, as acceptable or not by the community”. “Ethics is also thought of as the character or ethos of an individual or group, the hierarchy of values and norms which they identify for him or themselves against a prevailing moral code” (Perreira, 2000:19). Perreira (2000:19) argues that, “morals or morality originate in social practices while ethics, as a science, is a rational endeavour”. Perreira (2000:19) contends that, “a simple answer would be that, like all managers, the higher civil servant would value efficiency, but to be more precise, it is necessary to add power and effectiveness”. Perreira (2000:19) points that, “out of those higher civil servants are those who want to be observed because of their management role, and they want to be seen implementing their decisions that they or politicians above them make in the name of the State”. However, civil servants, and particularly higher officials are not just managers, but they also operate at a political level as non-elected politicians (Perreira, 2000:19).

Some school-based and office-based educators in the uMhlatuze local Municipality are higher civil servants and they also occupy senior positions in their Unions. Undoubtedly, they operate at a political level as non-elected politicians. Perreira (2000:28) “argues that despite the overwhelming historical evidence, rulers still ignore professionalization, and they have only themselves to blame when disaster strikes and their regimes turn into plutocracies for the lack of a professional public service”. Perreira (2000:28) lists some qualities of a true professional seen in their ability:

- To set a personal example of exemplary behaviour and conduct;

- To discipline wrongdoers and any other members believed to be disgracing the standards, or norms and principles, that members of a person's trade or profession hold;
- To expose cracks and malpractices;
- To maintain the highest level of knowledge and skill;
- To avoid conflict of interest by placing their altruistic concern for public interest first;
- To learn their craft (in their case the craft of public administration); and
- To become experts in some chosen speciality such as issuing or enforcing regulations.

2.5. CASE EVIDENCE ON ETHICS AND VALUES IN CIVIL SERVICE REFORMS

This section will focus on the behavioural approach, examining the role of Codes of Conduct, education and training and mentoring in enhancing ethical conduct in the public schools of uMhlathuze Local Municipality. In the United Nations General Assembly Resolution (57/277) on Public Administration and Development, the significance of an efficient, accountable, effective and transparent public administration, at both the national and international levels is underlined as being vital to the realisation of internationally agreed upon goals (UNDP,2006). The public sector needs to be strengthened so as to boost the confidence of the public trust. There is a need for transformational leadership and Public Service Ethics. "In areas such as public sector reform and governance, where past interventions have not had the expected impact, coupling traditional interventions with leadership development can help to bring about measurable change" (Madagascar, Guenter et al., (2007) Public Sector Reform needs ethical leadership. An ethical leader holds everyone accountable and defines success not just by results, but also by the way they are obtained (Trevino, 2007).

An ethical leader should be objective at all times and should always encourage other employees to be ethical at all times. Upholding the principles and standards of right conduct in the administrative sphere of government is an important aspect of public service ethics (UNDP, 2007:3). School-based and office-based educators have a responsibility to uphold standards of correct conduct in public schools as a way of supporting the Quality Learning and Teaching Campaign (QLTC). "An

essential requirement in upholding the principles and standards of right conduct in the administrative sphere of government is that public servants respect the rule of law and the dignity of the individual in carrying out official responsibilities” (Levine, et al., 1990; Hunt, 1997). The entrenchment of public service ethics in the public schools of uMhlathuze Local Municipality is about transformation and reform in terms of behaviour amongst school-based and office-based educators. In any reform programme that is aimed at improving the quality of service and performance, it is clear that individuals and their training must be at the centre of the effort (UNDP, 2007:3). School-based and office-based educators need to be trained to observe the professional codes of ethics as laid down by the South African Council for Educators (SACE). Perreira (2000:28) argues that, “there are so many conflicting demands made on professional public servants that they have to prioritise and choose among several competing value sets”. Perreira (2000:28) also points out that, “no professional public organisation works entirely for its own self-benefit”. Whilst this is perceived as normal in other sectors, a public school needs to benefit the community and the public as a whole, either at Local, Provincial, National or even at a Global level. The entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality is about inculcation of professionalism amongst school-based and office-based educators including the Unions.

Everyone must be ethical and live ethically in the public sector unit. School-based and office-based educators are expected to be ethical at all times. They must be ethical in undertaking their day-to-day activities, for example, doing lesson planning, honouring the teaching periods, marking the work and the attendance register, class supervision and many other duties. Public servants need to interact with each other for the mutual benefit of every worker and for the public sector unit. Promotion of teamwork is key in the entrenchment of ethical behaviour in the public-school system of the uMhlathuze Local Municipality and elsewhere. The sharing of information should promote greater understanding in the public sector unit. The senior manager should enable others to have access to information so as to bring everyone on board. It is a serious challenge when one comes across a situation where there is no sharing of information.

Wood (2004:28) argues that, “this is a fundamental philosophy of equality in the public sector unit. School-based and office-based educators work better in a situation where they feel that they are recognised and have a common responsibility towards quality education”. Wood (2004:28) adds that, “a public servant needs to be strong in one’s convictions of right and wrong in the public sector unit” and this in the face of politicians trying to push their agendas or teacher Unions pushing their agendas. School-based and office-based educators are expected to be very strong under these conditions. Public servants need to ensure that they do not compromise their positions in the public sector by a conflict of interest. The National School Nutrition Programme (NSNP) is wonderful initiative by the Government of South Africa which ensures that learners get food during school hours, especially those learners who come from previously disadvantaged communities. No school-based and office-based educator is expected to be a service provider for this food, either directly or indirectly, because there will be a conflict of interest.

Wood (2004:28) points out that, “you must not use the resources of the public sector unit for personal use” (e.g. computer, internet, and software). The entrenchment of ethical behaviour in the public-school system will bring pressure to bear to steer school-based and office-based educators away from these bad practices. According to Wood (2004:28), “Employees are expected to report irregularities in order to ensure that all is well in the public sector unit. Conflict is not expected in the workplace, divisions and conflicts must be dealt with accordingly”. Wood (2004:189) argues that, “the dimension of equality refers to justice and fairness of the public sector”. He further argues that “this could also deal with the balance, impartiality, and sameness among individuals in the public sector unit”. There have been numerous complaints from the public about the escalation of unfairness in the uMhlathuze Local Municipality. This research checks on the validity of such allegations and comes up with strategies that that can assist in dealing with such challenges. The study considers types of harassment as mentioned by Wood, (2004:189) “No one should be subjected to harassment in the public sector unit”. Houghton-James (1995:12) and Michael (1997:6) argue that, “there are two types of sexual harassment. The first is a quid pro quo which involves unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature when submission to such conduct is made explicitly or implicitly a term

or condition of an individual's employment" (Houghton-James, 1995:12). Submission to or rejection of such conduct by an individual is used as the basis for employment of decisions affecting such an individual. "The second type is a hostile environment which means unwelcome sexual advances, requests for favours and other verbal physical conduct of a sexual nature, when such a conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile or offensive work environment" (Houghton-James,1995:12). Professionalism calls upon all school-based and office-based educators to refrain from sexual harassment because it is perceived as unethical conduct in the work place.

Michael (1997:7) points out that, "sexual harassment includes, but is not limited to the following: verbal harassment, demand for sexual favours or unwanted sexual advances, which are based on employment benefits in exchange for sexual favours". School-based and office-based educators in the uMhlathuze Local Municipality need to guard against all these forms of harassment so as to entrench good morals in the Municipality. Tamminen (1994:3) points out three types of sexual harassment, namely: sexual bribery, sexual blackmail and sexual favouritism. Sandler & Shoop (1997:4-5) say that, "sexual harassment refers to the unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature". Kitzinger & Thomas (1997:34) point out that sexual harassment, most broadly defined, "Refers to the unwanted imposition of sexual requirements in the context of a relationship of unequal power". School Management Teams (Principals, Deputy Principals and Heads of Department) amongst school-based educators should guard against this unethical behaviour amongst other post level one educators. Office-based educators should not demonstrate unethical behaviour amongst school-based educators. Wood (2004:189) also argued that, "no one should be discriminated against in the public sector". No ethical person would demonstrate discrimination in the workplace. People should respect one another irrespective of culture, language, race, religion, financial background, gender, potential or other differences. Everyone should celebrate ethnic diversity in the public sector unit. Quality service delivery is always expected where public servants work as a family or in a friendly environment. It is true that gender should not be a divisive factor in the promotion of unity and stability in an organisation. Skills and expertise should always be taken into

consideration. School-based and office-based educators must always establish good human relations between their public institutions and the communities.

2.6. ETHICAL LEADERSHIP, GOVERNANCE AND THE ENTRENCHMENT OF PUBLIC SERVICE ETHICS

“Unethical behaviour can be defined as the misuse of authority and power in public offices by government officials either for personal or political gain”, Manyaka & Nkuna, 2014 in Naidoo, (2015:6). “Unethical behaviour in public schools on the part of learners, governing bodies, teachers, principals, departmental officials and educational leaders can affect education programmes” (Naidoo, 2015:14). Participants in this study therefore include school-based and office-based educators, learners from grades 08-12 (13 years-17 years), school governing body members and educator Unions in the uMhlathuze local Municipality. The 2013 report by the Corruption Watch and, “unethical leadership within South Africa schools includes unethical conduct such as fraud, theft, maladministration and misappropriation of funds” (Naidoo, 2015:15). “Unethical behaviours in the government and public sector are increasing, and this increase is a worldwide phenomenon” (Eisenbeis & Griessner, (2012). Salomon (2012) in Naidoo, (2015:15) suggests that, “this increase in unethical practices is because government officials do not have the correct ethical foundation framework. “In light of this unethical conduct, there is a need to limit or combat unethical conduct, and researchers have identified ethics as the starting point” (Eisenbeis, 2012, Salawu, 2012; Lanoton & Paez, 2014 in Naidoo, (2015:15). This should be followed by the entrenchment of public service ethics and ethical leadership in the public sector. “Ethics therefore is linked with unethical behaviour because adopting the correct and appropriate ethical framework can serve as an initial step in curbing unethical conduct” (Naidoo, 2015:14). It is imperative to make participants aware of the importance of ethics so that the entrenchment of public service ethics can be done without impediments in the public sector. “The basic definition of ethics involves a framework of socially acceptable norms, morals and values, which control an individual’s actions” (Manyaka & Sebola, 2013) in (Naidoo, 2015:14). “The ethical framework of government officials around the World seems to have been contaminated”. (Eisenbeiss, Griessner, 2012; Salawu, 2012; Manyaka & Sebola, 2013 in (Naidoo, 2015:14). “The South African public is recognising that the

unethical behaviour of public servants and government leaders is due to the lack of a correct ethical framework”, (Manyaka & Sebola, 2013 in (Naidoo, 2015:14).

“The correct ethical foundation based on socially acceptable norms, values and morals should rather be steering and guiding government leaders and public servants in the public sector including education to perform their duties in a correct, honourable and principles manner” (Naidoo, 2015:15). The entrenchment of public service ethics in the public-school system of uMhlathuze local Municipality should be based on acceptable norms, values and morals. “Exposure to more appropriate ethics through ethical leadership could thus cause government leaders and public servants to align their personality, plans and actions with more correct morals, values and ethics” (Naidoo, 2015:15). The entrenchment of public service ethics is perceived as a good way of instilling good morals or positive morality to transform their conduct to do their work in accordance with the acceptable standards. Correct morals, values and ethics should be embedded in the minds of school-based and office-based educators in the public schools. It is now evident that there is a need for a paradigm shift amongst school-based and office-based educators so as to address issues of unethical conduct in the uMhlathuze local Municipality and in South Africa as a whole.

2.7. STRATEGIES THAT CAN BE USED TO ENTRENCH PUBLIC SERVICE ETHICS

Dale (2000:178) has listed some points that can serve as guidelines in effective ethics management:

2.7.1. Ethical standards for public service should be clear

Public servants need to know the basic principles and standards they are expected to apply to their work and where the boundaries of acceptable behaviour lie. School-based and office-based educators in the uMhlathuze Local Municipality need to know exactly what the ethical standards are that are expected of them. Some school-based and office-based educators assume that the Principal is the only accounting officer in the public-school system. They only realise when there is a disaster that it is about team work. The issue of absenteeism or late-coming cannot be monitored by one person only for 600 or more; even less than a hundred learners

cannot be monitored by one person or even by a School Management Team only. It is the collective responsibility of school-based and office-based educators to monitor attendance or absence if we want to achieve quality education.

2.7.2. Ethical standards should be reflected in the legal framework

Dale (2000:178) argues that, “the legal framework is the basis for communicating the minimum obligatory standards and principles of behaviour for every public servant. Laws and regulations could state the fundamental values of public service and should provide the framework for guidance, disciplinary action and prosecution. School-based and office-based educators should know exactly what the obligatory standards and principles of behaviour are. Laws and regulations should endorse their value within the education sector. Numerous research studies have proved that people who are recognised perform better than those that are ignored by their colleagues or senior departmental officials. The institute of Mathematics and its applications identified Dr Sophie Carr 2019 as the most interesting Mathematician in 2019, (World News in 2019). Phys World. Org also awarded Abel Prize in Mathematics on 19 March 2019 to Karen Uhlenbeck, an American for her work on partial differential equations. Dale (2000:178) points out that professional socialisation should contribute to the development of the necessary judgement and skills enabling public servants to apply ethical principles in concrete circumstances. Training should facilitate ethics awareness and can develop essential skills for ethical analysis and moral reasoning. Impartial advice can help create an environment in which public servants are more willing to confront and resolve ethical tensions and problems. Guidance and internal consultation mechanisms should be made available to help public servants apply basic ethical standards in the workplace. School-based and office-based educators do need guidance from other stakeholders so as to be able to deliver quality service. Stakeholders must not come forward when there is a crisis only, but should become involved during normal times, as well. This study brings to the fore the importance of ethics training for all school-based and office-based educators. It is true that the main focus in a number of secondary schools is on curriculum, but secondary schools are hot centres of drug abuse, substance abuse, and teenage pregnancy. Late-coming and absenteeism are common features in a number of secondary schools; these things will hinder the implementation of good policies.

2.7.3. Public servants should know their rights and obligations when exposing wrong doing

Dale (2000:178) also argues that, “public servants need to know what their rights and obligations are in terms of exposing actual or suspected wrongdoing within the public service”. These should include clear rules and procedures for officials to follow, and a formal chain of responsibility. Public servants need to know what protection will be available to them in cases of exposing wrongdoing. It is assumed that some school-based and office-based educators who were victims of unethical behaviour or who noticed wrongdoing kept it to themselves because they were afraid of further victimisation. Many people are conscious of their rights, but they ignore their responsibilities.

2.7.4. Political commitment to ethics should reinforce the ethical conduct of public servants

Dale (200:179) argues that, “political leaders are responsible for maintaining a high standard of propriety in the discharge of their official duties”. Their commitment is demonstrated by example but is only realised at the political level, for instance by creating legislative and institutional arrangements that reinforce ethical behaviour and create sanctions against wrongdoing, by providing adequate support and resources for ethics-related activities throughout government by avoiding the exploitation of ethics rules and laws for political purposes. School-based and office-based educators are expected to work hand-in-hand with political leaders. The issue of political interference is still perceived as a serious challenge amongst school-based and office-based educators. The deployment of an incompetent person, who is lacking relevant skills for a particular position, will definitely have a negative bearing on quality education. Those who are neglected may decide to lower their level of commitment. Service delivery is always compromised in such conditions. Political appointments should, in the researcher’s opinion, be about making positive contributions so that quality service delivery can take place.

2.7.5. The decision-making process should be transparent and open to scrutiny

According to Dale (2000:179) the public has a right to know how public institutions apply the power and resources entrusted to them. Public scrutiny should be facilitated by transparent and democratic processes, oversight by the legislature and access to public information. Transparency should be further enhanced by measures such as disclosure systems and recognition of the role of an active and independent media. School-based and office-based educators are entrusted with a number of resources for example, financial resources, human resources and learner-teacher support material and textbooks. Office-based educators are also entrusted with departmental transport. These things should be subject to scrutiny and should therefore be treated with care at all times.

2.7.6. Clear guidelines for interaction between the public and the private sector

As argued by Dale (2000:179) clear rules defining ethical standards should guide the behaviour of public servants in dealing with the private sector, for example, with regard to public procurement, outsourcing, or public employment conditions. Increasing interaction between the public and the private sector demands that more attention should be placed on public service values and this requires external partners to respect some values. It is noticeable at this juncture that values and ethics are inseparable. Many writers have also indicated that ethical standards are the common denominator between the public sector and private sector. Employees are also found in both sectors, that is the public and private sectors. Public schools have different suppliers for example the National Schools Nutrition Programme (feeding schemes) (NSNP) who must be appointed fairly, impartiality and in an honest manner. These service providers should not be exploited by school-based and office-based educators, but they themselves must also not exploit school-based and office-based educators.

2.7.7. Managers and ethical conduct

Dale (2000:180) points out that, “an organisational environment where high standards of conduct are encouraged provides appropriate incentives for ethical behaviour”. Managers have an important role to play in this regard by providing consistent leadership and serving as role models in terms of ethics and conduct in their professional relationship with political leaders, other public servants and citizens. It is so discouraging if the school manager or any School Management Team member displays unethical behaviour, equally so, if s/he is not willing to implement that professional code of ethics as laid down by the South African Council for Educators. Unethical leadership leads to unethical staff, human and financial resources are wasted under such conditions, and quality service delivery is always compromised.

2.7.8. Management policies, procedures and practices should promote ethical conduct

As noted by Dale (2000:180) management policies and practices should demonstrate an organisation`s commitment to ethical standards. Weekly schedules, quarterly schedules and annual plans must demonstrate that there are meetings or forums where the public give themselves time to talk about ethical conduct or standards so as to address all unethical issues and to sharpen other colleagues` awareness of ethics. Filing policies nicely in cabinets will not help any institution. It is all about the implementation of policies and procedures that will assist institutions.

2.7.9. Public service conditions and management of human resources should promote ethical conduct

Dale (2000:180) argues that, “public service employment conditions, such as career prospects, personal development, adequate remuneration and human resource management policies should create an environment conducive to ethical behaviour”. Using basic principles, such as merit, consistently in the daily process of recruitment and promotion helps in the realisation of integrity in the public service. School-based and office-based educators are expected to get educator development programs regularly. The developments should include ethical training. No policy can be properly implemented if one ignores ethical training. Goss (1996:576) argues that

professions are distinguished from occupations not just by their level of technical knowledge, competence, and specialised training, but also by a commitment to a set of ethical imperatives and by a perceived obligation to serve these faithfully (McDowell 1991:6; Barber 1984:597). Goss (1996:575) further argues that ethics is a “System or code of conduct based on universal moral duties and obligations which indicate how one should behave; it deals with the ability to distinguish good from evil, right from wrong and proper from improper”. Josephine (1989:17) argues that professional ethics can be viewed as a system of norms, meaning how things ‘should’ or ‘ought to’ be Byles (1989:5).

Data analysis is based on the perceptions of school-based and office-based educators in the uMhlathuze Local Municipality, but is also linked to what is happening in the whole of King Cetshwayo District Municipality, the whole of KwaZulu-Natal Department of Education and in South Africa as whole. Discussions are linked to developments globally. It is therefore imperative at this stage to reflect on the recommendations that were made by The United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1996/7 that highlighted the following key concepts. Educators are expected to be professional in everything that they do when they perform their duties. They need to use their expert knowledge and specialised skills, acquired and maintained through rigorous and continuing study. Goss (1996) argues that this calls for personal and corporate responsibility. Good human relations are critical if people want to achieve success in the education sector and in other sectors. The UNESCO report pointed out that there should be close co-operation between the competent authorities, organisations of teachers, of employers and of workers and parents as well as cultural organisations and institutions of learning and research, for the purpose of defining educational policy. It is so discouraging to note that there are school-based and office-based educators who are reluctant to co-operate with researchers who seek to improve performance in school and to make a positive contribution towards quality education. Teachers should be well qualified to teach in their specialised fields. Under-qualified school-based and office-based educators cannot produce the best results. Induction of teachers into public schools is imperative if school-based and office-based educators have to deal with current challenges in their jobs. UNESCO also points out that educators should enjoy academic freedom in the discharge of professional duties.

Academic freedom is not about staying away from school when you feel like doing so, or about the inability to honour your teaching periods, marking of work, registers or any work that is related to your core functions. The performance of teachers and their adherence to the code of ethics is crucial in quality education.

Passion driven educators are always perceived as an asset in the education sector. Their performance depends on the educator`s willingness to do his or her best at all times. Educators have a right to remuneration for the service that they render in public schools and, as teachers, they have a constitutional right to learn and they are moulded to become responsible future citizens. It is not enough to be concerned about your personal rights while undermining the rights of others. The national time in South Africa of all public schools is seven hours per day. School-based educators should take that into cognisance when they do their preparation. Office-based educators have their own specific times that they have to honour at all times, if they are committed and dedicated to their work. Their pay serves as an acknowledgement of the educator`s services. It is always perceived in a negative way if an educator is paid a reasonable salary but fails to perform at his or her best. It is important to account for the money through the way that they do their jobs. UNESCO points out that this should be addressed by measures which are regarded as exceptional. The Post Provisioning Norm (PPN) is used in South Africa to ensure that public schools get the proper quota of educators.

2.8. MANAGEMENT ACCOUNTABILITY FRAMEWORK MEASURES IN CANADA

In Canada Customised Public Service Value Statements and ethical guidelines are regularly discussed with all staff. Sound advisory and recourse mechanisms are in place, and orientation, learning and other tools to support staff are provided. Therefore, this is recommended for South Africa and KwaZulu-Natal. Staff assessment of organisational performance against public service values is critical for the growth and development of an organisation. Ethical standards should be clearly set and communicated, and clear, safe recourse mechanisms must be in place to encourage staff to report breaches of ethical standards and guidelines. Risk assessment involves the identification of those functions and areas within the organisation that are high risk for ethical breaches, e.g. application of a risk matrix. In

Canada they establish a values and ethics risk management strategy based on this assessment.

Here in KZN, management needs to establish effective controls, clear policies, procedures and controls, separation of duties and effective oversight, effective monitoring, audit and reporting, clear mechanisms for reporting of wrongdoing, effective and transparent action when wrongdoing is discovered. Regarding leadership, organisational culture, and people management there is a recognised need for ethical leadership in any organisation for economic growth and development to take place. There is no need for tension in an organisation.

An organisational culture must include all personnel development and the implementation of policies. Either people should be managed by an ethical manager or managed in an ethical manner so as to avoid unethical behaviour in the public service. Fraud, unfair discrimination and other unfair labour practices must be avoided. At the 6th Global Forum on Reinventing Government in Seoul, Korea, MacQuarrie (2008) argued that executive leadership is the foundation of an organisation's positive values and ethical performance. But eighteen years earlier, Gardener (1990:15) had maintained that, "accountability is as important as the concept of leadership and that those who are granted power must be held accountable". Anyone who holds a management position is accountable for the activities that take place within the organisation during that person's management tenure. If the person in power decides to delegate some duties, such a delegation must be effective and not based on unfair discrimination. This means that the manager or leader must be ethical at all times. It is true that leadership and accountability should not be separated if quality service delivery is to take place properly. Accountability is also one of the democratic principles. People who are in leadership positions should always remember that they are responsible for the implementation of policies that deal with the promotion of ethical issues. They should still be accountable if they fail to implement such policies. Gardener (1990) also gives examples of five behaviours of truly accountable leaders.

Firstly, he points out that they should hold others accountable for a high standard of performance. It is no surprise that the Department of Basic Education (DBE) always demands accountability from Principals of underperforming schools. Therefore, they need to report any cases of misconduct in their schools. It should be clear if there are structures in place to promote public service ethics in their schools.

Leaders are also known for tackling tough issues and for making difficult decisions. Dealing with issues of unethical conduct requires a truly accountable leadership, because there are pros and cons in disciplining people and a leader has to follow correct procedure in handling such cases. A person who is punished for misconduct can be fired or taken into custody, and that person can turn against a person who he suspects was a whistle-blower. A top accountable leader should be bold enough to take such decisions on disciplinary matters for the benefit of the public sector. It is a fact that truly accountable leaders should communicate effectively the strategy throughout the organisation. South Africa has a revised Local Government Anticorruption Strategy. Only truly accountable leaders can successfully implement this strategy. An organisation would collapse in the absence of a truly accountable leadership. It is a fact that truly accountable leadership is well known for expressing optimism about the company and its future. South Africa has a National Development Plan (NDP), 2030, with twenty-seven goals to be attained by DBE. Only truly accountable leadership will be able to implement the NDP, 2030. Gardener (1990) further argues that truly accountable leaders are known for displaying clarity about external trends in the business environment. Corruption Watch Reports 2017/18, reveal that corruption in South African public schools was very high and that it mainly took the form of bribery, financial mismanagement during procurement and nepotism. Truly accountable leaders would have no problem in dealing with such challenges in public schools.

2.9. DEFINITION OF TERMS

2.9.1. Nature and Meaning of Ethics

Rollinson (2005: 697) argues that, “ethics is about an individual’s moral beliefs about what is right and wrong, or good and bad that provides a guide to his or her behaviour”. Award & Ghaziri (2004:400) claim that, “ethics is one or more of the following: fairness, justice, equity, honesty, trustworthiness and equality”. Cloete (1995: 152) and Fox & Meyer (1995:45) argue that, “ethics can be regarded as the

collection of moral principles, norms, attitudes, values and obligations that determine the behavioural rules to be observed by public representatives and public officials". Grobler et al., (2006:67) propose that, "ethics can be described as the discipline dealing with what is good and bad, or right and wrong, or with the moral duty and obligation". Pera & van Tonder (2005:5) argue that the term `moral` tends to refer to the norms of conduct, which individuals and groups adhere to. Understanding and entrenching ethical behaviour involves moral values. Pera & van Tonder (2005:5) also point out that, "values relate to our identity" and they further argue that "we find our values through specific experiences and from our association with other people". Karien (2003:250) says that for a basis for decision-making, the following core values are said to be paramount: "honesty, integrity, fairness, trustworthiness, respect, responsibility, accountability and beneficence".

Hanekom (1987:152) distinguishes between the macro and the micro views of ethics. The macro view pertains to good or evil, right or wrong, while the micro view refers to how good or evil, or how right or wrong. Hellriegel et al., (2006:117) argue that, "top management can demonstrate the ethical principles that are important in an organisation". The School Management Team (Principal, Deputy Principal, and Heads of Department) must demonstrate the importance of punctuality, time management, preparation and proper curriculum management in public schools. Erasmus B, et al., (2005:73) claim that the promotion of a professional service ethos is generally considered to be essential for effective organisations. Rollinson (2005), Award & Ghaziri (2004), Cloete (1995), Fox & Meyer (1995), Griffin (1995) and others, argue that ethics refers to principles by which to evaluate behaviour as right or wrong, good or bad, and that it refers to well-based standards of right and wrong and it prescribes what humans ought to do. The researcher expects the uMhlathuze Local Municipality to be more effective in the delivery of quality education.

Griffin (1990:814) says that a code of ethics is a formal statement of what values and ethical standards, guide individuals and organisations. In its simplest form ethics is a system of moral principles. Ethics affect how people make decisions and how they lead their lives. The researcher feels that as it is concerned with what is good for individuals and the society, ethics could also be described as relating to a moral philosophy. School-based educators in the education sector encounter a situation

that may be evaluated as good (ethical) or wrong (unethical). It is true that there are situations where a person can find himself or herself in an ethical dilemma. If the senior has acted wrongly, it may be difficult for a subordinate to tell that senior that he or she has acted wrongly, because that can affect good human relations. Lewis & Gilman (2005:3) feel that ethics is about values and virtues, principles and duties, judgement and responsibility. School-based and office-based educators in the uMhlathuze Local Municipality must be fully aware of the values that are expected of them in this Circuit Management Cluster and in the King Cetshwayo District Municipality. These values and virtues should drive them in their daily activities to achieve quality education and to make a positive contribution to Local Economic Development (LED).

Tavani (2004:45) argues that, "in western philosophy schools of ethical thought focus on three types namely the deontological school of thought, the consequential school and the virtue school. The deontological school of thought advocates that the right and wrong, good and bad, depends on the nature of action itself and not on the consequences of action". The consequential school of thought focuses on the premise that right and wrong, good and bad depend on the consequences of action, whilst the virtue school of thought advocates that right and wrong, good and bad depend on the character of the person committing the act. The researcher's questionnaires were based on the actions of school-based and office-based educators. Public employees who are known for late-coming, absenteeism, child abuse, and sexual harassment subscribe to the first school of thought (deontological school of thought). School-based and office-based educators who are fired or suspended due to their unethical behaviour fall into the second school of thought (consequential school of thought). The school-based and office-based educators who work in a professional manner fall into the last category (the virtue school of thought).

2.9.2. Code of ethics

Griffin (1990:814) argues that, "a code of ethics is a formal statement of what values and ethical standards, guide individuals and organisations". The researcher checks whether public schools have a professional code of ethics for school-based and office-based educators, if not, a provision is made for proper recommendations of

measures to enhance the entrenchment of public service ethics in the public school system of uMhlathuze Local Municipality. The ANC-led government has already alerted people of three evils which must be eliminated in the South African society namely: social injustice, poverty and unemployment. These are some of the factors that hinder the development of the country. Fairness must always prevail in the workplace so as to promote growth and development in the country. Civil servants are required to promote national unity and integration. They are expected to promote peace and harmony. School-based and office-based educators must promote unity whenever they can. Political tensions and community clashes and civil wars have no place in a democratic country, and they do not add value in the economic growth and development. Public servants should tolerate others and respect their views and feelings. They should respect cultural, religious and ethnic differences.

2.10. VALUES AND ETHICS AS PERCEIVED BY PROMINENT AUTHORS IN THE WORLD

The Constitution of the Republic of South Africa enshrines democratic values which the researcher has alluded to in a previous paragraph. These values are similar to those recognised by the global world. Values and ethics work in tandem so as to address the public interests. Values and ethics serve as the fundamental core of public service. These values have to be honoured and respected in all countries. Values serve as the cornerstone for quality service delivery so that public demands and public aspirations can be met by the public officials. Public servants are expected to be ethical at all times when they render their services so as to gain the trust and confidence of the public. Many authors concur that it is always difficult to separate values from ethics. It is clear that these two always work in tandem and should be viewed by the public in that manner. MacCarthaigh (2008) outlines three categories to demonstrate the link that exist between ethics and democracy, with the inclusion of professional people.

Table 2.2 demonstrates all those three categories that have been illustrated by MacCarthaigh (2008). There are key concepts that fall in each category. Ethics, democracy and professionalism are somehow connected and interrelated, and should always be seen as one component. Table 2 demonstrates this interrelationship between ethics, democracy and professionalism as illustrated by MacCarthaigh (2008:8).

Table 2.1: Categories of Public Service Values by MacCarthaigh (MacCarthaigh, 2008:18)

Ethical	Democratic	Professional	People
Integrity	Rule of Law	Effective Caring	
Fairness	Neutrality	Effectiveness	Fairness
Accountability	Accountability	Service	Tolerance
Loyalty	Loyalty	Leadership	Decency
Excellence	Openness	Excellence	Companionship
Respect	Responsiveness	Innovation	Courage
Honesty	Representativeness	Creativity	Benevolence
Probity	Legality	Creativity	Humanity

Source: MacCarthaigh, (2008:18)

Table 2.1 reflects that some values appear in more than one category for example fairness, accountability, loyalty and excellence. Value conflicts can occur when similar values are applied in different contexts. School-based and office-based educators are expected to be ethical when dealing with education issues and all other stakeholders such as learners, parents, community members, social partners such as the South African Democratic Teachers Union, the National Teachers Union and SAUO, departmental officials and other interested parties. The researcher shares the same sentiment as that expressed by prominent authors that values are essential components of organisational culture and that they are instrumental in determining, guiding and informing behaviour. Values and ethics work hand-in-hand for each individual, according to Raga & Taylor (2005:3) who quote McCurry when he points out that the influence of values on the individual is powerful: they principally determine what one regards as right, good, worthy, beautiful and ethical and they provide the standards and norms by which one guides day-to-day activities. They chiefly determine one's attitude towards political, economic, social, industrial and other causes and issues with which one comes into contact daily. They determine the ideas, principles, and concepts one can accept, assimilate, remember and transmit without distortion. Raga & Taylor (2005:4) claim that training in integrated ethics management should be provided to all managers, since there is an unclear link between the National Corruption Strategy and departmental strategies. Continued research and information on ethics management is needed to ensure accurate and reliable information. Departments should specifically address Batho Pele Service Delivery Improvement Plans (SDIPs) in their annual reports. Government has addressed the need for fairness in service delivery through for example, the Promotion of Administration of Justice Act of 2000 (PAJA).

Capacity and capability will need to be built systematically and incrementally to build public service accountability. An accreditation system for public service managers will help to ensure that appointees have the skills and experience required for their jobs. Specialist capacity should be created that will support Departments in difficulties. Managers should assign priority to implementing departmental risk management fraud prevention plans. The flow of credible information in line with the Batho Pele principles will enhance the sense of ownership of government programmes and processes by the beneficiaries. Annual reports should be

structured so that they directly reflect plans presented in the national and provincial expenditure estimates. This will allow for a clearer comparison of performance against plans and budget.

2.11. Public Service

Kernaghan (2003) has also illustrated the link that prevails between ethics, democracy and professional people. Table 2.2. Reflects concepts that fall under each category. There are similarities between MacCarthaigh's Table and Kernaghan's Table 2.2.

Table 2.2: Four categories of public service values:

Ethical	Democratic	Professional	People	
Integrity	Rule of law	Effectiveness	Caring	
Fairness	Neutrality	Efficiency	Fairness	
Accountability	Accountability	Service	Tolerance	
Loyalty	Loyalty	Leadership	Decency	
Excellence	Openness	Excellence	Compassion	
Respect	Responsiveness Representativeness	Innovation	Courage benevolence	

Source: Kernaghan, (2003:712)

2.12. EFFECTIVE VALUES AND ETHICS LEADERSHIP

Leaders need to establish clear standards, or norms and principles, of a person's trade or profession and ethical standards for the organisation. They must personally walk and model the values and ethics talk. They should build and reinforce a strong values and ethics culture. Leaders must assess and manage areas of high risk. They must also establish effective control and a monitoring system. Leaders must act decisively and transparently when values and ethical standards are breached. This according to MacQuarrie (2008:18) means that, "it is imperative to establish clear standards and expectations for values and ethics behaviour for staff". It is also important to create a conducive environment for staff to be comfortable in when they are reporting wrongdoing. Leaders regularly measure staff perception of organisation's values and ethics culture and performance of the organisation's leader. Implementing improvements in values and ethics culture is based on the results of staff surveys. There is a need for regular measures to ensure that employees get satisfaction and show commitment in their duties and towards establishing a quality of working life. The government needs to respond to employees' priorities for improvement through a systematic organisational development plan. MacQuarrie (2008:18) argues that, "there are guidelines, standards, and framework, recourse and disclosure, controls, risk management, leadership, people, culture, and trust". There should be guidelines in any organisation if one aims at improving performance. Performance of employees should be measured against standards that are set in that organisation. The issue of disclosure is critical so as to eliminate the conflict of interests. It is alleged that there are school-based and office-based educators who are serving as service providers within the district. This research study checks the extent and validity of such allegations. There should be structures that are active in controlling service delivery.

The issue of District Coordination Monitoring and Support (DCMS) cannot be ignored if the system aims to improve the service of school-based and office-based educators. Effective structures for controlling risk management must be put in place so as to monitor and maintain ethical standards. Leaders at different levels should lead by example. The ethical culture should be instilled in the minds of school-based and office-based educators in the uMhlathuze Local Municipality. There should be a high level of trust amongst leaders so as to make proper entrenchment of public

service ethics. Leaders with integrity should not have a problem in promoting ethical behaviour in public institutions.

2.13. SOUTH AFRICAN PERSPECTIVE OF UNETHICAL BEHAVIOUR

Transparency International's 2015 global Corruption Perception Index (CPI) scores South Africa at 44, down from the past high of 51 in 2007, (A score 0 means a country is considered 'very corrupt', and a score 100 means a country is considered 'very clean'). South Africa's ranking compared to other countries in terms of the Corruption Perception Index (CPI) has also deteriorated, dropping 29 places in the global perception's ranking since 2001 (Local Government Anti-Corruption Strategy (LGAS), p, 14, 2015). A range of Surveys, among others National Victims of Crime (NVC), Human Sciences Research Council's Quality of Life (HSRCQL) (2012), Africa barometer and Transparency International's (A&TI) research, suggest that instances of bribery are fairly common in some instances with government officials. This is the case in traffic policing, in the Education Department in the appointment to the positions of Principals and Deputy Principals and, at times, to post level one educators, and to a lesser extent in home affairs, local government and policing (LGAS, 2015: 15).

The South African Government has developed several framework Strategies specifically to reduce corruption and to support ethical practice in the Public Sector (LGAS, 2015: 14). These include the National Crime Prevention Strategy (NCPS) of 1996; the Batho Pele Programme, aimed at supporting an ethical and citizen-oriented public service that was developed in 1997 and re-launched under a dedicated campaign in 2004, the Public anti-corruption Strategy, 2002 and mechanisms resulting from the strategy, such as the development of guidelines for minimum anti-corruption capacity in public service departments and entities; the development of the Financial Disclosure Framework for managers in the public service Integrity Management Framework and the Local Government Anti-Corruption Strategy, which was approved in May, 2016 (LGAS2015: 15). The Public Service Commission (2007:19) revealed departments that provided evidence of cases that were disciplined for corrupt and fraudulent activities, which included Education, Local Government and Traditional Affairs, Public Works, Social Welfare and Population Development. Fear and intimidation are still perceived as a huge threat to whistle-

blowers. Members of the public in the Republic of South Africa do not feel protected by the government Security Agency. Many culprits get away with fraud and corruption as a result. The service charter that was introduced by the King Cetshwayo District in 2009 had values which are also applicable in the uMhlathuze Local Municipality because it is located within the King Cetshwayo District Municipality. These values include professionalism, honesty, fairness, integrity, caring and empathy. There is a need for understanding and entrenching ethical behaviour in the uMhlathuze Local Municipality if school-based and office-based employees are acting against the King Cetshwayo charter. The researcher worked for more than twenty years as a Principal in the King Cetshwayo District. He has heard of several cases of unethical conduct in uMhlathuze. Understandably, economic growth and development cannot take place where unethical conduct continues to thrive in the workplace. The South African Council of Educators Act, Act 31 of 2000 has a professional code of professional ethics for School-based and office-based educators. There are fundamental values that are found in the Service Charter of 2009 in the uMhlathuze Local Municipality. These include: democracy and the extent to which schools play their role in promoting this essential value. Sangweni (2006:3) endorsed these democratic principles regarding the state of the Public Service under the Public Service Commission which is the Custodian of Good Governance in South Africa.

The first principle speaks about the promotion and maintenance of a high standard of ethics. He further argued that this is vital for the building and sustaining of a credible capacity and efficacy which needs to be protected. School-based and office-based educators are expected to promote and maintain a high standard of ethics so as to enhance quality education in the uMhlathuze Local Municipality. The interpretation and implementation of public policies should always aim at the promotion and maintenance of a high standard of ethics. Data analysis either confirms or disputes speculations that there are some gaps in the implementation of policies and the researcher suggests strategies to address such gaps. The second principle stipulates the requirement for efficiency, economy and effectiveness in the use of resources, required in the public service to have the capacity for sound financial management. The general opinion is that school-based and office-based educators lack the skills and expertise to deal with finances and to manage other

public resources. Sangweni (2006:13) points out those departments that need to have the ability to understand the policies and programmes of government and to have the ability to determine success or failure in the course of implementing these. In the light of what has been stated, it is clear that school-based and office-based educators need to have sufficient knowledge regarding public policies. It is very difficult to implement what one does not understand.

There is a need for a high level of understanding of public policies. The Public Service Commission (2006:13-14) elaborates on the third principle which details the development orientation, that public servants require in government departments to have the ability to design and implement effective poverty reduction interventions to create a better life for its primary stakeholder's citizenry. The confrontation of social challenges according to the Public Service Commission Report of 2006, includes, "the ability to integrate developments, needs and poverty reduction into all the work of the public service". School-based and office-based educators in the uMhlathuze Local Municipality should be well equipped with a poverty-reduction strategy and strategies to integrate them into development policies. Quality Learning and Teaching Campaigns include proper understanding and implementation of policies. The fourth principle talks about Impartiality, Fairness and equity in service delivery that requires a public service with a commitment on impulse for just action. Sangweni (2006:13) argues that public service personnel need to have the ability to distinguish what kinds of action and conduct would constitute impartiality and bias, and how the latter should be prevented. The Corruption Watch, (2013) and the media exposed high levels of corruption in the public service. The general impression is that school-based and office-based educators in the uMhlathuze Local Municipality are not fair and lack impartiality, and do not demonstrate equality in the public service. This research study assesses the validity of such allegations, and proposes strategies to deal with such allegations if they are found to be true.

The entrenchment of public service ethics in the public-school system of the uMhlathuze local Municipality could be a way of addressing the issue of impartiality, fairness and equity. The fifth principle is on participatory responsiveness in meeting the needs of the people, which requires, according to Sangweni (2006:14) that the public service should have the capacity to promote and sustain public participation in its activities to serve the people. It is discouraging to note that there are allegations

of school-based and office-based educators who undermine public participation in the public-school system in the uMhlathuze local Municipality, although South Africa is in the third decade of her democracy. Sangweni (2006:14) elaborates on the sixth principle which talks about accountability, and requires the public service to have the capacity to hold itself up to scrutiny and to be answerable for its conduct and activities. There are allegations that there is a low level of accountability amongst school-based and office-based educators. This research verifies or refutes such allegations, and makes appropriate recommendations to normalise the situation if it is indeed abnormal. The Public Service Commission Report of 2006 points out that principle seven is on fostering transparency, which takes centre stage in South African democracy, and it also make a sharp break with the apartheid era.

The Public Service Commission Report of 2006 emphasises that public service needs to have the capacity to open its activities and conduct to the public in order to empower it to exercise its rights fully. The general view is that in uMhlathuze Local Municipality there is a lack of openness between school-based and office-educators, and the public. This study comes up with recommendations to address the above-named challenge. The principle number eight according to this Commission, talks about good Human Resource Management. For Sangweni (2006:14) human resource potential and its utilisation through sound policies and management practises and systems are absolutely essential. It is alleged that the uMhlathuze Local Municipality is well known for the appointment of incompetent people in senior positions. This too needs investigation as it affects good human relations between school-based and office-based educators. The entrenchment of ethical behaviour in the public-school system will attempt to address all challenges that affect good human relations.

The principle, which is principle nine, is on representing various stakeholders in decision-making in various structures. Sangweni (2006:14) argues that, at the heart of the constitutional intention of this principle, is the legitimacy of the Public Service. The essence of quality service delivery is its high standard of professional ethics which must be promoted and maintained at all times. This research checks the extent to which democratic values are promoted in the public schooling system with specific reference to the uMhlathuze Local Municipality. There are allegations that these democratic values are not given serious attention in the uMhlathuze Local

Municipality. In terms of social justice, for example, children should enjoy the right to protection from maltreatment, neglect, abuse and degeneration. There are serious allegations that school-based educators do not give learners proper treatment.

2.14. THEORETICAL FRAMEWORK

As has been mentioned continuously, this study is about the entrenchment of public service ethics in the public schools of uMhlathuze Local Municipality. There are fundamental theories that are related to this study and they include ethical theories and rights-based contract theories.

2.14.1. Ethical theory

Denhardt & Grubbs (2003:124) hold the view that, “ethical theory concerns itself with what is good or right in human interaction (for example between public officials and citizens).” The school-based and office-based educators and other public employees must always remember that they are public servants and should always ensure that they render quality service delivery. The King Cetshwayo District Municipality is part of a global picture where quality assurance should always be yearned for; hence there is a need for understanding and entrenching ethical behaviour in the public-school system. Public officials and public representatives should always be able to make the distinction between what is good or bad; right and wrong in the execution of their duties. Social evils such as crime, poverty, unemployment, corruption, HIV/AIDS and the lack of provision of basic services cannot be addressed where public officials and public representatives cannot see the difference between good or bad; right and wrong when rendering basic service. School-based and office-based educators must always bear in mind that public schools are for the public. They are not private schools. The social welfare of school-based and office-based educators is regulated by the Public Service Act of 1994, and Public Service Regulations of 2001.

The purpose of all ethical theories is to build the character of individuals or groups. School-based and office-based educators and other public employees or public representatives are expected to be of sound character. Their behaviour should be in line with the demands of their profession as stipulated in the code of conduct for public servants. Tavani (2004:44) argues that, “ethical theory, scientific theory, provides us with a framework for analysing moral issues via a scheme that is internally coherent and consistent as well as comprehensive and systematic.” To be

coherent, a theory's individual elements must fit together to form a unified whole. To be consistent, a theory's component parts cannot contradict each other. Ethical theories assisted the researcher to be objective in conducting this study. School-based and office-based educators need to be ethical at all times. Teaching and learning needs people who are ethical because they deal with the growth and development of young people. The implementation of public policies such as the Integrated Quality Management Systems (IQMS) needs school-based and office-based educators who are ethical, so as to achieve its intended objectives. Some of its intended objectives are to improve educators' performance in the class and to identify areas of development in the whole school. School-based and office-based educators need to be ethical when monitoring the basic functionality of all individuals, when teaching and marking tests, when administering assignments and projects, when undertaking financial management, and when monitoring examinations in all public schools.

2.14.2. Duty- based ethical theories

Tavani (2004: 48) argues that, "morality must ultimately be grounded in the concept of duty, or obligations that humans have to one another, and never in the consequences of human action". As such, morality has nothing to do with the promotion of happiness or the achievement of desirable consequences. Tavani (2004:48) rejects utilitarianism in particular and all consequential ethical theories in general. Tavani (2004:48) further contends that in some instances, performing our duties may result in our being unhappy and may not necessarily lead to consequences that are considered acceptable and which meet public expectations. All public schools were established to impart knowledge to young people and to develop them so that they may contribute to the growth and advancement of their communities.

2.14.3. Contract-based Ethical Theories

Tavani (2004:52) points out that, "during the past two centuries, consequence-based ethical theories have tended to receive the most attention from philosophers and ethicists". This study investigates the negative effects of morality and the consequences. Tavani (2004:53) argues that one virtue of the social-contract model of ethics is that it gives us motivation to be moral. Basson et al., (2002: 19) contend that the contract of employment is the foundation of a relationship between an employee and his or her employer. All forms of contract must be respected by all

public employees. Tavani (2004:54) maintains that some critics point out that social-contract theory provides the foundation for a minimalist morality. It is minimalist in the sense that we are obliged to behave morally only where our explicit or formal contract exists. It is alleged that there are school-based and office-based educators who behave well in the workplace but stay in taverns after hours. These employees come unprepared for their work on the following day. Such public employees consider agreements as binding during office hours and they have a feeling that they are not binding after they have left the school premises. School-based and office-based educators must always remember that they have a social responsibility to do the right things at all times.

2.14.4. Rights-Based Contract Theories

This is closely associated with social-contract theory. Tavani (2004:54) reminds us that some philosophers have questioned whether individuals have any legal rights, or whether all humans have only certain moral or natural rights". Chapter 2 of the Constitution of South Africa has a bill of rights. Section 7(1) stipulates that this bill of rights is a cornerstone of democracy in South Africa. These rights include the right to basic education, equality, freedom of association, human dignity, freedom of expression and so forth. Tavani (2004: 60) argues that an ethical framework can be summarised in terms of a strategy that includes the following steps: Deliberation over various policies from an impartial point of view to determine whether or not they meet the criteria for being ethical policies. A policy is ethical if it does not cause any unnecessary harm to individuals or groups and supports individual rights in the fulfilment of duties.

The Department of Basic Education (DoE) has a number of policies that subscribe to the above-named strategy; one of them is the Integrated Quality Management Systems (IQMS) which is aimed at developing all school-based educators. This system has good consequences in the sense that it looks at the individuals and groups and makes an evaluation of the whole school, so as to check the correlation between the scores of individuals and the results of the whole school. Raga & Taylor (2005:22) maintain that ethical behaviour is essential for an effective and stable political authority as well as for a social economic structure. Raga & Taylor (2005:3) concur with Mwaweru (2010) that ethical behaviour promotes good governance and that it facilitates service delivery. It also promotes growth and stability within the

public service. Raga & Taylor (2005:3) feel that, “ethics does not just concern establishing a set of rules or code of conduct, but is an ongoing management process that underpins the work of the government.”

Raga & Taylor (2005:3) point out seven principles of public service life as indicated by the Nolan Committee in the United Kingdom: selflessness; public officials should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends. This research promotes selflessness in the uMhlathuze Local Municipality. Good governance, transparency and the rule of law cannot prevail where public officials and public representatives are selfish. Genuine holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties. It is a fact that corruption prevails all over the world including in South Africa and in uMhlathuze Local Municipality in particular. It is also a fact that service delivery will always be facilitated by leaders with integrity.

Corruption is always attractive to public officials and public representatives who have no integrity. School-based and office-based educators must have integrity so as to make a positive contribution to the Quality Learning and Teaching Campaign (QLTC). Objectivity in carrying out public business, including making public appointments or recommendations, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make their choices on merits. It is alleged that the King Cetshwayo District Municipality is well known for unethical conduct when it comes to the awarding of contracts, recommendation of people for appointments to vacant posts or in awarding contracts to suppliers for the National School Nutrition Programmes (NSNP). Holders of public offices are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office. A leader with integrity knows that he or she is accountable to the public. Holders of public office should be as open as possible about all their decisions and actions that they take in their day-to-day activities. They should give reasons for their decisions and restrict information only when the wider public interest demands it. Holders of public office have a duty to declare any private interest relating to their public duties and to take steps to

resolve any conflicts in a way that protects the public. Community members of the uMhlathuze Local Municipality raised in their meetings that school-based and office-based educators who do not want to declare their private interests to the uMhlathuze local Municipality Leadership. Holders of public office should promote and support these principles through leadership or by example (Chapman, 2000:230-231). Public officials should undertake to perform their duties and functions efficiently, effectively and with integrity, in accordance with laws or administrative policies. They should at all times seek to ensure that public resources, for which they are responsible, are administered in the most effective and efficient manner. Curricular issues must always be treated with care, that is, school-based and office-based educators must know exactly the content to be covered for each and every grade. Content gaps must always be noted and treated accordingly. Effective use of time must always be prioritised to ensure that the amount of work to be covered in that grade is covered during the specified period and to ensure that learners are well prepared for the next grade and for life after grade twelve. Any education that does not serve the public interests and needs is likely to be dysfunctional and to produce learners or products that cannot be absorbed in the job market.

Public officials should be attentive, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall at no time afford any undue preferential treatment to any group or individual or improperly discriminate against any group or individual, otherwise the power and authority vested in them will have been misused. School-based and office-based educators in the uMhlathuze Local Municipality are expected to listen attentively to the views of the public and to fully acquaint themselves with the needs of the communities that they serve so that the value of education can be seen by the public. Education is regarded as a futile exercise if learners become unemployable with their qualifications or their education. Proper education should not escalate unemployment, poverty and inequalities to the public. Fairness should prevail in all spheres of the government. All appointments should be based on merits if there is seriousness about social change and quality assurance. It is true that public servants employ a range of values as a means to guide their behaviour and to assist them in steering a course through multiple requirements while performing a number of tasks as part of their daily activities. MacCarthaigh (2008:16) concurs with other authors,

quoting Sherman (1998:15) in revealing the following values to be the most common: “Honesty and integrity, impartiality, respect for the law, respect for persons, diligence, economy and effectiveness, responsiveness and accountability”.

2.15. CHAPTER SUMMARY

The perspectives of different authors on public service ethics have been elaborated in this chapter. A clear link that exists between concepts such as ethics, public service ethics, ethical leadership and the entrenchment of public service ethics in the public-school system of uMhlathuze local municipality was also explored in this chapter. Various authors in this chapter concur that ethics is about behaviour that is right or wrong, good or bad. Public servants are expected to be ethical in the public domain. All school-based and office-based educators are expected to display ethical leadership in their daily activities. It is difficult to separate ethics from the ethical code which guides the behaviour of public servants. Fundamental concepts such as ethics, ethical code and ethical theories were also articulated. The issue of unethical behaviour in all sectors is crippling the economy and damages the image of South Africa. Despite inadequate resources, the issue of learner performance in all public schools can be addressed easily if the ethical issue can be given proper attention. The following chapter will explore the research design and methodology.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.1. INTRODUCTION

The previous chapter discussed various themes related to unethical conduct, ethics, professional code of ethics, and the legislative landscape related to unethical conduct in public schools of uMhlathuze Local Municipality amongst school-based and office-based educators. It also discussed the theoretical frameworks that enable the understanding of public service ethics that are related to ethical behaviour as well as different scenarios that relate to corruption in the public sector. This chapter focuses on research design and it explains how the research was conducted. It indicates that the research study involved school-based and office-based educators, learners and educator unions. It also points out that random selection was used in choosing participants from the township schools, urban schools, semi-urban schools and rural schools that participated in the research study. The structure of uMhlathuze Local Municipality is also illustrated in this study. The researcher explains the research process and explores the case study research design that has been utilised. In addition, it describes the method of sampling, data generation, data analysis, data presentation and the discussion of findings from the field. Relevant issues of trustworthiness as perceived by other writers are scrutinised in this chapter.

McMillan & Schumacher (2006:135) define research as the “systematic process of collecting and logically analysing data for the purpose of establishing novel facts, solving new or existing problems, providing new ideas or developing new theories usually using scientific methods”. On the other hand, Leedy & Ormrod (2013:2) see it as “the systematic process of collecting, analysing and interpreting data in order to increase understanding of a phenomenon”. For the purpose of this study, the central concept is defined as a scientific, systematic and deliberate endeavour undertaken to search for new ideas or existing knowledge.

Research design is a research plan gives an outline of how the researcher would collect, analyse and interpret data. The researcher would also, come up with strategies to entrench public service in the public-school system of uMhlathuze Local Municipality and in South Africa as a whole. According to Durrheim, Painter & Terreblanche (2006:30), “a research design refers to the plan of action which serves as a strategic framework linking the research question or problem to the execution of the research, and ultimately to the provision of answers to the research question or problem”. Descombe (2005) adds that “the plan indicates the different methods for collecting data”. Maree (2012:70) also views research design as a “plan or strategy, which moves from the underlying philosophical assumptions to specify the selection of respondents, data gathering techniques and data analysis techniques to be used”. It is obvious that there is a need for a research study because corruption and unethical conduct appear to continue unabated at various levels in the government.

A paradigm can be considered as a broad view or worldview for investigating, interpreting and understanding research (Kuhn, as cited in Cohen, Manion & Morrison, 2011). It can be thought of as an approved or agreed upon approach to scientific knowledge or a set of beliefs that guide all facets of the research project (Wellington, 2000; Bunniss & Kelly, 2010). Bogdan & Biklen (as cited in Mackenzie & Knipe, 2006), concur that, “a paradigm is the foundation or framework on which all aspects of the research are based” (Naidoo, 2015:47). Creswell (2007) also concurs that, “the choice of a research paradigm is the initial and crucial step in formulating a research proposal because it directs all subsequent procedures” (Naidoo, 2015:47). Wahyuni (2012) is of the opinion that, “research paradigms deal with and tackle the philosophical elements of the social sciences” (Naidoo, 2015:47). Despite various research studies that have been conducted in the past, surprisingly, corruption and unethical conduct continue unabated. Surely there is a need for a paradigm shift in research studies that are conducted now, if people want to curb, reduce or stop corruption and unethical conduct in the work place. Bunniss & Kelly (2010), in (Naidoo, 2015:47) “reiterate the point that paradigms direct and lead the research process”. Unethical conduct is a widespread phenomenon amongst civil servants in South Africa. On page 11 of its May 11 publication, the City Press had a bold caption ‘Sexual harassment, complaints ignored for eight years’ wherein the victim applied for a protection order in the Limpopo Province. It was alleged that such cases are

common in a number of districts in South Africa. Unethical behaviour is not only common amongst civil servants of Sekhukhune District of Limpopo, but in other areas as well. Meny-Gilbert, (2017) indicates that, “an anticorruption strategy needs to address the systematic damage that corruption has negatively affected many of the country’s organisations.” Furthermore, research undertaken by the Public Affairs Research Institute (2017:4-10) shows that, “when corruption is endemic in a department, it can paralyse decision-making and routine work”. This research study is aimed at adding value to the transformation of public service in South Africa.

The above-named points play an important role in the entrenchment of public service ethics. Service excellence should be promoted at all times, especially in the public-school system so as to achieve quality education and to do away with dysfunctional public schools. In this study, research design is defined as the plan of action which guided the selection of respondents, collection and analysis of data on the entrenchment of public service ethics in the public-school system of uMhlatuze Local Municipality.

3.2. RESEARCH METHODOLOGY

3.2.1. Research Paradigms

This research study was conducted using a particular research paradigm. Van Manen, (1990:27) describes the concept ‘paradigm’ “as comprising fundamental assumptions about the general orientation to life, the view of knowledge and the sense of what it means to be human that directs the particular enquiry”. It is based on a particular theory and the nature of reality and knowledge, which enables one to make a judgement on the validity and authenticity of the findings. Neuman, (2000:81) refers to the concept ‘paradigm’, “As a general organising framework for theory and research that includes basic assumptions, key issues, models of quality research and methods for seeking answers”. McGregor & Murname, (2010:1) define the concept ‘paradigm’, “as a set of assumptions, concepts, values and practices that constitute a way of viewing reality for the community that shares them, especially in an intellectual discipline like environmental education”. For the purpose of this study, ‘paradigm’ is defined as a set of assumptions, concepts and values shared by school-based and office-based educators in the Education Sector in relation to public service ethics. Various authors such as Maree, (2013:21), Ritzer, (2001:7), Graham

& Harries, (1994:234), Mackenzie & Knipe, (2006:6) listed the following paradigms: The behaviourist paradigm, the constructivist paradigm and the positivist Paradigm'

3.2.1.1. Behaviourist Paradigm

Ritzer, (2001:71) argues that, "behaviourism focuses on the relationship between the actor and the environment, thus emphasising the functional relationship between behaviour and changes in the environment". This study focused on the behaviour of school-based and office-based educators, learners, unions and school governing body members in public institutions. Maree, (2013:21) argues that, "Behaviourists posit that human and animal behaviour can be explained in terms of external stimuli, responses, learned histories and reinforcement". This study focused on the behaviour of school-based educators in public schools of the uMhlathuze Local Municipality, and the relationship between school-based educators and office-based educators. It also focused on the behaviour of learners and school governing body members in public schools. Therefore, the behaviourist paradigm has a vital impact on this research study. This study is about the entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality; hence, it is important to consider the behaviourist paradigm.

3.2.1.2. The Constructivist Paradigm

Graham & Harries, (1994:234), argue that, "Constructivism emphasises the importance of active construction of knowledge among children". This study focused on the active participation of all participants in understanding public service ethics in the education sector. "Constructivist approaches to research have the intention of understanding the world of human experience", (Mackenzie & Knipe, 2006:6). This approach focuses on activeness of participants in the public service. People acquire knowledge in a number of ways, some work in groups, others as individuals, others promote teamwork, whereas, others will prefer to work with their friends, social partners or associates. This research study looked at the behaviour of office-based educators, educator unions and school governing body members during interviews either for school-based vacant posts or office-based vacant post in terms of nepotism, favouritism, bribery or the use of 'connections. Constructivism is perceived as the best approach by many authors, as compared to behaviourist or positivist approaches. However, other authors raised major criticisms. Sterling, (2003:317)

and Baikie, (1993) quoted in Sarantakos (2005:45) criticised constructivism by saying that, “it fails to acknowledge the role of institutional structures, particularly division of interest and relations of power, and cannot address the factors and conditions that lead to meanings and interpretations, actions, rules, beliefs and the like”. This study was conducted in uMhlathuze Local Municipality and a number of public schools were visited to collect data on public service ethics.

3.2.1.3. Positivist Paradigm

Fisher, 2010 in Charumbira, (2013:51), argues that, “The positivist paradigm is the power of science and rational thought to comprehend and manipulate the world”. “It may be viewed as an approach to social research that seeks to apply the natural science model of research as the point of departure for investigations of social phenomena explanation of the social world” (Descombe, 2008:14). Neuman, (2006:82); Babbie & Mouton (2008:23) point out that “Positivism concentrates on explaining human behaviour”. The entrenchments of Public Service ethics in the public-school system focuses on human behaviour, and it attempts to find a way of dealing with areas where behavioural challenges have been identified by the research study. The researcher learned about human behaviour in this study, particularly the behaviour of school-based and office-based educators.

This study is best informed by the behaviourist paradigm, behaviour the entrenchment of public service ethics in the public school system focuses on the relationship between school-base educators and the public schools. It focuses on how school-based educators behave in public schools. They may either be ethical or unethical in public schools. The study also focuses on the behaviour of office-based educators and their relationship with school-based educators, and other stakeholders such as parents, learners, unions as social partners and school governing body members.

3.2.2. Research Design

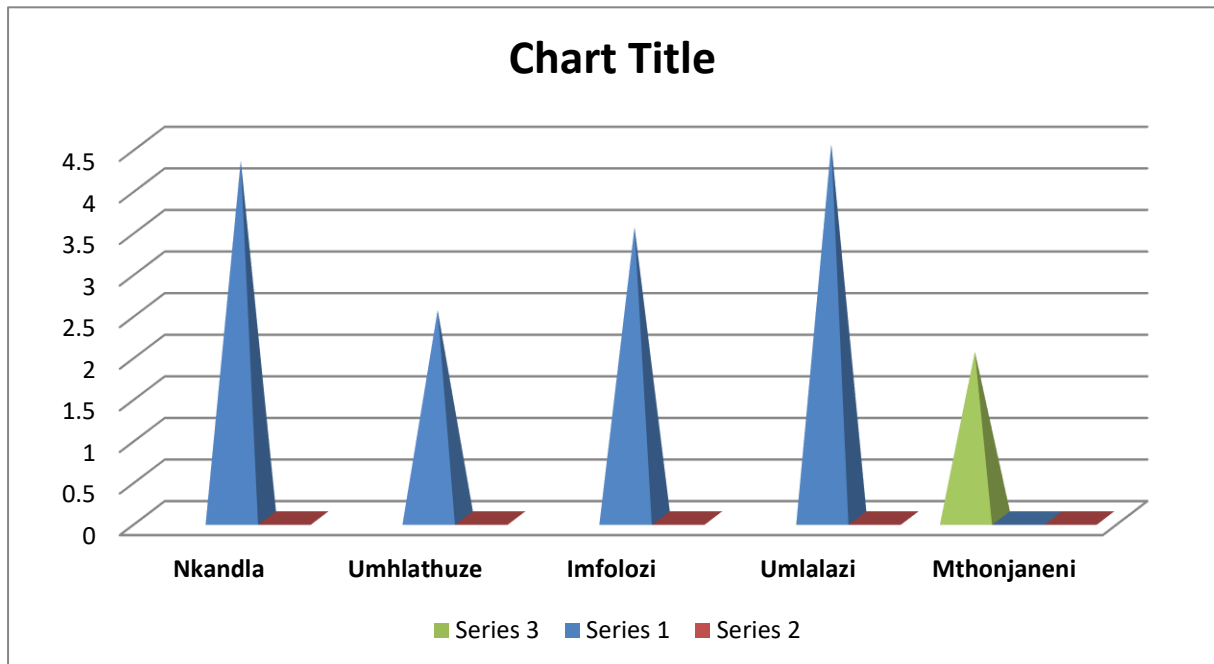
McMillan & Schumacher, (2006:9) “define research as the systematic process of collecting and logically analysing data for the purpose of establishing novel facts, solving new or existing problems, providing new ideas or developing new theories usually using a scientific method”. Leedy & Ormrod (2013:2) however define

research “as the systematic process of collecting, analysing and interpreting data in order to increase understanding of the phenomenon”.

Durrheim, Painter & Terre Blanche (2006:30) point out that, “research design refers to the plan of action which serves as a strategic framework linking the research question and the execution of the research and ultimately providing answers to the research question”. McMillan & Schumacher (2010) concur with Durrheim, Painter & Terre Blanche (2006:30) that, “Research design is defined as the methodological process of accumulating and rationally evaluating empirical data” and “it involves the accumulation, examination and interpretation of data in order to comprehend a phenomenon” (Williams, 2007). McMillan & Schumacher (2010), “explain that a research design is a broad, general plan that outlines all the details, steps and methods on how empirical data will be generated in order to answer the research questions of the study”.

The research design of this study was a case study of the uMhlathuze Local Municipality. “A case study extensively investigates a singular enclosed, confined or restricted entity” (Wellington, 2000; McMillan & Schumacher, 2010; Petty, Thomson & Stew, 2012). Creswell (2007:204) agrees that, “A case study is a detailed examination of a single system within a specific context”. Cohen, et al., (2011) affirm that “case studies are very useful research designs to investigate a real, true and modern system”. “A case study is also characterised by the use of many different sources of data and extensive data collection and analysis” (Hakim, 2000; McMillan & Schumacher, 2010; Cohen, et al., 2011; Wahyuni, 2012). UMhlathuze Local Municipality has four Circuits, namely; Esikhaleni Senkosi, Ngwelezane, ONgoye, and Mtunzini. The research study is situated within these four circuits in which there are 129 public schools.

FIGURE 3.1. THE STRUCTURE OF THE KING CETSHWAYO DISTRICT (KCD)



Source: KZN DoE Schools Map, KZNonline.gov.za

PUBLIC SCHOOLS IN THE KING CETSHWAYO DISTRICT

- UMLALAZI - 5 Circuits = 148 PUBLIC SCHOOLS
- NKANDLA - 5 Circuits = 142 PUBLIC SCHOOLS
- IMFOLOZI - 4 Circuits = 131 PUBLIC SCHOOLS
- UMHLATHUZE- 4 Circuits = 129 PUBLIC SCHOOLS
- MTHONJANENI - 4 Circuits = 119 PUBLIC SCHOOLS

The r study was conducted in the uMhlathuze Circuit Management Cluster, which has rural schools, semi-urban schools, urban schools and township schools. The researcher reiterates the values that should be subscribed to in the uMhlathuze Local Municipality. These include professionalism, honesty, fairness, integrity, caring and empathy. The entrenchment of public service ethics would ensure that school-based and office-based educators adhere to these values. The research study focused on school-based and office-based educators in the uMhlathuze Local Municipality which is one of the five local municipalities in the King District Municipality. The researcher did data analysis, bearing in mind chapter 10 of the Constitution of South Africa Act no. 108 of 1996, which stipulates clearly that public

institutions should consider basic values and principles governing Public Administration. Participants for the study were selected from urban schools, semi-urban schools, township schools and rural schools.

The uMhlathuze Local Municipality has four circuits and 129 public schools as indicated in Fig 3.1. The uMhlathuze Local Municipality was an area of focus for qualitative research. Other four Circuit Management clusters such as Nkandla, Imfolozi, uMlalazi and Mthonjaneni were not selected as focus areas of study so as to limit the study.

3.2.3 Methods of Data Collection

Generated data can be in the form of primary and secondary data (Wahyuni, 2012). In qualitative research, primary data is typically generated through semi-structured interviews which can also be referred to as standard open-ended interviews. Closed-ended questions were also used to collect data from participants. Face-to-face interviews were used to ensure that comprehensive data was collected from participants. Secondary data is usually gathered from research-relevant documents and literature. The researcher has referred in previous chapters to some relevant literature and to theses. This study used structured interviews, semi-structured interviews and document reviews to generate both primary and secondary data. The researcher chose these methods because they would give comprehensive information with regard to public service ethics in the uMhlathuze Local Municipality, particularly in public schools. Data generation can also occur in phases or stages (McMillan & Schumacher, 2010). These stages include selecting the sites for the research and gaining permission to use them, developing a relationship and trust with participants and financially engaging in the actual data generation methods. Research methods refer to the systematic procedures used for data generation and analysis (Mackenzi & Knipe, 2006). A description of the different research methods utilised follows. This includes the methods of sampling that were employed together with explanations of the data generation methods and data analysis strategies that were utilised (Naidoo, 2015:53). Relevant issues of public service ethics and trustworthiness are also described and in addition an account of the limitations of the study is also provided. The researcher followed Naidoo's (2015:53) approach to data presentation.

3.2.3.1. The questionnaire

In this research study, a questionnaire is the primary source of data collection. De Vos, Strydom, Fouche & Delpont (2006:166), define a research questionnaire, “as a set of questions on a form which is completed by the respondents in respect of a research project”. In this study the researcher used different types of question to collect data. Closed-ended questions and open-ended questions were used to collect data from participants. Qualitative observation and face-to-face interviews were also used to collect data from respondents. The researcher used the comprehensive method as well because he had to make an extensive and intensive data collection which covered the whole district and not only the local Municipality.

The participants of this study were one hundred and twenty-five school-based educators; five office-based educators; one hundred and twenty-five learners between 13-17yrs i.e. grades 8-12; one representative each from educator Unions namely, The South African Democratic Teachers Union (SADTU); The National Teachers Union (NATU); Die Suid- Afrikaanse Onderwys Unie (SAOU) and twenty School Governing Body (SGB) members. These participants came from: Urban schools, Semi-Urban schools, and Rural and Township schools. Study attempted to cover all stakeholders because they all need to be aware of public service ethics and should be able to talk about the entrenchment of public service ethics in the public schools of uMhlathuze Local Municipality and in the King Cetshwayo District as a whole.

These were able to provide valuable information about ethical conduct at uMhlathuze Local Municipality. The Principals, circuit managers and educators were purposively chosen so as to give their perceptions on ethical conduct in public schools and the cause or causes for such unethical behaviour and possible solutions that can be used to curb or stop unethical behaviour in uMhlathuze Local Municipality. Using a questionnaire as a data collecting method has both advantages and disadvantages.

3.2.3.2. Interviews

Closed-ended questions were given to all participants, but school-based and office-based educators and educator Unions were also given open-ended questions. These are professionals and they are responsible for growth and development of children. The entrenchment of public service ethics mainly centres on them. School governing- body members and learners were given closed-ended questions so as to draw their attention to specific areas of ethical conduct in public schools.

3.2.3. Document Reviews

Document reviews were undertaken to establish more knowledge or to increase the understanding about the topic of study (Petty, et al., 2012). In addition, Creswell (2007) proposes the use of document reviews to facilitate triangulation of data generated from interviews that were conducted as part of this study.

3.2. Description and Selection of participants

As previously mentioned, specifically, school-based and office-based educators were interviewed. School-based educators included: Principals, Deputy Principals, Heads of Departments and post level one educators. Office-based educators also served as participants in the research study. They included the Circuit Management Clusters (CMCs), and Circuit Managers (CM), plus district officials. The main focus on the public-school system included: urban schools, semi-urban schools, township and rural schools. Random sampling was used in the selection of participants. The researcher was more interested in empirical data from the participants, based on their observation, experience and expertise. Random sampling was used so as to avoid conflict of interest, and to diversity of ideas, rather focusing on one area. Random sampling strengthened arguments of the research, and avoid the usage of wrong inferences.

3.2.3.5. Literature Survey

A survey of relevant literature was conducted on public service ethics with emphasis on public school system. This research project focused on ethical theories. Data collection was based on participant observation and the researcher relied on the perceptions of school-based and office-based educators in uMhlathuze Local

Municipality. Sing & Ntshangase (2003: 105) observe that unethical behaviour and corruption is a universal phenomenon in public administration. They further state that it exists at all levels of government but they further note that all spheres of government in South Africa have recognised the need and urgency to enhance ethical behaviour and to curb corruption. Yet it is still rampant. Robson, in Wessel's & Pauw (1999:153) argues that, having attended a lecture on the subject of ethics, the public administrator should come back to the job equipped with a set of values with directions as to what is good or right and correct in dealing with other human beings. But people know what is good or bad, right and wrong in the workplace. Employees, who are known for unethical conduct and misbehaviour deliberately, should be charged for misconduct. Employees continue to misbehave if they see that no serious actions are taken against them. It is true that management and development should be in the mind of every administrator so as to apply corrective and developmental measures at the right time, but is this approach working?

3.2.3.6. Secondary data

The candidate used policy documents on public service ethics to get accurate and relevant data. The candidate also used the international legislation and policy documents on public sector ethics to extract a global picture of public sector ethics. An intensive and extensive reading was undertaken of comparative literature on public service ethics in other countries. The researcher also used any relevant information from workshops, seminars and meetings. Agendas and minutes of circuit meetings and of school management teams were used to acquire data that was related to public service ethics. Participants were very positive while responding to questionnaires. Those that were scared to respond to questionnaires approached the researcher, and became free after receiving that confirmation that the study was only done for academic purpose. Some participants were even inspired to enrol for their own academic studies. Data was analysed in an objective manner and reliable information was retrieved after data analysis.

3.3. Target population

Bless, Higson-Smith & Kagee (2006:98) define population as “the entire set of objects or people who are the focus of the research and about which the research wants to determine characteristics”. As declared earlier, the participants in this study were selected from the uMhlathuze Circuit within the King Cetshwayo District Municipality. UMhlathuze has a high population and has public schools with many educators and learners because it is the commercial nerve-centre of King Cetshwayo District Municipality, which is included in the Richards Bay Development Zone (RBDZ). All industries and tertiary institutions are next to it, and it has a thriving Local Economic Development. Primary and secondary sources were used in data collection. Data was collected, analysed and presented in a descriptive and analytical manner.

There are many different methods of sampling that can be used depending on the methodology chosen for the research (Cohen, et al., 2011; Petty, et al., 2012). Some of the methods of sampling used in qualitative research include purposive, theoretical, convenience, comprehensive, maximum variation, case type and theoretical sampling (McMillan & Schumacher, 2010). There were two methods that were used in this study. They were purposive sampling and comprehensive sampling. Purposive sampling involves the deliberate and intentional selection of participants who served as rich sources of information (Wellington, 2000; McMillan & Schumacher, 2010; Petty et al., 2012). Wahyuni, (2012) explains that purposive sampling involves the premeditated selection of participants based on their ability to provide data in order to answer the critical questions of the study. Bless, Higginson-Smith & Kagee, (2006:98) define population as the entire set of objects or people who are the focus of the research study, and about which the researcher wants to determine some characteristics. UMhlathuze Local Municipality has 669 public schools, see Table 1 for further details.

3.4. Sampling of the study

Bless et al., (2006:98) define sample as “a subset of the whole population which is actually investigated by a researcher and whose characteristics will be generalised to the entire population”. Depending on the purpose of the study and the nature of the population under scrutiny (Cohen et al., 2000:93) in Neuman (2003:232), states that, “the size of the sample should be influenced by the relative homogeneity or heterogeneity of the population and the desired degree of reliability for the purpose of the investigation”. The size of the sample may or may not be significantly related to its adequacy, a large sample carelessly selected may be biased and inaccurate, whereas a smaller one, carefully selected, may be relatively unbiased and accurate enough to make satisfactory inferences possible (Best & Kahn, 1986:11-14). Grinnel & William (1990:127) state that, “in most cases a 10% sample should be sufficient for controlling for sample errors”. They contend that a minimum of 30 cases is needed for quantitative research.

Table 3.1: Participants’ spread of sample population(N=283)

s/n	Participants	Number
1	School-based educators	125
2	Circuit Managers	4
3	Learners	125 between 13-17yrs i.e. Gr 8-12.
4	School Governing Body Members	25
5	Chief Education Specialist	1
6	Suid Afrikaanse Onderwys Unie- SAOU	1
7	South African Democratic Teachers Union- SADTU	1
8	National African Teachers Union- NATU	1
	TOTAL=36	283

Sampling techniques, such as the simple random methods, were used in the selection of subjects from rural schools, township schools, urban schools and semi-urban schools. There was a mixture of primary and secondary schools. Random sampling was done in such a way that there was a balance between primary and secondary schools. Five school-based educators from each public school participated in the research study. Twenty-five public schools in the uMhlathuze Local Municipality participated in the research study. A total of 125 school-based educators participated in the research study. Five office-based educators from each circuit including the uMhlathuze Cluster Manager participated in the research study. Five learners from each public school participated in the study, learners who were members of the Representative Council of Learners (three RCL) plus two learners who were members of the School Governing Body) were also included in the study. Gender equity was taken into consideration. A total of 125 learners from 25 public schools in the uMhlathuze Local Municipality participated in the research study. See table 3.1 for further clarity.

Three teacher unions also participated in the study: South African Democratic Teachers Union (SADTU), National African Teachers Union (NATU) and Die Suid Afrikaanse Onderwys Unie (SAOU). The School Governing Body Chairpersons were also given an opportunity to participate in the research study. Learners from post primary schools were also included as participants in the research project. The education sector has a Professional Code of Ethics that was laid down by the South African Council for Educators (SACE). Goss (1996:576) argues that professions are distinguished from occupations, not just by their level of technical knowledge, competence and specialised training, but also by a commitment to set ethics and an obligation to serve these faithfully (McDowell, 1991:6; Barber, 1984:597). Analysis and discussion of data will be based on teaching as it refers to the standards, or norms and principles, of a person's trade.

Goss (1996:575) refers to ethics as a "System or code of conduct based on universal moral duties and obligations which indicate how one should behave; it deals with the ability to distinguish good from evil, right from wrong and proper from improper". Josephine, (1989:17) argues that professional ethics can be viewed as a system of norms, meaning how things 'should' or 'ought to be (Byles, 1989:5). Data analysis was based on the perceptions of school-based and office-based educators in the

uMhlathuze Local Municipality, but was also linked with what was happening in the whole of King Cetshwayo District Municipality, and in the whole of KwaZulu-Natal Department of Education and in South Africa as a whole. Discussions were linked to developments in the global world. It was imperative at that stage to reflect on the recommendations that had been made by The United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1996/7.

The issue of corruption, child abuse, maladministration, nepotism, bribery, the use of political 'connections' and unethical behaviour in the work place are some of the social evils which cripple service delivery and contribute to the economic downgrading of South Africa. Decisive actions should be taken to change the status quo. The entrenchment of public service ethics in the public-school system would be a positive move towards social transformation. Castellano (2004:99) defines research as an activity intended to investigate, document, bring to light, analyse, or interpret matters in any domain, and to create knowledge for the benefit of society or for particular groups. He further defines ethics as rules of conduct that express and reinforce important social and cultural values of society and rules may be formal and written, spoken, or simply understood by groups who subscribe to them.

The main purpose was to make a positive impact on quality education which would improve the standard of education and learner performance in this Municipality and in the whole of King Cetshwayo District Municipality. Findings and recommendations were disseminated to the KwaZulu-Natal Provincial Administration and to South African education authorities in general. Goss (1996:581) alerts us to the fact that the literature suggests the possibility of a professional code of ethics for public administration. It further indicates that a review of ethics literature and ethics theory suggest a dichotomy for administrative ethics research, comparing or contrasting the elements of the bureaucratic ethos with those of the democratic research. School-based educators are public servants and use administrative ethics and democratic ethics in their operations. Administrative ethics have a bureaucratic ethos that, according to Goss (1996:581), is defined "as a set of values that include: accountability, professional competence, impartiality, honesty, integrity, effectiveness efficiency and objectivity". Goss (1996:581) suggests that, "Public administration ethics is procedural due to process, organizational ethics, bureaucratic ethics, structural ethics, and ethics of neutrality, defence, and civility". In the light of what

has been stated above, it is clear that school-based and office-based educators have a huge responsibility when they render their services. Anything contrary to what has been stated will obviously compromise quality service delivery and will contribute negatively to quality education. Data analysis was therefore used to determine whether school-based educators and office-based educators are meeting the demands and obligations of their duties in the uMhlathuze Local Municipality. Goss (1996:581) argues that the democratic ethos, on the other hand, includes a set of core values like obligation to use administrative discretion to advance certain social values, political principles, and the public interest. South Africa has entered the third decade of her democracy, but there are enormous challenges regarding social justice, inequality, corruption and many are changes which have contributed to the escalation of unemployment, economic downgrading and lower education standards when compared with other developing countries in Africa and Internationally.

3.5. DATA ANALYSIS

Hatch (2002:148) defines “data analysis as organising and interrogating data in ways that allow researchers to see patterns, identify themes, discover relationships, develop explanations, make interpretations, mount criticisms or generate theories”. Throughout the data analysis process, researchers index and put collected data into as many categories as possible” (Vassiljev, 2010:11). Data analysis was done using inferential and descriptive statistics; data were based on information related to the perception of school-based and office-based educators about a critical analysis of the entrenchment of public service ethics in the public-school system of uMhlathuze local Municipality. Data were interpreted using graphical and tabular presentations. Data presentation, analysis, findings, discussion and recommendation were based on the fact that school-based and office-based educators are professionals who should uphold values and morality of the teaching profession. Goss (1996:577) argues that the essence of this professional morality involves the idea that professionals are constrained by their professional values and they would not be, were they are no professionals. The researcher listed values that are expected from school-based and office-based educators in the uMhlathuze Local Municipality in previous chapters, but it is imperative to refer to these values again at this stage. They include: honesty, integrity, fairness and trust. Honest school-based and office-based educators are likely to do their work with dignity and pride and to make a

positive contribution to democratic values. The issue of integrity has a positive impact on the Campaign for Quality Education in South Africa; it adds value to skills development and it addresses the issue of unemployment and social injustice. Goss (1996; 578) reminds that there has been an outpouring of written works on the subject of ethics in the field of public administration in previous decades, particularly on the ethics of persons who govern and those who are in public service. Surprisingly, there are still many challenges in the public school-system and in other sectors in general.

3.5.1. QUALITATIVE APPROACH

The researcher has used a qualitative approach in data collection, presentation and analysis. In the qualitative approach, the researcher needs to go through a process called content analysis. Stemler (2001:1) and Erisen (2015:23) argue that, “content analysis is a systematic replicable technique for summarising communicated material”. Erisen (2015:23) further claims that, “content analysis enables the researcher to sift through a large volume of data with relative ease in a systematic fashion”. In the current study, content analysis means analysing closed-ended questionnaires and open-ended questions together with face-to-face interviews and observations, in order to identify the main themes that emerge from observations and the responses made by respondents.

Dawson (2002) involves the following points in data analysis and identification of the main theme. Dawson (2002) recommends that, “the researcher needs to carefully go through the descriptive responses given by respondents to each question in order to understand the meaning of what they are communicating to the researcher”. A qualitative research approach is also about assigning codes to the theme. Dawson (2002) further points out that the researcher selects what s/he needs from responses to closed-ended questions and to open-ended questions, and identifies the main theme. A qualitative approach is also about classification of responses under the main theme. According to Dawson (2002), at this stage the transcripts of all questionnaires and observations are visited and classified under different themes. In discussing the main theme that emerged from studies. The researcher used verbatim responses to keep the feel of these responses (Dawson, 2002:34). Trumbull (2005:101) describes “qualitative research as multi-methods in focus,

involving an interpretative, naturalistic approach to its subject matter". The phenomenon is perceived and interpreted in its natural settings and attempts are made to make sense of, or to interpret phenomena in terms of the meanings people bring to them. Hannock, (2002:2) outlines the following features of qualitative research: It is concerned with the opinion, experiences and feelings of individuals producing subjective data. Qualitative research describes social phenomena as they occur naturally. Data are used to develop concepts and theories that help us to understand the social world. Qualitative data are collected through direct encounters with individuals, through one-to-one or group interviews or by observation; and the intensive and time-consuming nature of data collection necessitates the use of small samples.

3.6. CONSIDERATION OF CRITICAL CONCEPTS BEFORE THE DISCUSSION OF THE FINDINGS AND RECOMMENDATIONS

3.6.1. Validity

Kvale (2009:149) points out that, "validity refers to the strengths and soundness of a statement and whether a method investigates what it purports to investigate". Validity is also defined "as the ability of instrument to measure what it was intended to measure" (Gray, 2005:191). In this study, instruments investigated the level of understanding of participants with regard to public service ethics and assessed how the entrenchment of public service ethics could be achieved in the public-school system of uMhlathuze local Municipality. Validity is about the content that was investigated by the researcher. MacMillan & Schumacher (2010:175) state that, "content validity refers to the extent to which a sample of questions in an instrument, such as in a questionnaire is representative of the targeted population". Leedy & Ormrod (2005:92) introduce face validity which they argue is the extent to which, on the surface, the instrument looks like it is measuring a particular characteristic. Criterion validity plays a crucial role in data analysis and in the discussion of findings and in the making of recommendations. "Criterion validity involves multiple measurements and is established by comparing scores on an instrument with external criterion known to, or believed to measure the concepts or trait being studied" (de Vos, et al., 2006:161). Data analysis depends on how questionnaires were constructed by the researcher; hence we speak of construct validity. "Construct

validity is concerned with the meaning of what the instrument is measuring and how and why it operates the way it does” (de Vos, et al., 2006:162).

3.6.2. Reliability

Throchim (2006:1) describes the reliability of the tool as “consistency of the actual measuring instrument or procedure”. Joppe (2000:1) defines reliability as “the extent to which results are consistent over time and are an accurate representation of a study, and can be reproduced under a similar methodology.” This definition implies that the results must be repeatable at any given time when the same study is done. Bergh & Theron (2003:37) concur with Joppe (2000), when they define reliability as “a correlation coefficient to demonstrate the level of effectiveness and whether results can be similar, if the study could be replicated under similar methodology”. Questionnaires were structured in such a way that the researcher could get reliable information. All stakeholders were included in data collection so as to promote reliability of the study. Stakeholders included; school-based and office-based educators, learners, school governing bodies and unions. Data collected from different participants managed to give the researcher reliable information on public service ethics in the public schools system. Any researcher may go to the uMhlathuze Local Municipality on public service ethics would get similar results. Similar results would confirm that results were reliable.

3.6.3. Observation

Barbie & Mouton (2007:295) argue that, “this gathering technique allows the researcher to collect `live` data from the natural setting”. They further argue that it forces the observer to familiarise him/herself with the subject under investigation, and this allows previously unnoticed or ignored aspects to be seen. They contend that, “people`s actions are probably more telling than their verbal accounts, and observing these reveals valuable things”. The researcher has worked in the uMhlathuze Local Municipality for more than ten years. The researcher observed school-based and office-based educators while conducting this study. He also observed learners, teacher unions and school governing bodies while conducting this study. Some participants were delighted when they heard about this study. Some were panicking because they thought the study was conduct so as to expose

their bad behaviour. Some decided not to participate in the study, because they thought that the study was going to put their jobs at stake.

3.6.4. Triangulation

Morrell (2010:77), Rule & John (2011:109) explain triangulation as “involving the use of multiple data sources and methods to help ensure that data collected is accurate and studied as a true presentation of what is done to clarify meaning and to verify the repeatability of an observation or interpretation” (Staker, 2005:45). In this study, triangulation was fostered through multiple data collection methods, including questions in the qualitative approach. The study also used various participants` involvement to collect multiple viewpoints from all the participants in public schools about the same topic (Merriam, 2009:216). Merriam (2009:216) argues that triangulation is the principal strategy to ensure trustworthiness and credibility within a study.

3.7. ETHICAL ISSUES

Cohen, et al., (2011) maintain that, “ethics involves being sensitive to the rights of research participants and prioritising respect for individuals above the need for research”. McMillan & Schumacher (2010) concur and further argue that, “the researcher is ethically and legally responsible for protecting the interests and well-being of the participants of a study”. In this study, ethical clearance was obtained from the University of Zululand to ensure that the researcher adhered to all ethical guidelines. This was endorsed by the University of Zululand Research Committee. Cohen, et al., (2011) remind us that, “permission to conduct research at a particular site must be obtained from relevant authorities before the research process commences”. The KwaZulu-Natal Department of Education granted the researcher “permission to conduct the research study in public schools of the uMhlatuze Local Municipality”. McMillan & Schumacher, (2010) point out that “ethical standards also require permission to be obtained from each participant”. Participant consent was requested by the researcher from each participant before they were given questionnaires. Participants were also given an assurance by the researcher that their responses were not going to be disclosed to any person, and they had to respond to questionnaires without writing their names.

As mentioned earlier, Tavani (2004:28) tells us that, “ethics are derived from the Greek word ethos, and morality has its roots in Latin word mores”. Both the Greek and Latin, according to Tavani (2004:29), “refer to notions of custom, habit, behaviour, and character”. The researcher persistently tried to acknowledge the work that comes from other authors or publishers as this is the ethical way to behave as an academic. The role that can be played by the Education Sector in transforming those who display unethical conduct is crucial at this stage. Public Service Ethics should be entrenched in a professional and objective manner. The involvement of all stakeholders is critical in transformation. The attempt should be made to identify areas that can change in an administrative system and to identify areas that should bring about tactical and technical changes. This research project should add value in the uMhlathuze Local Municipality by providing a vibrant impetus to the implementation of the Quality Learning and Teaching Campaign.

3.8. RESOURCES

Production of questionnaires and transport to deliver questionnaires to various Circuit Management Clusters within the King Cetshwayo District and to various schools that were identified by the candidate as participants in the research study was required. A computer with internet access was also used by the researcher to access valuable information that was related to the research study. The researcher used his own transport to submit and collect questionnaires from various schools and circuits in the King Cetshwayo District.

3.9. CHAPTER SUMMARY

This chapter looked at the research design and methodology that was used for the study. The sample population that participated in the research study was defined in this chapter. The candidate also focused on research methodology and the type of questions that were used in data generation. The views of various authors who made a positive contribution to the subject of research methodology and data collection were taken into consideration in this chapter. This chapter also examined the data generation methods of structured interviews, semi-structured interviews, and documents.

CHAPTER FOUR

PUBLIC SCHOOL ETHICS IN SOUTH AFRICA: PRINCIPLES, POLICIES, AND PRACTICES

4.1. INTRODUCTION

South Africa has a number of legislations that support ethical conduct in public schools and among public officials. These legislations have been informed by certain principles and have ultimately been designed to inspire an expected pattern of practices among public officials. However, increasing levels of unethical conduct in public offices have caused the government to pass legislation specifically directed at curbing corruption and at developing ethical behaviour (Naidoo, 2015). These legislations include, amongst others, the South African Constitution, (Act No 108 of 1996); the Public Service Act (Act No 103 of 1994); and the Public Finance Management Act (PFMA), Act No 1 of 1994). The government has, in addition, established Chapter Nine institutions to support the implementation of legislation. Some of these Chapter Nine institutions include: The Auditor General; Public Protector; Public Service Commission (PSC) and the Electoral Commission. All chapter nine institutions have a critical role to play in the implementation of legislation. The effectiveness of these legislative frameworks together with their supportive bodies can be debated, but they nevertheless form a basis to combat unethical behaviour (Bruce, 2014). The South African Constitution, Act No 108 (1996:175) provides for values and principles that are applicable in public administration.

The expectation of the Constitution is therefore that all government departments and officials should execute their duties to the best of their ability in a fair, moral and ethical manner (Manyaka & Sebola, 2013). Naidoo (2012) also points out that the Constitution stipulates that there should be strict measures to ensure accountability, accessibility, and transparency within government. Chapter ten of the Constitution (1996) encourages the use of ethical leadership to reduce unethical behaviour and to foster good governance (Naidoo, 2012). The Public Service Act (Act No 103 of 1994 as amended also encourages the ethical behaviour of public officials and provides structural measures for managing incompetent and unethical officials (Bruce, 2014). Equally, the PFMA addresses the effective use of financial management including

the formation of tender boards in government departments (Manyaka & Nkuna, 2014). The National Treasury has also instituted more stringent regulations for procurement practices in the public sector (Naidoo, 2015:13).

This chapter therefore examines public policies and principles that guide school-based and office-based educators. The violation of these policies and principles is perceived as either less serious misconduct or as serious misconduct. Section 4 of Schedule 2 of the Employment of Educators Act 76 of 1998 covers sanctions and disciplinary procedures pertaining to less serious misconduct cases. Cases of serious misconduct are dealt with by the judiciary and may lead to expulsion. Public service principles and values are applicable to all public officials. Public policies that will be discussed in this chapter include the Code of Professional Ethics which was ushered in by the South African Council of Educators Act 31 of 2000. The Code of Professional Ethics has requirements for school-based and office-based educators in public schools. School-based and office-based educators are expected to be guided by the Code of Professional Ethics in the Education Sector. This chapter, among other things, will elaborate on this Code. This is important because the purpose of this study is the entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality. School-based and office-based educators work in public schools and they impart knowledge to learners. Therefore, it is critical for them to be ethical at all times. They are also responsible for the implementation of public service ethics so that quality education can be achieved in public schools. The Code of Professional Ethics demonstrates ethical standards that are expected from school-based and office-based educators.

The public sector exists because it provides services to the public and public officials who provide these services have to meet these service needs. They are expected to execute their tasks in an accountable and reliable way. School-based, office-based educators and public officials execute government policies and work with public funds, meaning that they are accountable to the public and to the government. Over and above guidelines to acceptable ethical behaviour, this chapter will highlight key points that are emphasised by the Code of Professional Ethics. Another system involving ethics will be discussed in this chapter. This is the Integrated Quality Management System (IQMS) for school-based and office-based educators. An agreement was reached in the Education Labour Relations Council (ELRC)–

Resolution 8 of 2003 to integrate the Developmental Appraisal System (DAS) that came into being on 28 July 1998 (Resolution 4 of 1998), the Performance Measurement System that was agreed to on 10 April 2003 (Resolution 1 of 2003) and Whole School Evaluation (WSE). The Integrated Management System is informed by Schedule 1 of the Employment of Educators Act, No. 76 of 1998. This chapter will also unpack the principles as contained in Chapter Ten of the South Africa`s Constitution Act, No 108 of 1996.

4.2. DEMOCRATIC VALUES AND PRINCIPLES IN SOUTH AFRICA

Political freedom that was attained by South Africa in 1994 brought about an awareness of democratic values and principles that should be observed in public administration. These democratic values are found in chapter 10 of the Constitution of the Republic of South Africa. Democratic values and principles should serve as guidelines for all people in a democratic country because they promote humaneness amongst the people of that country. These democratic values and principles must be observed and honoured by all citizenry so as to promote social cohesion and stability in the country. The following paragraphs will elaborate on these democratic values and principles as enshrined in the Constitution of the Republic of South Africa.

4.2.1. Basic Values and Principles Governing Public Administration

Section 195(1) of the Constitution of the Republic of South Africa indicates that public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:

4.2.1.1. Professional ethics

School-based and office-based educators are therefore expected to demonstrate professionalism in their day-to-day activities. Unethical conduct should neither be tolerated nor condoned in the public-school system. UMhlathuze Local Municipality should serve as a model for other circuits because it is at an epicentre of the economy in the King Cetshwayo District Municipality. There is a need for quality education in all public schools. It is good to get a hundred percent pass but it must be a quality pass and the number of learners who qualify for university entrance (Matric exemption) must be taken into consideration. The product from all schools

should ideally be globally competitive. Service delivery should be such that education should be able to address the basic needs of the country such as poverty, unemployment and social injustice. Dales (2000:176) argues that integrity can come under pressure in a variety of ways, not only stemming from straightforward corruption but also, and above all, from an improper use of power. An “Improper use of power is a broad concept, one that embraces, decay and erosion of standards of conduct... (Escalating into fraud² and corruption³)”. Public perceptions of the uMhlathuze Local Municipality are that there are school-based and office-based educators who demand favours before they award either a post or a promotion and this constitutes fraud and corruption. There are also widespread perceptions from the uMhlathuze community of other fraud and corruption that has damaged the morality of other employees in the public sector.

This means that the entrenchment of ethical behaviour in the public-school system of uMhlathuze Local Municipality is not just a choice but must be done so as to succeed in the implementation of public polices and to produce quality products. Education is the key component in the economic transformation. Local economic development cannot take place properly where there is a low level of professional ethics amongst school-based and office based-educators. There is need to promote and maintain professional ethics.

4.2.1.2. Efficient, economic and effective use of resources

Efficient, economic and effective use of resources should be encouraged. The Richards Bay Development Zone (RBDZ) is in the uMhlathuze Local Municipality. There are many industries that have been established so as to boost the economy of the City of uMhlathuze. These industries include: Richards Bay Coal Terminal, Transnet, Mondi Paper Industry, Molecor Industry, ALUSAF and Richards Bay Minerals (RBM). There is a need for efficient, economic and efficient use of resources. Job opportunities that are created by these industries should be properly

² Fraud is dishonest activity causing actual or potential financial loss to any person or entity including theft of personal identity, money or other property by an employee or persons external to that organisation and where deception is used at the time, immediately before or immediately following the activity. (11/17/2018 Curtin University)

³ Corruption is dishonest activity in which a person abuses his/her position of trust in order to achieve some personal gain or advantage for themselves, or to provide an advantage/disadvantage for another person or entity.

utilised by the public. Ethical behaviour is expected in the workplaces. School-based and office-based educators need to be strictly ethical when handling learners' issues and their behaviour should not scare companies/industries that are sponsors in some of these public schools within the uMhlathuze Local Municipality. Tisand Technical High School is one of the public schools which was sponsored by Richards Bay Minerals.

The Quality Teaching and Learning Campaign cannot be implemented if human resources, funds and equipment lie underutilised, damaged, stolen or wasted. There is a nationwide complaint of underperforming provinces in South Africa and one tends to ask the questions: Do those provinces have adequate resources to turn things around? Do they get enough support from all stakeholders? Are resources properly utilised?

The National School Nutrition Programme (NSNP) was initiated in 1994, and at first it was administered by the Department of Health until 2003. The Cabinet Resolution of 2002 transferred NSNP to the Department of Basic Education in 2004. The NSNP is a feeding scheme for both primary and secondary school in previously disadvantaged communities, which have a population that falls into quintiles 1-3. Most of these public schools are not fee schools, which mean learners receive free education. Financial allocations for NSNP need to be utilised effectively, efficiently and economically. School-based and office-based educators need to make sure that they avoid financial mismanagement, or fruitless and unauthorised expenditure.

There is also an allocation for Learner-Teacher Support Material (LTSM) which should assist in the buying of textbooks and stationery. There should be no virement of funds, in other words funding for books and stationery should not be used for schools' maintenance and infrastructure. Value for money as prescribed by the Batho Pele Principles should always be taken into consideration. The state of the nation address (SONA), 2019, identified focus areas and an action plan for 2019/20 which included addressing youth unemployment, eradication of unsafe school toilets, compulsory early development for all children and access to computer tablets by 2025. UMhlathuze Final Integrated Development Plan (IDP) Review (August 2019:56) pointed out that, "Government identified that nearly 4,000 public schools require appropriate sanitation, and hopes to eradicate unsafe toilets by 2022". This

was perceived as an urgent area of focus as it was identified in 1994, but there is still a backlog in 2019. It is clear that financial expenditure needs to be undertaken in a precocious manner.

The uMhlathuze Final IDP for 2019/20:56 also identified another area of focus which is youth unemployment. Respondents identified drugs and substance abuse as a challenge to education and to ethical behaviour in uMhlathuze local Municipality. It is evident that the crime rate and substance abuse will escalate if the issue of youth unemployment is not given serious attention.

Compulsory early childhood development was also identified by the uMhlathuze, Final, IDP, 2019/20 that further points out that, “The responsibility for early childhood development centres is being migrated from the social development to basic education”. Public resources should be used properly when building these youth development centres. Basic Education should use the services of people with a high level of professional ethics, while utilising funds in building early childhood development centres.

The fourth Industrial Revolution is perceived as a challenge to all municipalities as they are expected to make a positive response in meeting this challenge. It is no surprise that uMhlathuze Local Municipality (final, IDP Review 2019/20:56) points out that, “several new technological subjects and specialisations will be introduced into basic education such as; Technical Mathematics and Technical Sciences, Maritime Sciences, Aviation Studies and Mining Sciences”. Financial spending should be done properly when buying tablets for each learner. Maladministration should be avoided at all times. The President discussed, in the SONA 2019, dealing with the issue of taverns, shebeens and liquor outlets near schools. The uMhlathuze final, IDP, 2019/20:56 points out that, “There should be a complete shutdown of all taverns, shebeens and liquor outlets near schools as the country deals with extremely high levels of drugs and substance abuse”. Respondents from learners in this research study indicated that there is a high level of drugs and substance abuse in the uMhlathuze local Municipality.

Richards Bay Coal Terminal (RBCT) is one of the industries in the uMhlathuze Local Municipality which is a dominant coal transporter. The uMhlathuze Local Municipality RBCT Report, 2015 indicated that RBCT was responsible for “Moving coal in a safe,

cost effective, and efficient manner, safeguarding the environment and stakeholders” (RBCT Report, 2015:8). It also gives study bursaries to deserving students and creates a number of job opportunities for the youth in uMhlathuze local Municipality. The recipients should handle money with care and spend it wisely. Students have a responsibility to do well in their studies and those who give bursaries should be ethical in their selection of students. They have to avoid, nepotism, bribery, and other forms of corruption.

The Division of Revenue Act (DORA), Act No 2 of 2013 was introduced, “to provide for the equitable division of revenue raised nationally among the national, provincial and local sphere of government”. It is the responsibility of all three spheres of government to utilise their equitable share in a proper manner. They need to demonstrate a high level of ethical conduct in handling funds. Section 34 of DORA talks about financial misconduct. Section 34 (1) clearly states that, “Despite anything to the contrary in any other legislation, any wilful or negligent, non-compliance with a provision of this ACT, constitutes financial misconduct”. Section 34 (2) of the Public Finance Management ACT (PFMA) or Section 171 of the Municipal Finance Management Act (MFMA), as the case may be, applies in respect of financial misconduct envisaged in subsection (1). Funds should be used properly so as to promote economic growth and stability at local government level and in other spheres of government.

4.2.1.3. Development-oriented Public Administration

Public administration should be development-oriented. The Department of Basic Education, Provincial Education Departments, Districts and Circuits all have tools that are earmarked for teacher development. There are circulars, memos, meetings, conferences and workshops that are aimed at human resources development. The entrenchment of ethical behaviour will assist school-based and office-based educators to value all initiatives that are aimed at professional development. Goal number 16 of the Action Plan to 2019 Towards the Realisation of Schooling 2030, talks about the Teacher capacity and professionalism. It further states that the aim should be to “Improve the professionalism, teaching skills, subject knowledge and computer literacy of teachers throughout their entire careers”. The professionalism of school-based and office-based educators should not be doubted by the public.

School-based and office-based educators who are charged with or who are said to be involved in corruption or unethical behaviour cause the public to doubt them. Teaching skills should be in line with changes in the curriculum. Induction training should never cease in public schools. Subject knowledge and computer literacy must be addressed so as to make a positive impact towards quality education.

All public servants must be capacity developed at all times because they are responsible for efficient and effective public service delivery. Public administration is a component which must be handled with integrity and honesty so as to eliminate unnecessary public protests and tension in the country. Corruption, bribery, nepotism, maladministration and poor service delivery cannot be eliminated if public servants are not developed in such a way that they can be able to address all challenges that are confronting the society. The Public Service Act of 1994 and the Public Service Regulations of 2001 cannot be properly implemented if public servants are neglected in terms of development.

4.2.1.4. Impartial, fair and equitable Service delivery

Service delivery should be provided impartially, fairly, equitably and without bias. Proper recruitment is critical for quality service delivery. The importance of hiring people who are relevant to the job is obvious if there is seriousness about quality results or outputs. Public service ethics have a critical role to play in service delivery. People are so sensitive to discrimination and violation of other democratic values. The Zululand Observer, 22 June 2018 reported protest actions which continued at uMkhanyakude District and blocked the N2 because community members from Mfekayi and Zamimpilo at Mtubatuba were bitter about poor service delivery. Media reports suggested that this community felt that they had been treated in an unfair manner by the government for ten years. If these allegations were true, obviously this was unethical and needed to be addressed in the proper manner. People are always keen to see good governance in public service delivery protest. Citizens regularly make protests and mass demonstrations, and these are always directed at the government.

Huther & Shah (2005:40) argue that, "Governance is a multifaceted concept encompassing all aspects of the exercise of authority through formal and informal institutions in the management of state resources endowment". There is the

assumption that service delivery protests emanate from poor service delivery. Citizens want good governance because they know that their life can improve if state resources are properly utilised by local authorities. Huther & Shah (2005:40) further point out that, "Good governance should ensure political transparency and the voice of all citizens assist the government to provide efficient public services, promote health and wellbeing of all citizens". Gender-Based Violence (GBV) and urban violence since August 2019 which are said to be linked to criminal activities and xenophobic attacks on foreign nationals do not create stability in South Africa. Based on the views of Huther & Shaw (2005) one can say that the current instability that is seen mainly in Gauteng, Western Cape, and to a lesser extent in some parts of KwaZulu-Natal have a negative impact on economic growth and social stability.

Transparency is always questionable when citizens embark on service delivery protests, and it may also indicate that their voices are not being heard by local authorities. Public service delivery protests may also indicate that there is no efficient and effective implementation of public service ethics. Huther & Shah (2005:40) indicate that, "Climate conditions should be favourable for stable economic growth". Public service protests may occur in countries where citizens feel that there are no favourable conditions for economic growth.

4.2.1.5. People-oriented Policy

People`s needs should be responded to and the public must be encouraged to participate in policy-making. Parents must be encouraged to attend meetings and be encouraged to make positive contributions in meetings. Incentives should be offered in a number of ways, for example by issuing certificates to those parents who attend meetings on a regular basis. Section 16 of the South African School Act 84, 1996 (SASA), talks about governance and professional management of public schools. Principals and other departmental officials need to involve parents in all matters that are related to education issues such as budgeting, planning, discipline, policy issues for example safety and security issues, and curriculum issues that include extracurricular issues such as sports issues. Section 16 (1) of SASA stipulates that the governance of every public school is vested in its governing body and it may perform only such functions and obligations and exercise only such rights as prescribed by SASA. Section 16 (5) of SASA stipulates that when the Head of

Department decides that the school should be re-opened, he or she must inform the governing body and the Principal of the date on which the school must re-open. Parental involvement is always encouraged and should be promoted at all times. Parents should not only be invited during times of crisis, but during formulation and development of policies.

4.2.1.6. Accountable Public Administration

Public administration should be accountable. School-based and office-based educators must always remember that they are accountable at all times. Accountability is not only for the Principal in a public school. Ethical leadership is always required in public administration so as to facilitate quality service delivery and to curb or to reduce corruption. The Public Service Commission (2007:34) argues that there is a need for effective fraud-prevention plans. It was further pointed out that where no fraud prevention plans exist in departments, these should be developed and implemented immediately. The Principal of a public school should always remember that he or she is the first accounting officer. Accountability in the public sector is in line with democratic values. Ethical leadership should always promote accountability so as to maintain public trust. A public servant serves the public and it is the responsibility of those public officials to establish and promote effective communication between themselves and the public, so as to reduce or to eliminate riots, protest demonstrations and strikes.

4.2.1.7. Transparency

Transparency should be fostered by providing the public with timely, accessible and accurate reports. An ethical school-based and office-based educator knows the importance of giving feedback to parents about the progress of learners and financial reports. Relationships can be strengthened between school-based and office-based educators by organising general meetings, workshops and seminars. All employees within the public school or any organisation must be treated with care because they are responsible for organisational growth and development. Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation. These points emphasise the fact that there is a need for the entrenchment of ethical behaviour in

the public-school system. School-based and office-based educators` integrity and ethical conduct is always tested during the assessment period. They need to make sure that learners and educators comply with assessment body`s requirements during the assessment period.

Section 4 of Regulations pertaining to the conduct, administration and management of the National Senior Certificate Examination, is about the compilation of the School-Based Assessment, Practical Assessment Tasks and Language Oral Assessments. Section 4(2) of the above-named regulations stipulates that the teacher portfolio of assessment tasks must be a complete record of assessments in the particular subject, and that it must be maintained by the teacher for every subject taught in respect of the National Senior Certificate; and be available for monitoring and moderation purposes. Section 4(3) of this regulation spells out clearly that failure by a teacher to maintain a portfolio of assessment tasks constitutes an act of misconduct and will be dealt with in terms of the Employment of Educators` Act, 1998 (Act No. 76 of 1998). It is alleged that there are school-based and office-based educators who do not always abide by these regulations in the uMhlathuze Local Municipality. This research aimed to ascertain the validity for such allegations. If found to be true, it will then necessitate the entrenchment of public service ethics. The policies and regulations are binding on both learners and school-based educators.

Section 4 (5) of the regulations stipulate that in the event of a learner not complying with requirements of School-Based Assessment and/or Practical Assessment Task/Language Orals, but where a valid reason is provided; a learner should be offered another opportunity to submit and they must ensure that everything is submitted within 3 calendar months from the date on which the opportunity was granted by the Assessment Body or their nominee. It is clear that adherence to Public Service Ethics is critical during the assessment period so that the integrity of the examination may not be compromised in any way. The invigilation, marking and recording of marks and announcements of examination results should be based on policy and regulations pertaining to the conduct, administration and management of the National Senior Certificate Examinations. However, it must be emphasised that the entrenchment of public service ethics in the public-school system is a critical

component during the assessment period, so that examination results may not be compromised under any circumstances.

This research project is aimed at ensuring that these seven principles are adhered to, in the King Cetshwayo District Municipality. Recommendations are made at the end of this study to draw the attention of school-based and office-based educators to gaps that have been identified by questionnaires or observations and face-to-face interviews. The issue of Public Service ethics and trust in government is a crucial point in social development and economic growth in any country including Canada. Catherine MacQuinnie analysed the situation in Canada and made an overview of this for the 6th Global Forum on Reinventing Government Public Service ethics and trust. If one currently looks at Public Service ethics in the government of South Africa as compared to the situation in Canada, one tends to ask oneself a number of questions. The conflict of interests and post-employment code in Canada according to MacQuinnie was conceived in 1985. The 1990s were characterised by crises, dialogue and renewal in Canada.

Values and ethics policy framework for good governance included: A guide for Ministers and for the state. A values and ethics code for the public service and to policies related to the values and ethics framework, to the prevention of harassment and to internal disclosure. The Public Servants Disclosure Protection Act - provided a new character of values and a New Code of Conduct. The South African scenario is different from Canada in the sense that South Africa adopted its Constitution in 1996, (Act 108 of 1996). The Constitution is the Supreme Law of the country. Everything is contained in the Constitution of the Republic of South Africa. Chapter 2 of the Constitution has a Bill of Rights which must be recognised and respected by all South Africans and all people who live in South Africa. Canada has a clear breakdown of rules and policies which are related to values and ethics. The level of corruption is very high in South Africa. Some top management people are involved in corrupt activities in various public and private sectors. It is alleged though, that some top managers get away with it. Many people in South Africa do focus on the Bill of Rights, but very few focus on its responsibilities. This perception is supported by the level of crime, rape, cultural intolerance, senseless killing, domestic violence,

xenophobic incidents, police brutality and many other social evils that prevail in a country with anarchy.

The freedom of expression that one observes during protest marches is nullified by acts of violence during these marches and the burning down of valuable existing structures. The unethical behaviour that includes the burning down of libraries, municipal offices, buses and many other valuable assets is a culture that must be eliminated in South African society as a whole because it contributes directly to poverty. MacCarthaigh (2008:1) argues that it is not possible to understand the motivation and behaviour of organisations and those who work within them comprehensively without consideration of the values that underpin their behaviour. This research explored public service ethics in the public-school system in the uMhlathuze Local Municipality. It is not about knowing public service ethics and values only but also about how these are translated into action. School-based and office-based educators need to adhere to public service ethics so as to instil and sustain the public trust and public confidence. Values and ethics are interrelated and interdependent.

The researcher highlighted values that were listed in the King Cetshwayo District Charter but this does not mean that uMhlathuze Local Municipality will conduct all its activities in an honest way if honesty appears in the Charter. The evolution of changes that have been perceived in South Africa since 1994 has contributed to the emergence of new values within the public-school system. The uMhlathuze Local Municipality is not immune to the new values that are perceived in the Local Municipality. MacCarthaigh (2008:9) comments that as a concept, values are often interchanged with ethics (and not infrequently also with standards), particularly in relation to addressing corruption or maladministration. He further notes that values in and of themselves do not have agency i.e. they do not actually do anything, instead it is the application of ethical codes to values that will lead to a particular behaviour. MacCarthaigh (2008:1) further explains that ethics, therefore, are in effect the rules that translate values into everyday life. MacCarthaigh (2008:1) argues that at its most basic, ethics is about determining what is `wrong`, `good`, `bad` or `right`, and ethical choices are informed by values which help actors decide what options to take when faced with an ethical dilemma. The National Development Plan has a set of

good intentions of things that must be achieved by 2030 and beyond in the Public-School System and in other sectors.

Quality Education puts the emphasis on quality and effective teaching and learning in the education sector. There was an improvement in the matric performance in the National Senior Certificate in South Africa but the analysis shows that the King Cetshwayo District Municipality is number eight out of twelve local municipalities. The unethical behaviour may not be the contributory factor in this underperformance, but certainly, the focus on ethics can make a positive impact in the improvement of performance in all grades in the uMhlathuze Local Municipality and in South Africa as a whole.

The three major challenges facing South Africa which include inequality, poverty and unemployment can be confronted with relative ease if the issue of the entrenchment of ethical behaviour in the public-school system can be given serious attention. The escalation of crime in the uMhlathuze Local Municipality poses a threat to the development and growth of this Municipality. There is even an uncertainty about the future of this Municipality, the King Cetshwayo District and even KwaZulu-Natal itself. Unethical behaviour must be rooted out within the public-school system so that economic growth and development can take place properly.

4.3. THE LINK BETWEEN THE REVISED FIVE-YEAR STRATEGIC PLAN 2015/16-2019/2020 AND PUBLIC SERVICE ETHICS

The Revised Five-Year Strategic Plan 2019/2025 cannot be implemented properly without the entrenchment of public service ethics in the public schools. This is one of the strategies that is aiming to improve the quality of education in South Africa. The researcher believes that the entrenchment of public service ethics in the public schools can serve as a point of reference. The Medium-Term Strategic Framework of 2016 required ethical considerations for proper implementation in the Education Sector. The State of the Nation Address⁴ of President of South (SONA) usually

⁴ SONA is an annual event in the Republic of South Africa, in which the President of South Africa reports on the status of the nation, normally to the resumption of a joint sitting of Parliament (the National Assembly and the National Council of Provinces). The speech marks the opening of the parliamentary year and is usually attended by important political and government figures of South Africa, including Presidents, the Chief Justice of the Constitutional Court and other members of the judiciary, the Governor of the Reserve Bank, and Ambassadors and Diplomats to the Republic -last edited on 14 February 2017, at 02:33 (UCT)

precedes the National Budget that is presented to the nation by the Minister of Finance. As Table 4.1 demonstrates, a lot of budget allocations usually go to the Education Sector.

Table 4.1: Spending and allocation trends in provincial education budgets, 2016/17 to 2018/19

	2016/17 revised estimate	2017/18 MTEF	2018/19 MTEF	2019/20 MTEF	Real change between 2016/17and 2017/18(%)	Real average Annual change over MTEF (%)
Eastern Cape	30,291,514	32,989,054	35,097,333	37,587,452	2.5	1.5
Free State	12,794,331	12,739,378	13,614,009	14,586,931	-6.3	-1.3
Gauteng	39,590,028	40,843,869	44,378,271	46,754,956	-2.9	-0.1
KwaZulu-Natal	45,648,635	47,444,706	50,631,848	53,791,211	-2.2	-0.2
Limpopo	27,512,859	28,783,149	30,440,345	32,194,772	-1,6	-0,5
Mpumalanga	18,136,250	19,322,742	20,921,129	22,095,256	0.2	0.9
Northern Cape	5,574,233	5,857,848	6,139,973	6,496,564	-1.1	-0.6
North West	14,262,562	15,281,697	16,261,250	17,398,783	0.8	0.9
Western Cape	19,530,682	20,629,914	21,913,385	23,107,146	-0.6	-0.1
TOTAL	213,341, 094	223,892, 357	239,397, 543	254,013, 071	-1.3	0.1

Source: Estimates of Provincial Revenue Expenditure 2017, DPSA, 161

The essence of the entrenchment of public service ethics in the public-school system is to improve the quality of teaching and learning. School-based and office-based educators must be developed in such a way that they can teach effectively and efficiently. A quality product will come from quality school-based and office-based educators. This section gives a clear indication of the value of this research study in the Education Sector. Resources must be properly managed by school-based and office-based educators. School-based and office-based educators who understand public service ethics know exactly that LTSM must be recorded in the stock register and the retrieval policy must be available at all times. Norms and standards are used for buying LTSM; this allocation depends on the number of

learners in that public school. School-based and office-based educators need to guard against fruitless, irregular and wasteful expenditure. The public school should not buy similar textbooks each and every year; this is only necessary if their retrieval is not properly organised by school-based and office-based educators.

It is always unethical to conduct examinations while overlooking some irregularities where candidates copy and share ideas in the examination venue, when invigilators are not noting what they are doing. This lack of diligence will not produce quality results and quality products. Trustworthy school-based and office-based educators are always eager to see quality outputs. Knowledge of public service ethics will ensure that assessment policies are understood and properly implemented at all times so as to produce proper outcomes. UMalusi, which is the Quality Assurance body for General Education and for Further Education and Training, monitors all assessments that are made by assessment bodies which include: the Department of Basic Education (DBE), Higher Education and Training (FET), Independent Examination Bodies (IEB), Benchmarks and South African Institute for Chartered Accountants (SAICA). These assessment bodies should conduct examinations in accordance with the public policy and rules and regulations pertaining to the conduct, administration and management of examinations in South Africa.

School-based and office-based educators who understand public service ethics always ensure that no one is denied admission to any public institution. Action Plan of (2019:28) states that “in the National Development Plan and elsewhere concerns have been raised about how to monitor and improve the quality of ECD so that it truly strengthens schooling in the later grades”. School-based educators who teach grade 1 should rely on the strong foundation that was laid down prior to Grade 1. Educators with integrity should start from the ECD class. School-based educators need to be exposed to the Code of Professional ethics while they are still teaching the ECD classes. The entrenchment of public service ethics in the public-school system is aimed at strengthening accountability and improving management in public schools, the community and in the uMhlathuze Local Municipality. The entrenchment of public service in one district will end up overflowing into other districts and South Africa as a whole. The uMhlathuze Local Municipality can serve as an experimental pilot group. Teamwork always enhances the implementation of policies. No public policy can be implemented where there is no coordination and harmony within the

district. Innovations will come easily where team work is undertaken. The South African National Department of Basic Education has a directorate that is known as District Coordination Monitoring and Support. The main purpose of the directorate is to promote partnerships amongst the school-based and office-based educators. The emphasis here is on the importance of forming partnerships and collaboration with social partners such as educators, unions such as the South African Democratic Teachers Union (SADTU), National African Teachers Union (NATU) and Die Suide Afrikaanse Onderwyser Unie (SAOU) when talking about the entrenchment of public service ethics, education policies and legislation that is relevant to public schools. Various stakeholders need to work jointly to deal with issues of the violation of public service ethics by school-based and office-based educators. These stakeholders include: parents, educators unions, business people, school governing bodies and the departmental officials.

4.4. PUBLIC SERVICE ETHICS AND THE PROHIBITION OF CORPORAL PUNISHMENT

Numerous cases of corporal punishment⁵ were reported by the media in the public-school system of uMhlathuze Local Municipality. Media reports that were made in 2017 indicated that there was a violation of public service ethics in uMhlathuze Local Municipality. For instance, the Citizen newspaper of 26-06-2018 reported that 593 cases of corporal punishment were reported in public schools nationwide. The Citizen Report further pointed out that the Department of Basic Education (DBE) had, in a statement, declared that: “The department condemns, in the harshest possible terms, the reckless and irresponsible attempts by principals, teachers and/or any support staff member to undermine the existing legislative framework prohibiting the use of corporal punishment”. The SACE report on 3 October 2018 tabled in the South African Parliament stated that “cases of sex abuse, rape of pupils seems to be rising in public schools”. Numerous cases of corporal punishment that are reported nationwide serve as a clear indication that there is indeed an escalation of this unethical conduct. School-based and office-based educators seem to neglect public service ethics. News 24 which is South Africa’s premier online news resource, on June 9, 2018 circulated a video of female learners from Ikhandlela High School

⁵ 593 cases of corporal punishment reported nationwide-The Citizen 11/16/2018 southafrica(<https://citizen.co.za/category/news/south-africa/>)26.6.2018 01:39 pm

beating a girl who was reported to have fainted within uMhlathuze Local Municipality. This serves as strong evidence of the need for the entrenchment of public service ethics in the public schools. This bullying that occurred at Ikhandlela High School serves as a clear indication that even learners are not concerned about ethical conduct in public schools. Media reports also circulated a video in June 2018 where a learner was seen beating an educator who had confiscated a cell phone. Media reports exist about educators in the high schools in KwaZulu-Natal who had sexual relations with learners. These cases serve as a testimony that there is a need for the entrenchment of public service ethics in public schools.

Section 16A (1) of Further Education and Training Act 98 of 1998 stipulates that a person may not administer corporal punishment to a student at a further education and training institution. Section 16 A. (2) of the above Act further states that any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a sentence which may be imposed for assault. Corporal punishment may have a number of unintended consequences for a student. These include physical, psychological and emotional abuse which can drive the child away from a public institution or cause the student to be more aggressive in that institution or to take drugs or to indulge in substance abuse. The dignity of the student may be severely affected and the image of that institution and the Department of Education may be damaged in a manner that may compromise quality education. School-based educators need to avoid issues that can be perceived as child abuse by the public or other stakeholders.

Veldman (2009:11) from the Psychological Guidance Special Educational Services (PGSES), KwaZulu-Natal Department of Education listed, in her handbook, possible behavioural signs that may be associated with child abuse. Corporal punishment is by and large associated with the abuse of power. The behaviour signs include: aggression where children who have been abused may show their anger by acting aggressively toward other persons. It is possible that school-based educators may use corporal punishment to encourage learners to focus on their work and to perform better. Withdrawal, where learners decide to stay away from school or become drop-outs is one of the side-effects of corporal punishment. Fear or sadness may be caused by the usage of corporal punishment. The entrenchment of ethical behaviour that conforms to public service ethics in the public-school system of uMhlathuze

Local Municipality will inform school-based and office-based educators that corporal punishment should not be used in the public-school system. This should be made clear particularly to school-based educators who are known for using corporal punishment.

4.5. LEGISLATIVE LANDSCAPE SUPPORTING ETHICAL BEHAVIOUR

South Africa's legislation on ethical conduct was meant to add value to the Education Sector with regard to relevant education laws that can change the situation in public schools. The South African Council for Educators Act (SACE), (Act No 31 of 2000) provides for the establishment of this South Africa Council for Educators. Section E-17 of Education Labour Relations Council of 2003 has a Code of Professional Ethics. This section spells out clearly expectations of the government from school-based and office-based editors in terms of ethical conduct. One of the key functions of the Council is to prescribe, preserve and defend the professional and ethical standards for educators (Naidoo, 2015:12). All school-based and office-based educators ought to know exactly what is expected from them in terms of ethical behaviour. The Public Service Regulations (2001) provide a code of conduct which all public officials are expected to abide by. It provides individuals in the public sector with a practical guide to adhere to the legislation addressing correct ethical conduct (Naidoo, 2015:12). The aim of these regulations is to increase professionalism in government officials by outlining ethical expectations of individuals and procedures (Manyaka & Sebola, 2013).

The Prevention and Combating of Corrupt Activities Act, (Act 12 of 2004) is another piece of legislation designed to curb unethical behaviour. It provides a more structured framework to reduce unethical conduct (Bruce, 2014). This Act outlines procedures to be followed when investigating corruption; it provides limitations on individual and organisations found guilty of unethical conduct (Naidoo, 2015:13). The Manifesto on Values, Education and Democracy (2002) emphasises that education has an important role to play in developing the moral and ethical frameworks of learners by promoting such values as equality, equity, accountability, social justice, honour, respect and humaneness (Naidoo, 2015:12). The South African Schools Act (Act No 84 of 1996) addresses the ethical conduct of learners, as well as that of governing body members in schools (Naidoo, 2015:13). It requires all schools to

formulate a Code of Conduct for learners and educators, as well as a Code of Conduct for governing body members in order to guide ethical conduct (Naidoo, 2015:13). The Employment of Educators Act (Act no 76 of 1998) also addresses the ethical behaviour of educators by stating the different forms of misconduct that could be displayed by educators in schools together with the relevant disciplinary procedures and due process measures (Naidoo, 2015:15). The South African Constitution also allows for the establishment of institutions to apply and enforce legislation concerning unethical behaviour and ethical leadership (Naidoo, 2015:13). These institutions include the Auditor General and the Public Protector. In order for the legislation to be effectively implemented, other governing bodies such as the Electoral Commission, Public Service Commission (PSC), Constitutional Court, Parliament and Provincial Legislature need also to cooperate actively and ensure that the practices of public officials are ethical (Manyaka & Nkuna, 2014). The primary role of the Public Protector is to investigate any suspected forms of unethical conduct in public administration of government affairs⁶ (Naidoo, 2015:14). All issues to be investigated are listed in the 'State Capture'⁷ Report. Former Public Protector Thuli Madonsela indicated in her report on 14 October provide the year that some members of parliament and business people violated section 182 (1) (b) of the Constitution of the Republic of South Africa, 1996 and section 3 (1) of the Executive Members Ethics and of the Public Protector Act, 1994, hence there was a need for the State Capture Report.

There is a need for a very strong leadership so as to entrench public service ethics in the public-school system of uMhlathuze Local Municipality and in South Africa as a whole. Leadership, that is, school-based leadership (Principals, Deputy Principals and Heads of Departments), and office-based leadership (Circuit Manager) have a

⁶ In 14 October 2016, Public Protector Thuli Madonsela published the "State of Capture" Report of 14 October 2016. A Report of the Public Protector Thuli Madonsela, wherein she revealed an alleged breach of Executive Members Ethics Act, 1998 (Madonsela 2016). The report states that President Zuma improperly and in violation of Executive Ethics Code, allowed members of the Gupta family and his son Duduzane Zuma, to be involved in the process of removal and appointment of the Minister of Finance in December 2015

⁷ "State Capture" in the Public Protector's Report (2016:4) in terms of section 182(1)(b) of the Constitution of the Republic of South Africa, 1996, and section 3(1) of the Executive Members Ethics Act and section 8(1) of the Public Protector Act, 1994, is a report that relates to an investigation into complaints of alleged improper and unethical conduct by former president Zuma and other state functionaries relating to alleged improper relationships and involvement of the Gupta family in the removal and appointment of ministers and directors of State Owned Entities (SOEs) resulting in improper and possibly corrupt award of state contracts and benefits to Gupta family's business.

responsibility to develop employees by organising workshops, meetings, seminars and conferences to make employees to understand and implement acts, policies, rules, regulations and procedures that are related to ethical conduct. All public servants must fully understand Acts that are related to the sector. For example, school-based and office-based educators must understand the South African Schools Act 84 of 1996 (SASA), and the South African Council for Educators Act 31 of 2000 (SACE), because their operations are informed by those Acts and other Acts.

An incompetent leadership will always find it difficult to deliver its mandate and cause unnecessary unethical behaviour that can end up disrupting their normal functioning. School-based and office-based educators who have an understanding of various items of legislation and policies will be more effective and efficient in the workplace. Education policies cannot be implemented properly if school-based and office-based educators have insufficient knowledge about Acts, public policies, rules and regulations that are related to education. School-based and office-based educators are expected to do their operations under legislative mandate and to be ethical at all times. Therefore, the next section will focus on public policies and legislation that is critical for public schools.

4.6. EDUCATIONAL PUBLIC POLICIES UTILISED IN PUBLIC SCHOOLS

The Constitution of the Republic of South Africa Act No. 108, 1996; section 29 (1) stipulates that everyone has the right: (a) to basic education, including adult basic education, and (b) to further education, which the state, through reasonable measures, must make progressively available and accessible. The KwaZulu–Natal Education Department is responsible for the provision of education to all learners or people in the Province and in all districts including the uMhlathuze Local Municipality. There should be a strict adherence to the code of professional ethics, irrespective of colour, race, language, culture, background or religion. There is a need for entrenching of ethical behaviour so as to eliminate social evils that can have a negative impact on quality education. Policies guide school-based and office-based educators. This research study draws the attention of public-school employees to important sections of the National Education policies such as the Integrated Quality Management Systems (IQMS) which should be utilised where

there are allegations of gross disregard for public ethics by school-based and office-based educators.

The South African Schools Act No 84 of 1996. Section 3(1) of SASA stipulates that, “subject to this Act and any applicable provincial law; every parent must cause every learner to attend school”. This means parents need to send their children to school, especially from grade R to grade 9. In essence, no child ought to be outside the classroom when that child is supposed to be at school. Parents with good ethical behaviour motivate learners to be at school until they reach 15 years or grade 9 as it is stipulated by the South African Schools Act. Quality education depends on professionals who are fully aware of their professionalism; such professionals will implement policies and legislation that are relevant to the Public Schooling System. The preamble of the National Education Policy Act (NEPA) states that: “It is necessary to adopt legislation to facilitate the democratic transformation in public schools” The entrenchment of ethical behaviour will enable educators to revive their professionalism and make uMhlathuze Local Municipality in particular, one of the best districts in KwaZulu–Natal and in South Africa as a whole.

Section 2 of the NEPA declares that: “the objective of this Act is to provide for determination of national education policy by the Minister”. The formulation of the school policy should not be done by the Principal only, but should involve all stakeholders, such as the School Governing Body (SGB); the School Management Team (SMT); educators; learners; parents; departmental officials and other interested parties.

The entrenchment of ethical behaviour is important in order to change the behaviour of all stakeholders such as school-based educators and office-based educators. The publication and implementation of National Education Policy. The Government Gazette is used for the publication of National Education Policies and amendments, monitoring and evaluation. The Integrated Quality Management System (IQMS) was introduced by the National Department of Education with the aim of evaluating the performance of educators, by looking at the person`s strengths and weaknesses in order to identify areas for development.

Good ethical behaviour ensures that IQMS is properly implemented in the King Cetshwayo District. The IQMS incorporates the Developmental Appraisal (DA), Performance Measurement (PM) and Whole School Evaluation (WSE). The purpose of the developmental appraisal is to appraise individual educators in a transparent manner with a view to determining their strengths and weaknesses and to identify their areas of development and developing personnel growth plan for each educator. Entrenching ethical behaviour will eliminate negative attitudes when developmental appraisal is implemented by the developmental support group (DSG). The IQMS policy document states clearly that there is need for personnel growth plan (PGP) for each educator. The School Improvement Plan (SIP) is compiled after all educators have been evaluated by their Developmental Support Groups (DSG). It has been observed that the Integrated Development System is not properly implemented in the uMhlathuze Local Municipality due to the unethical conduct which is displayed by educators and their colleagues. Entrenching the ethical conduct in the public school will make a positive input to the implementation of this policy. Performance Measurement Systems are also part of the IQMS. The purpose of Performance Measurement Systems is to evaluate individual teachers for salary progression, grade progression and affirmation of appointments, rewards and incentives. Entrenching moral and ethical conduct will ensure that corruption, mismanagement and bribery are challenged when implementing performance measurement. The whole school evaluation forms the third component of the integrated quality management system. The purpose of the Whole School Evaluation is to assess the overall effectiveness of a school – including the support provided by the district, school management, infrastructure and learning resources as well as the quality of teaching and learning.

Furthermore, the Employment of Educators Act was designed to provide for the employment of educators by the state, for the regulation of conditions of service, discipline, retirement and discharge of educators and for the matters connected therewith. An 'Educator' in the National Education Policy Act 27, 1996, means any person, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and educational psychological services at any public school, further education and training institution, post or at any education establishment under this Act.

The Employment of Educators` Act (EEA), 76 of 1998 gives an explicit explanation of an educator. Any person who teaches, educates or trains other persons is known as educator according to EEA. Section 2 of the Employment of Educators Act 76, 1998 stipulates that the provisions of this Act shall apply in respect of educators at Basic Education (public schools and private) schools, Further Education and Training Institutions; and departmental offices; and adult Basic Education Centres.

Conditions of service and educator establishments in section 4 (2) of Employment of Educators Act stipulate that different salaries and conditions of service may be so determined in respect of different ranks and grades of educators, educators appointed at or outside educational institutions or educators appointed in different sectors of education. Entrenchment of ethical behaviour amongst educators can ensure that there is no fruitless or irregular or wasteful expenditure for educators who are not rendering quality service. Appointments, promotions and transfer processes are also well stated in the Employment of Educators Act. Section 6. This deals with the powers of the employer. Section (3) (a) stipulates that regarding any appointment, promotion or transfer to any post of the educator, establishment of a school or a further education and training institution, recommendations may only be made by the School Governing Body of the public school or of the Council of the Further Education and Training Institution as the case may be. "It is alleged that there is a lot of corruption, fraud, nepotism, and bribery and 'connection' power when appointments or promotions are made; hence there is a need for the entrenchment of ethical behaviour" (EEA, 76, 1998).

Section 16 of Employment Educators Act No 76 of 1998 states that, "the employer should assess the capacity of an educator who is said to be unfit to work". There is speculation that the KwaZulu-Natal Education Department and the King Cetshwayo District in particular is doing very little or nothing to assess the capacity of educators, hence there is a need for the entrenchment of ethical behaviour at different levels of the Department. Section 17 of the Employment of Educators Act No 76 of 1998 makes provisions for what amounts to serious misconduct. These are cases that can lead to the expulsion of School-Based Educators and Office-Based Educators if they are caught doing one or some of them. Cases of misconduct are cases that can lead

to verbal or written warning or suspension. School Management Teams, School Governing Bodies and other senior Departmental officials do nothing or very little to draw the attention of educators to cases of serious misconduct or misconduct. Section 17-18 of the Employment of Educators Act, draws the attention of educators to issues that promote unethical conduct in the Public Schooling System. Specifically, Section 17(1) which states that an educator must be dismissed if:

a) he or she is found guilty of:

Theft, bribery, fraud, or an act of corruption with regards to examinations or promotional reports is high in the uMhlathuze Local Municipality. It is alleged that post level 1 posts and promotion posts are obtainable after a desperate person has paid something or complied with other acts which are perceived as sexual harassment. Department of Basic Education (DBE) has: Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination. In terms of 2014:125, DBE Regulations, Annexure M deals with discipline and misconduct-examination irregularities. Any irregularity which occurs at school is investigated by the School Assessment Irregularities Committee (SAIC). DBE, Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination, 2014:137 points out that;

Each school must establish a SAIC whose composition and functions will be determined by the provisions of the policy of the assessment body.

17 (2) Section 4 I of DBE, 2014:135 points out that SAIC consists of the following persons')

(I) the district official serving the school should be the Chairperson of the SAIC;

(ii) the School Principal;

(iii) one person from the School Management Team (SMT);

(iv) one person from the teaching staff who is not a member of the SMT; and

(v) one member of the School Governing Body (SGB).

SAIC deals with cases that are related to theft, bribery, fraud or any other form of corruption which is related to examinations; writing phase and the issuing or reports that are aimed at showing academic progress of learners.

b) An educator can also be dismissed if he or she

commits an act of sexual assault on a learner, student or other employee.

There are allegations that there are school-based educators who are well known for sexual assault in the uMhlathuze Local Municipality. These allegations give the district a bad image. Section 3; 3.5 of the South African School Act (SASA) No. 84 of 1996; E-17 stipulates that,

An educator must avoid any form of humiliation, and refrains from any form of abuse, physical or psychological.

School-based educators who abuse learners commit an offence and are guilty of serious misconduct. It is not clear if those who continue with abuse do it deliberately or out of ignorance.

(c) Having a sexual relationship with a learner of the school where he or she is employed.

School-based educators and office-based educators are aware that they are not allowed to have sexual relations with learners. Those who violate the law should be dismissed from this noble profession so that quality education can be achieved in schools. Section 3. 3.9 of SASA states that, "An educator refrains from any form of sexual relationship with learners at school".

(d) Seriously assaulting, with the intention to cause grievous bodily harm to, a learner, student, or other employer.

Section 8. 2 of the Government Gazette number 18900, 15 May 1998, stipulates that "corporal punishment shall not be administered". There are speculations that there are several cases of corporal punishment in the UMhlathuze Local Municipality where school-based educators still use corporal punishment. Section 7.5 of the Government Gazette number 89000, 15 May 1998, "every educator is responsible

for the maintenance of discipline at all times at school and at school-related activities”.

(e) Illegal possession of intoxicating, illegal or stupefying substances.

Section 7.7.2. of SASA states that, “An educator behaves in a way that enhances the dignity and status of the teaching”. Any school-based or office-based educator who comes to work drunk or with an illegal substance does not respect work”. No quality education can be achieved where there is no professionalism.

(f) Causing a learner or a student to suffer from any of the acts contemplated in paragraphs (a) to (e).

Entrenchment of ethical public service ethics amongst School-Based Educators and Office-Based Educators in the Public Schooling System in the uMhlathuze Local Municipality, could reduce the number of cases of serious misconduct, as it is alleged that these cases are widespread in uMhlathuze Local Municipality. Section 18 of the Employment of Educators Act (EEA) has identified cases of misconduct to be observed by all School-Based Educators in the Public Schooling System. Misconduct refers to a breakdown in the employment relationship, and

(g) an educator commits misconduct if he or she wilfully or negligently mismanages the finances of the state, a school, a further education and training institution or an adult learning centre (EEA).

“Principals, Ward Managers and other Senior Departmental officials should not be involved in financial mismanagement”.

(h) If an educator accepts any compensation in cash or otherwise from a member of the public or another employee for performing his or her duties without written approval from the employer.

“There are strong allegations that uMhlathuze Local Municipality is well known for people who are departmental officials but who are also serving as service providers”.

(i) Unfairly discriminates against other persons on the basis of race, gender, disability, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, religion, conscience, belief, culture, language, birth, family

responsibility, HIV status, political opinion or other grounds prohibited by the Constitution.

It is alleged that there are different forms of discrimination in the uMhlathuze Local Municipality.

As mentioned earlier, this research deals with the entrenchment of public service ethics and consider ways to eliminate or reduce unethical conduct in the public schools. Eradicating these social evils and restoring the dignity of the uMhlathuze Local Municipality will, in part, depend on the extent to which it is able to entrench ethics in public schools. This study examined the substance of some of these allegations and suggests ways to curb unethical practices in the uMhlathuze Local Municipality. The essence of this research was to come up with suggestions that could assist in the entrenchment of public service ethics, after preliminary findings have clearly indicated that indeed there are cases where public service ethics are being violated by either school-based or office-based educator. School-based educators should be reminded that unethical behaviour is not acceptable in any public school.

4.7. CODE OF PROFESSIONAL ETHICS IN EDUCATION FOR PUBLIC SCHOOL EDUCATORS

School-based and office-based educators are expected to be ethical at all times. Their professionalism should never be doubted by the public. When performing their duties, public officials are subject to influences within the education sector and outside, for example, from political office bearers, school governing bodies or unions. Due to these influences they may be susceptible to unreasonable conduct, bias, nepotism and corruption. Because public officials serve the community, and all their actions must be directed at promoting the public interest, ethical conduct and professionalism are vital. The South African Council for Educators therefore established the Code of Professional Ethics to guide the behaviour of school-based and office-based educators. The prerequisite for appointment in the education sector is registration with the South African Council for Educators and the Relative Education Qualification Value (REQV). The South African Council of Educators Act 31, 2000 has a Code of Professional Ethics which serves as a guideline for professionalism in public institutions. Educators, School Management Teams (SMT)

which include Principals, Deputy Principals, Heads of Department and other senior departmental officials are frustrated because they are not sure what to expect at the end of 2030. There is thus a need for entrenching ethical behaviour in the Public Schooling System and especially in the uMhlathuze Local Municipality. The KwaZulu-Natal Department of Education operates under certain legislative mandates like other Provinces in South Africa. National Development Goals to be achieved by 2030 cannot be actualised in an unhealthy environment; hence there is need for the entrenchment of public service ethics in the public-school system.

Providing opportunities for people to access quality education will improve their position and contribute to the advancement of democratic values in the entrenchment of ethical behaviour in KwaZulu–Natal Department of Education. Unethical conduct will obviously limit the advancement of moral values. All public schools should have school policies. These school policies should contain Codes of Conduct for school-based educators and learners. It is always good to write something down, but it is sometimes difficult to put one’s mission into practice. A Professional Codes of Ethics can facilitate the delivery of quality education. The entrenchment of ethical behaviour in the public schooling system should aim to ensure that quality education is accessible to everyone.

It is important to question why educators register or provisionally register with the South African Council for Educators. This may be to acknowledge the noble calling of their profession to educate and train learners of South Africa (Govender, 2003: 17). So, school–based and office-based educators who come drunk to work, for instance, violate the clause of SACE which claims that teaching is a noble calling. The image of the teaching fraternity is denigrated by people who are intoxicated with alcohol before appearing for work. “Yet these same offenders will acknowledge that the attitude, dedication, self-discipline, ideals, training and conduct of the teaching profession determine the quality of education in the country (Govender, 2003:17)”.⁸ These school–based educators are known for harassing learners and they abuse learners verbally, psychologically, emotionally, sexually and physically. It is believed that these educators use abusive language and humiliate learners in front of other learners by calling them using derogatory names.

⁸ As an active stakeholder in the public school in KwaZulu-Natal, the researcher is aware of reports suggesting that several school–based and office–based educators have a negative attitude towards their job as educators.

There are also claims of school-based and office-based educators who always come to work unprepared for their daily activities. They absent themselves for no valid reason fail to honour their class periods and are also known either for late-coming or for early departure. It is also alleged that there are many educators who lack self-discipline. There are school-based educators who are reported for the violation of a number of aspects of the bill of rights which are found in chapter two of the Constitution of the Republic of South Africa. These actions are a clear demonstration of unprofessionalism in public schools and the lack of professionalism on the part of the authorities for not taking timely disciplinary action against such offenders.

Ndebele, (2007:10) articulates the rights and responsibilities of children which must be acknowledged on the one hand and enforced on the other by school-based and office-based educators. According to Ndebele (2007:10), “children need care and safety and this includes; love & security, special care for special needs and safe places in times of danger. School-based and office-based educators have a responsibility to provide learners with safety and security”. School-based educators and office-based educators who lack self-discipline make learners feel vulnerable. They become victims of school-based educators who are not disciplined in the public schooling system. This study highlights the need for school-based educators and office-based educators in the uMhlathuze Local Municipality to be reminded of their responsibilities as educators.

School-based and office-based educators should acknowledge, uphold and promote basic human rights as embodied in the Constitution of the Republic of South Africa (Govender, 2003: 17). The booklet that was presented by the Premier Sibusiso Ndebele, from 1998 to 2008, states that other basic human needs include that of the children to be the best they can be and to learn and grow at their own pace, to obtain quality education, to develop safe lifestyles, to enjoy human rights values and skills, to have access to children`s libraries, museums and cultural centres and to enjoy programmes on T.V. This emphasises the necessity to entrench ethics in the public schooling system. Learners cannot be protected against accidents, alcohol and drug abuse, the effects of HIV/AIDS and from being used in fighting and crimes and hitting, hurting and humiliating if they are taught by school-based educators who always demonstrate unethical conduct. This research draws the attention of

educators to the need to instil the ethos of commitment and dedication to ethical behaviour.

Public employees are expected to commit themselves to do all within their power, in the exercise of their professional duties, to act within the ideals of the profession as expressed in the Professional Code of Conduct (Govender, 2003:17). School-based educators have a responsibility to impart knowledge to learners and office-based educators have a responsibility to ensure that effective teaching and learning is taking place in the public schooling system. School-based educators are not expected to abuse learners either physically, sexually, emotionally and otherwise. Ndebele (2006-2007:16) points out that, “abuse could take the form of leaving a learner unattended by an educator”. This implies that school-based educators must honour their periods at all times. Educators should not expose learners to pictures of sex. This means that no school-based educator should come to school with pornographic pictures. They should not touch a learner’s private parts or force a learner to touch another’s private parts. Hitting or hurting a learner or relieving one’s own frustrations on a learner and making a learner feel worthless are all reprehensible and illegal actions. It is alleged that there are school-based educators who cannot teach certain grades due to their inability to display professionalism, (SACE, Annual Report, 63207-2018-10-15) [2017/118]. They were barred by learners from teaching such grades. This study underscores the need for professionalism among school-based and office-based educators. Public employees should act in a proper and becoming way such that their behaviour does not bring the teaching profession into disrepute (Govender, 2003:17). It is alleged that there is a gross violation of the general stipulations of SACE in the Education Sector with particular reference to the uMhlathuze Local Municipality, (Orri Singh, 3 September, 2018, Zululand Observe). Hence, there is a need for the entrenchment of ethical behaviour in uMhlathuze Local Municipality.

4.8.1. The relationship between school-based educators and learners

The applicability of the Professional Code of Ethics in education to school-based and office-based educators is spelt out clearly in the Education Labour Relations Council (Govender, 2003:17). It states that an educator must respect the dignity, beliefs and Constitutional rights of learners and in particular children, which include the right to privacy and confidentiality. There is speculation that some educators in the uMhlathuze Local Municipality although they are well aware that it not allowed and they thereby undermine the dignity of learners and they violate the Constitution.

There are also allegations that some educators deny learners their Constitutional right to acquire a basic education by ill-treating them within the public schooling system. The professional code of ethics also states that school-based or office-based educators acknowledge the uniqueness, individuality and specific needs of each learner, guiding and encouraging each learner to realise his or her fullest potential (Govender, 2003:17).

It is further alleged that diversity is not taken seriously in the Education Sector and this research project assessed the validity of such a claim. An educator strives to enable learners to develop a set of values consistent with the fundamental rights contained in the Constitution of the Republic of South Africa (Govender, 2003:17). The Revised National Curriculum Statements and National Curriculum Statement provides that, there is a learning area which is called Life Orientation, which can play an important role in the entrenchment of ethical behaviour in the public schooling system, but this learning is not given proper attention. The behaviour of learners can be transformed during Life Orientation periods. Learners need to be reminded at all times about the pros and cons of bad behaviour at school. No effective teaching and learning can take place in a public school that has no discipline. Learners should always be told about moral behaviour that is always expected from them so as to yield good results in terms of their performance.

An educator should exercise authority with compassion (ELRC, 2003, E-17, 3.4)). However, it is alleged that there are educators who do not have a passion for their job demonstrated by their inability to mark attendance registers on a regular basis, an inability to honour their classroom activities, effective study control and their willingness to control continuous assessment which is added to the final mark of

learners' summative evaluation. School-based and office-based educators should always bear in mind the importance of avoiding any form of humiliation and refraining from any form of abuse, physical or psychological (Orri Singh, ZO, 2018). It is alleged that there are educators who see learners as sexual objects and emotionally abuse learners or pass humiliating comments about learners indicating that they are not good at school work.

It is also alleged that there are educators who have a tendency to call learners by bad 'nicknames' and abuse learners physically and psychologically; for example, by telling learners in secondary schools that they will never do well in mathematics, if they never did well in primary school. The professional code of ethics reiterates that educators should refrain from improper physical contact with learners (Govender, 2003:17). It is alleged that there are educators who sell drugs to learners or drink liquor with them during trips, tours or main sporting events such as athletic meetings. This research project checks on the relationship that exists between learners and educators and on the degree of entrenchment of ethical behaviour. The professional code of ethics emphasises that "educators should promote gender equality in public schools," (ELRC, 2003, E-18, 6.4).

It is alleged that gender equality is not adequately promoted in the public-school system in the uMhlathuze Local Municipality. The ELRC, (2003, E-17, 3.8) further points out that an educator should refrain from any form of sexual harassment (physical or otherwise) of learners. It is alleged that there are educators who use the poverty of rural communities to their advantage by sexually harassing learners with poor family backgrounds. It is alleged that some educators promise parents gifts so that they can continue to abuse learners. The researcher believes that the entrenchment of public service ethics in public schools will reduce the number of cases involving the immorality of public employees. The professional code of ethics points out those educators should refrain from any form of sexual relationship with learners at school or elsewhere (Education Labour Relations Council, 2003:17). It is alleged that there are educators who are in love with school children, and this unethical behaviour has a negative bearing on the tone and discipline of the school. It is believed that some learners are promised promotions to the following grades by educators who have access to examination papers or tests. The legitimate

progression of a learner from one grade to another is key, if school-based and office-based educators want to inculcate the idea of quality education.

The professional code of ethics requires an educator to use appropriate language (a language that is not abusive or calculated to intimidate others) and behaviour in their interaction with learners and to act in a way so as to elicit respect from learners (Education Labour Relations Council (ELRC), 2003, E-17, 3:10). Regrettably, it is also the case that there are learners who are well known for verbal abuse. The code of ethics expects that that an educator must take reasonable steps to ensure the safety of learners (ELRC, 2003, E-17, 3.11). It is noted that some of the Discipline, Safety and Security Committees (DSSC) present in schools are not active and do not make a positive contribution to safety and security in schools in the Education Sector. Potgieter et al. (1997:59) argue that good school discipline is an important feature of effective schools. The School Management Team (SMT) must demonstrate the discipline they monitor and supervise the work of other school-based educators. They must also demonstrate discipline when they coordinate all school activities such as curricular activities, the control of lesson plans, work schedules, classroom management, subject committees and other committees and assessment programmes. Potgieter et al., (1997:97) further argue that every public school must have a written *code of conduct*⁹ so as to achieve good discipline.

Section 7 of the National Education Policy Act 27 of 1996, refers to a safe school institution environment. Subsection 7.1, states that, “The Member of Executive Council (MEC) should make provision for all schools and institutions to implement universal precautions to eliminate the risk of transmission of all blood-borne pathogens, including HIV, effectively in the school or institution environment”. Section 8(1) of Occupational Health & Safety Act 85 of 1993, states that “every employer shall provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to the health and safety of his employees”. Safety and Security is crucial in the public-school system. There is speculation that uMhlathuze Local Municipality has numerous public schools that have no security guards. Section 19 of Occupational Health & Safety Act 85 of 1993 requires the

⁹ A code of conduct must be aimed at establishing a disciplined and purposeful school environment, dedicated to the improvement and maintenance of the quality of the learning process (S8 (2) of the South African Schools Act 84 Of 1996).

establishment of Health and Safety Committees. A Health & Safety Committee among other things, according to Section 20(1) (a) “may make recommendations to the employer or, where the recommendations fail to resolve the matter, to an inspector regarding matters affecting the health and safety of persons at the workplace or in any section thereof for which such a committee has been established”. This research assists public schools to review their policies on safety and security in schools. There are allegations that there are many public schools that are perceived as danger zones in the uMhlathuze Local Municipality, because thugs always target public schools that have no security guards. Teaching and learning are always affected when school-based and office-based educators work in an unsafe environment.

An educator should not abuse the position he or she holds for financial or personal gains (ELRC, 2003, E-17, 3. 12). Section 37 of the South African Schools Act 84, 1996 is clear about how school funds and assets of public schools should be handled. Sub-section (4) of section 37 of the South African Schools Act 84 of 1996 states that, “Money or other goods donated or bequeathed to or received in trust by a public school must be applied in accordance with conditions of such a donation, bequest or trust”. It is alleged that there are school managers, ward and circuit managers who use their positions for financial or personal gains by giving posts to people who pay them for these whilst some serve as service providers and expect people under their jurisdiction to buy stationery and textbooks from them. Some school managers use norms and standard for their own personal enrichment.

An educator should not be negligent or indolent in performance of his or her professional duties (ELRC, 2003, E-17, 3.13). There is speculation that there are educators who do not do their preparation, do not honour their periods and stay in staffrooms when they should be in class. It is also argued that there are school management teams namely Principals, Deputy Principals and Heads of Department who do not supervise or monitor the duties of other educators.

An educator recognises, where appropriate, learners as partners in education (ELRC, 2003:17). Section 11 (1) of the South African Schools Act no 84 of 1996, states that a Representative Council of Learners at the school must be established at every public school enrolling learner in eighth grade or higher, and such a council

is the only recognised and legitimate representative body for the students and the Representative Council for Learners' members serve on the School Governing Body (SGB). It is said that there are schools that exclude learners and some educators insist that learners be excluded from the School Governing Bodies. Learners are sometimes excluded from attending classes or do not get reports that talk about their academic progress due to the fact that their parents are owing money to the school.

Seemingly, school-based educators are aware of the policies and legislative measures, and learners seem to be aware of those policies that protect them and they seem to be aware of their rights. School-based educators seem to think that learners abuse their rights or only care much about their rights, and very little about responsibilities. For example, section 10 (1) of the South African Schools Act 84 of 1996, states clearly that no person may administer corporal punishment and it stipulates that anyone who contravenes subsection (1) is guilty of an offence and is liable on conviction to a sentence which could be imposed for an assault. The *SACE Annual Report, 2017/18* pointed out that out of 561 cases of misconducts that were reported, 253 cases were those involving corporal punishment. Learners frequently do not do their homework or their class work or they misbehave in the classroom, they do not seem to know or understand their responsibilities. Some school-based educators feel that they need to use corporal punishment. They then find themselves in trouble because that is perceived as violation of the policy.

4.8.2. The relationship between school-based educators and parents

The professional codes of ethics affirm that an educator in a public school: recognises the parents in education, and promotes a harmonious relationship with them (Govender 2003:17). School managers and educators who do not involve parents in school activities and parents' meetings, only shock the parents when children have failed at the end of the year. It is also alleged that there are school managers who do not give financial reports to parents before the end of each financial year. Govender also reminds that an educator should do all that is practically possible to keep parents adequately and timorously informed about the wellbeing and progress of the learner (ELRC, 2003:17). Public schools are funded by the state. Section 35 of the South African Schools Act 84 of 1996, spells out clearly that the basic principle of state funding of public schools derives from the

Constitution of the Republic of South Africa. However, in terms of the Constitution and the government's budget procedure, it is the provinces which make appropriations to their education departments from the total revenue resources available to them. Section 24 of the South African Schools Act 84 of 1996, stipulates that there must be sound governance¹⁰ and professional management¹¹. It is the responsibility of the school governing body that funds are utilised properly. The school governing body serves as the mouthpiece of all stakeholders, namely: parents, educators, learners, support staff and other interested parties. The school governing body is obliged to ensure that parents are not exploited in the education process. Section 18 of the South African Schools Act 84 of 1996, stipulates that a governing body stands in a position of trust towards the school. Parents should be consulted on issues that are related to education matters, including money so as to avoid unnecessary conflicts within the public schools. The Department of Public Service and Administration (DPSA) issued an abridged Batho Pele (BP) document in July 2014 and this vision emphasises that a better life for all South Africans occurs by 'putting people first'. All public servants including school-based and office-based educators have a responsibility to apply the Batho Pele principles which include: consultation; service standards; access; courtesy; information; openness and transparency; redress and value for money (DPSA, July 2014). "All stakeholders should be consulted on the nature, quantity and quality of services to be provided in order to determine the needs and expectations of the users", citizens can be consulted through; Customer Surveys; Campaigns; workshops and meetings (Abridged BP, July 2014). School-based educators need to cultivate an atmosphere that will be conducive enough for good human relations to prevail between the schools and parents, for effective teaching and learning to take place. Community involvement cannot be ignored in a situation where effective teaching and learning needs to be promoted by all stakeholders.

¹⁰ The governance of every public school is, subject to the provisions of the South African Schools Act 84 of 1996 (SASA), vested in the school governing body.

¹¹ The professional management of a public school, according to Section 24 of SASA must be undertaken by the Principal acting under the authority of the provincial Head of Department.

4.8.3. The relationship between school-based educators and the community

The Professional Code of Ethics points out that an educator should recognise that an educational institution serves the community, and therefore acknowledge that there will be differing customs, codes and beliefs in the community (ELRC, E-17, 2003). It is alleged that there are public institutions which do not work hand-in-hand with communities, for example, by sharing with structures such as community halls, chairs and tables. It is also commonly reported that communities are discriminated against by public institutions due to their cultures, customs and norms of the community. The professional code of ethics further points out that an educator should not conduct himself or herself in a manner that shows disrespect to the values, customs and norms of the community (ELRC, 2003:17). It is alleged that there are educators who do not respect the values, customs, norms and traditions of the community. There are many displaced educators in the uMhlathuze Local Municipality due to conflicts with community members. The Sunday Times, 19 November 2017, (Prega Govender) reported that “the Department of Basic Education is drawing up a new policy on how to deal with sex-pest teachers”. Prega Govender (19 November 2017 in the Sunday Times) further reported that, “Two teachers who allegedly raped 11-year-pupils and a Principal who sent lewd short messages to a pupil he had an affair with were among 10 educators whose misconduct cases were upheld in arbitration in 2017”. The SABC, through uKhozi FM current affairs, reported on 15 November 2018 that “an educator in the uMkhanyakude District Municipality impregnated 5 school girls”. Seemingly, unethical conduct amongst school-based educators’ fuels tensions between school-based educators and communities. Another case, according to Govender’s report (Sundays Times, 19 November 2018, was of “a KwaZulu-Natal high school teacher, N. Jali, [who] was found guilty of having a sexual relationship with a pupil. According to transcripts from his hearing, he gave her an abortion pill and, when this failed, paid her family R11, 500 in compensation” (Govender, Sunday Times, 19 November 2017).

It was reported on 11 August 2016 by News 24, that “the KwaZulu-Natal Department of Basic Education is currently conducting disciplinary hearings into misconduct including the selling of posts, teachers having romantic relationships with pupils and the misuse of state funds”. The media report further pointed out that “KZN

spokesperson Muzi Mahlambi said that the cases include that of an uMlazi Principal, Thembekile Makhanya, who according to a City Press report, allegedly sold a post to Nkonzwenhle `Nkonzo` Mqadi for R12000". The bold caption in News24.com was, "Shocking incidents of teacher misconduct revealed". However, a positive statement did come from KZN spokesperson, Muzi Mahlambi, that "the Department of Education viewed the selling of posts, mismanagement of funds and teachers having romantic relationships with pupils in a very serious light" (News 24, 11 August 2016).

The numerous cases that have been highlighted above suggest that public service ethics are indeed violated by school-based and office-based educators. Quality education cannot be achieved in a situation where the morality of school-based and office-based educators is always being questioned by the public. Public trust is lost and this study highlights areas that need to be addressed by the Department of Education to restore the public trust. All these cases of misconduct in public schools do not present a good picture of what is happening in public schools.

4.8.4. The orientation of new members of the teaching profession

It is required that all newly appointed members be oriented into the teaching of learners and the teaching fraternity as laid down by the South African Council for Educators. A 'profession' refers to the standards, or norms and principles that members of a person's trade or profession hold, (ELRC, 2003:17). It is alleged that no proper induction is given to the newly appointed School Management Team members and newly appointed Heads of Department. Sangweni, (2007:29) stated that the creation of professional ethics and good conduct in the work place requires consistent training on the code of conduct (COC) and the departments' core values. Sangweni, (2007:29) further pointed out that it is the responsibility of departments to train officials on conduct that is ethical and acceptable so that they are reminded regularly of the requirements of professional behaviour at all times. The fact that the code of conduct is only used during induction while it forms the basis for professional conduct in the Public Service is of concern (Sangweni, 2007:29).

This study aimed at reminding departments that they need to remind school-based and office-based educators and other stakeholders about the importance of behaving in an ethical manner in any public office. It is an indisputable fact that school-based and office-based educators have numerous challenges in public

schools. Botha, & van Niekerk, (2002:66) pointed out that leaders all over the world have to deal with external pressures, but recently, education leaders in South Africa have been presented with an extremely difficult task in this regard. The rate of policy change, the introduction of the new Outcomes Based Education (OBE) approach, the redeployment of teachers, the lack of facilities and the accountability required from various role players make the task of the school leader ever more difficult and complex (Botha., & van Niekerk, 2002:66). Other policy changes include the introduction of National Curriculum Statements, Curriculum and Assessments Policy Statements (CAPS) and Jika Imfundo. Pilay Venitha, in her article, 5 April 2018, defined Jika Imfundo as the South African study of 'turning education around' through improved curriculum coverage. The entrenchment of public service ethics in public schools can assist in the implementation of policies such as CAPS and Jika Imfundo.

Good management is crucial in the training of employees in the public sector. Many authors have written a lot about this subject of management. Taylor, F.W. argues that, 'Management is an art of knowing what to do, when to do and see that it is done in the best and cheapest way.' According to Harold Koontz, 'Management is an art of getting things done through and with the people in formally organized groups. It is an art of creating an environment in which people can performed individuals can co-operate.' For the purposes of this study the focus will be on this definition: "Management is the process of working with and through others to achieve organisational objectives in a changing environment" (Kreitner, & Cassidy, 2012:5). This study has the potential to make managers realise what their roles are in shaping the conduct and the behaviour of employees in the public sector.

4.8.5. The relationship between the educator and the profession

The professional code of ethics emphasises that an educator acknowledges that the exercising of his or her professional duties occurs within a context requiring cooperation with and the support of colleagues (ELRC, 2003:17). It is noted that there are educators who do not believe in teamwork, although they know that there are areas that give problems in their subjects or learning areas. There is speculation that school-based educators only like meetings that discuss salary issues. An educator should promote ongoing development in teaching (ELRC, 2003:17).

School-based and office-based educators should not attend to their private affairs when they are supposed to be attending workshops where developments are taking place. The Professional Code of Ethics points out that an educator accepts that he or she has a professional obligation towards education and induction into the profession of new members (ELRC, 2003:17). But school-based and office-based educators need to take their profession seriously and seem not to care about the induction and development of the newly appointed educators. The emphasis is about the educator referring to the standards or norms and principles, of the profession. An educator needs to understand clearly that teaching is not only about imparting knowledge to the young ones but is about the growth and development of the young people until they reach maturity. An educator should serve as a mentor to young people and must be able to assist learners to see the value of education in the community.

Volmink, in the Annual Performance Plan, (2018/19:7), points out that, “There is a demand for quality education through the National Development Plan (NDP) and the Medium-Term Strategic Framework (MTSF)”. He further argues that the NDP and the MTSF require that, “The entire Education Sector achieves certain targets and uMalusi Council for Quality Assurance in General Education and Training (GET) and that Further Education and Training (FET) has a higher role to play in contributing towards the stipulated outcomes”. National policy pertaining to the conduct, administration and management of the National Senior Certificate examination is published as Government Notice No. 564 in Government Gazette No. 30048 of 6 July 2007 and amended as: Government Notice 372 and 373 in government Gazette, Vol.587, No.37652 dated 16 May 2014. It deals with irregularities and other forms of examination misconduct, (National Policy, 2014:56). The desired outputs as presented by the NDP and the MTSF should not only end in quality learning and teaching, but should extend to quality assessment and writing of examinations. National policy spells out clearly that there should be structures in place in case there is misconduct during the examination period.

The Schools’ Report 2012 concerning the National Senior Certificate (NSC) examination, (2012:56) recommends that various structures be set up in provinces, districts and schools. The national policy gives clarity with regard to such structures:

(a) “The Provincial Examinations Irregularities Committees (PEIC), are tasked to deal with irregularities at provincial level and to make recommendations to the Member of Executive Council (MEC) for education, (Department of Basic Education (DBE) 2014:55). PEIC members need to be ethical in the manner in which they conduct their investigations and they need to follow proper procedures in resolving irregularities.

(b) “The District Assessment Irregularities Committees (DEIC) support and co-ordinate the handling of irregularities at a district level” (DBE, 2014:55). Office-based educators usually form these committees and they are expected to demonstrate a high level of professionalism.

(c) “Schools Assessment Irregularities Committees (SAIC) are tasked to deal with irregularities at a school level” (DBE, 2014:55). Therefore, school-based educators are also expected to be ethical at all times.

4.8.6. The relationship between the educator and employer

The professional code of ethics points out that an educator recognises the employer as a partner in education (ELRC, 2003:17). There are educators who do not see the employer as their partner in education, but as someone who exploits them. The National Public Service strike, which took place in June 2007, was perceived as a battle between two business partners, that is the employer and the employee. An educator acknowledges that certain authority is vested in the employer through legislation, and as an employee he or she should serve the employer to the best of his/her ability (ELRC, 2003:17). There is a lack of commitment in a number of public schools amongst school-based and office-based educators in the uMhlathuze Local Municipality. The level of application of departmental legislation is very low, and some school-based educators are known for deliberately ignoring legislation when it comes to corporal punishment.

The public has a feeling that many public schools in the uMhlathuze Local Municipality where riots erupted, it was because some educators disclosed confidential information to unofficial people; information that was related to interviews. All posts are advertised in the ‘Bulletins’; these could be promotion posts or post level 1 posts (for all educators). All those candidates who perceive

themselves to be suitable for any post can apply for that post. A selection committee is always set up so as to scrutinise all applications and do the short-listing, depending on the number of applicants. The selection committee usually consists of five members and they choose their chairperson and secretary. Members of a selection committee sign an oath of secrecy, and bind themselves not to disclose interview results, before they are officially announced by the Department of Education. On numerous occasions there has been a leakage of information and this can cause riots or tension within public schools. Interview processes are always affected when interview results come out before they are officially announced by the Department of Education.

4.8.7. The relationship between the educator and the South African Council for Educators

The professional code of ethics also states that an educator should make every effort to familiarise his or her colleagues with the provisions of the code (ELRC, E-17, 2003). The public opinion is that there are educators and senior departmental officials who do not bother about the provisions of this code yet an educator should comply with the provisions of this code (ELRC, E-17, 2003). There are many public servants who do not comply with the provisions of this code. There are speculations that many school-based and office-based educators do not comply with the Code of Professional Ethics as laid down by the South African Council for Educators Act 31 of 2000, which is why there is a need for the entrenchment of ethical behaviour in the education sector. There are many educators who have been charged for financial mismanagement, sexual harassment, inflating the learner enrolment in the school so as to get more money when it comes to norms and standards and many other offences that are related to misconduct¹². The Citizen, 11/15/2018 had a big caption, KZN teacher accused of sexual misconduct granted bail.

¹² The sexual misconduct case against a former Veldenvlei Primary School support staff employee has been postponed to November 1 for further investigation, reports Zululand Observer (Richards Bay Magistrate Court) (<https://zululandobserver.co.za/180067/sexualmisconduct-accused-gets-bail/>). ALSO READ: Sexual abuse claims at KZN primary school shocks community (<https://citizen.co.za/news/southafrica/1996494/sexual-abuse-claims-at-kzn-primary-shocks-community/>).

Related stories; WATCH: Pupil wants to make Soweto te`kak' (<https://citizen.co.za/news/southafrica/2035880/watch-pupil-wants-to-make-soweto-teacher-kak/acher>) 13.11.2018. Retired principal admits raping pupils 30 years later (<https://citizen.co.za/news/southafrica/2031903/retired-principal-admits-to-raping-pupils-30-years-later/>)

The professional code of ethics also states that an educator discloses all relevant information to the council (ELRC, E-17, 2003). Educators do not disclose all information to the council. For example, there are public servants who are councillors but who have never informed the council and others are service providers but they have never informed the council about that. Section 3 of the Education Labour Relations Council (ELRC), (2003:23, F) talks about “Conflict of Interest and Disclosure”. Section 3 (1) of ELRC, 2003:23, F) stipulates that “conciliators and arbitrators should disclose any interest or relationship that is likely to affect their impartiality or which might create a perception of partiality. The duty to disclose rests on the conciliators and arbitrators”. School-based and office-based educators have a responsibility to disclose any business venture with the Department of Education so as to avoid a conflict of interest. Troy Segal, 29 April 2019 defines a conflict of interest, “As an interest which occurs when an entity or an individual becomes unreliable because of a clash between personal (or self-serving) interests and professional duties or responsibilities”. An educator should inform the council and / relevant authorities of alleged breaches of the code within his or her knowledge (ELRC, E-17, 2003). Whistle-blowing is still a problem in the education sector. Educators in unions are known for protecting their colleagues, even if they know that their colleagues have violated the code of professional ethics.

An educator cooperates with the council to the best of his or her ability (ELRC, E-17, 2003). There is no communication between the council and the educators. The professional code of ethics also states that an educator should accept and comply with the procedures and requirements of the council, including, but not limited to, the registration and disciplinary (ELRC, E-17, 2003) procedures. Public opinions say that educators do not view the council as a body that protects them. The South African Council of Educators (SACE) wants to audit all educators who are employed by the Department of Basic Education in South Africa by pointing out that all educators who enter the Education Sector should be registered with the South African Council for Educators. Therefore, any person who refuses to register with the SACE is depriving himself of the opportunity to teach in South African public schools. It is more appropriate at this stage to reiterate that the SACE has the Code of

4.11.2018. Case No: PSES 689 11/12 KZN ELRC Unfair Dismissal-Misconduct, Applicant: Simon Jabulani Zuma, respondent: Department of Education KwaZulu-Natal

Professional Conduct which is binding on all school-based and office-based educators. Hence, if a person is not registered with the South African Council for Educators, he may not know of the professional ethics or respect them.

4.8.8. Educator and colleagues

No one can achieve the goals and objectives of an organisation single-handedly. The Department of Basic Education issued, in 2015, the Action Plan to 2019 towards the realisation of Schooling 2030. This document is in line with the National Development Plan 2030. The Action Plan to 2019 has 27 Goals to be achieved by the Department of Basic Education. These 27 goals obviously cannot be achieved single-handedly and goals 1-13 according to the Action Plan, “there are specific outcomes of schooling system, which need to be addressed in the Education Sector”. It is against this background that the researcher feels that there is a need for the entrenchment of public service ethics in the public-school system. School-based and office-based educators who are ethical and are able to implement democratic values and principles can work as a team to achieve these goals. Action Plan 2019 moves towards the realisation of schooling 2030 (p, 32) and it emphasises that “Goals 14-27 deal with the how to achieve of the 13 output goals.” They “deal with matters relating to teachers, class sizes, classroom practices, educational materials, and school management and governance”. It is imperative that an employee should work in together with his or her colleagues. Teamwork should always be encouraged in the workplace, particularly in the Education Sector.

The professional code of ethics points out that an educator should refrain from undermining the status and authority of his or her colleagues (ELR, E-17, 2003). Section 18 (1) (t) of the Employment of Educators Act (EEA) 76 of 1998, declares that, “It is a misconduct if any educator displays disrespect towards others in the work-place or demonstrates abusive or insolent behaviour”. There are schools that have different camps, due to the fact that educators undermine one another. Camps are caused by academic qualifications, belonging to different teacher unions either the National Teacher Union (NATU) or the South African Democratic Teachers Union (SADTU), and other factors. Section 18 (1) (v) of EEA also stipulates that, “It is an act of misconduct if an educator prevents other employees from exercising their rights to freely associate with Trade Unions in terms of any labour legislation.

Teacher Unions are doing very little or nothing to promote ethical behaviour in the uMhlathuze Local Municipality. It is unethical for unions to 'arrange' for their union members to be appointed in senior positions and to ignore non-members or less active members in their unions.

The encouragement of divisions or conflicts by imposing the preferred candidates in public schools when there are post level one posts or senior posts, has a negative impact on teamwork. School-based or office-based educators who have been discriminated against become discouraged if they are neglected when their opportunities for promotion arise. Therefore, the entrenchment of public service is crucial performance and the promotion of the Quality Learning and Teaching Campaign.

An educator should respect the various responsibilities assigned to colleagues and the authority that arise from there, to ensure the smooth running of the institution (ELRC, E-17, 2003). There are educators who undermine School Management Team members due to their lack of academic qualifications. The professional code of ethics also emphasises that educators should use proper procedures to address issues of professional incompetence or misbehaviour (ELRC, E-17, 2003). It is said that there are managers who blame others for their incompetence in front of others. There is a great need for professional development in the uMhlathuze Local Municipality.

An educator should promote gender equality, and refrain from sexual harassment (physical or otherwise) of his or her colleagues (ELRC, E-17, 2003). Section 17 (1) (b) of Employment of Educators Act (EEA) 76 stipulates that, "It is a serious misconduct and an educator must be dismissed if he is found guilty of committing an act of sexual assault on a learner, student, or other employee". It has been said that there are senior managers who are not serious enough about promoting gender equality. It seems that there are school-based educators who are victims of gender biasness and sexual harassment or they are not promoted due to their sexual orientation. An educator should use appropriate language and behaviour in his or her interaction with colleagues. It is appearing that there are educators who are victims of abusive language from other senior officials in the Education Sector. Claims have

been made that school-based and office-based educators accept that they have a professional obligation towards education.

The Annual Performance Plan 2016/17, of March 2016, states that the National Development Plan calls for different parts of the Basic Education Sector to work together allowing learners to take different pathways that offer high quality opportunities. The Annual Performance Plan 2016/17:4, states that the year 2016/17 will see the basic education sector laying a solid foundation in preparation for the three curriculum streams. The three curriculum streams will consist of the: academic, technical vocational and technical occupational, and will be introduced as a response to the economic needs of the country. The implementation of the above plan calls for the entrenchment of public service ethics in the public-school system. UMhlatuze Circuit Management Cluster is at the heart of the economic growth in the King Cetshwayo District Municipality. Situated right next to the Richards Bay city, uMhlatuze Local Municipality is therefore a key point for professional development amongst school-based and office-based educators.

4.8.9. The essence of the Technical Support Unit (TSU)

Specifically, Chapter 6 of the Act makes provision for Ethics, Integrity and Discipline. On the other hand, Section 15 (1) of the same Act outlines the establishment of a Technical Support Unit to support public institutions. It is appropriate at this stage to illustrate the functions of this Technical Support Unit as stated in Section 4(4) the Act:

(a) “To provide technical assistance and support to institutions in all spheres of government regarding the management of ethics, integrity, and disciplinary matters relating to misconduct in public administration.” All public schools in the uMhlatuze Local Municipality need to be given the appropriate support so as to be able to deal with the management of ethics, integrity and discipline. The focus should be on those areas where school-based and office-based educators demonstrate unethical conduct. The attention of other stakeholders such as learners, educators’ unions and school governing body members should also be drawn to areas of unethical conduct within public schools.

(b) “To develop norms and standards on integrity, ethics, conduct and discipline.”

School-based and office-based educators should be reminded frequently about professional standards of integrity, ethics, conduct and discipline. School-based and office-based educators must always be informed about what is “right or wrong”, “good or bad” within the public schools of uMhlathuze Local Municipality. School-based and office-based educators must be honest at all times so as to maintain the public trust. The Technical Support Unit is responsible for upholding professional standards. The professional standards should be in line with the Professional Code of Ethics that was presented in chapter four.

(c) “To build capacity within institutions to initiate and institute disciplinary proceedings into misconduct.” School-based and office-based educators should not forget what constitutes serious misconduct such as theft, sexual abuse and other misdemeanours. School-based and office-based educators are in positions of trust. They are trusted by the public. Therefore, they are not expected to abuse their positions for personal gain.

(d) “To strengthen the government oversight on ethics, integrity and discipline, and where necessary, to intervene in cases where weaknesses are identified.” This research study has proved that school-based and office-based educators in public schools are aware of the Professional Codes of Ethics, but some of them tend to ignore or to undermine them, for example, those who use corporal punishment in public schools in the knowledge that there is legislation that has abolished the use of corporal punishment in public schools. The Technical Support Unit is expected to intervene under such circumstances.

(e) “To promote and enhance good ethics and integrity within the public administration; and to cooperate with other institutions and organs of State to fulfil its function under this section.” The Technical Support Unit has a critical role to play in public administration. The main purpose of this study was to promote and enhance good ethics and integrity within public schools that are in uMhlathuze Local Municipality and other local municipalities within the King Cetshwayo District Municipality, KwaZulu-Natal Province and in South Africa as a whole.

4.9. Public Service Code of 2016 and the key principles of public service ethics

School-based and office-based educators must respect laws and regulations that are applicable in the teaching fraternity. Section 30 of the Constitution of the Republic of South Africa, Act 108 of 1996, deals with issues of language and culture stating that, “Everyone has a right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights”. Public schools that undermine other languages and focus on English and Afrikaans only violate the Constitution of the Republic of South Africa. Similarly, Public Service Regulations, 2016 talk about ethical conduct. Section 13 (a) of the Public Service Regulation, 2016 stipulates that, “An employee shall not receive, or solicit or accept any gratification, as defined in Section 1 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 2 of 2004), from any employee or any person in return for performing or not performing his or her official duties”. Findings in this research pointed out that there are school-based or office-based educators who do not recommend other employees for promotion posts. UMhlatuze Local Municipality is a very quiet Municipality in terms of violence. The entrenchment of public service ethics in public schools of uMhlatuze Local Municipality is possible because the environment is conducive to the entrenchment of public service ethics.

Respect for people should be instilled in school-based and office-based educators so that they can be able to produce quality work. Commitment and dedication become very easy if there is respect for people. If one respects people, one also respects oneself. Any person who is trustworthy could be respected by other people. Section 13 (e) of the Public Service Regulation, 2016, also articulates that, “an employee should immediately report to the relevant authorities’ fraud, corruption, nepotism and maladministration”. Some school-based and office-based educators were too scared to respond to questionnaires that were sent by the researcher. The researcher came to the conclusion that people are scared to report or to talk about ethical conduct. Further engagements with educators on the subject of unethical conduct may end up creating a new way of thinking with regard to corruption and other forms of unethical behaviour. Section 13 (f) of the Public Service Regulations, 2016 states that, “An employee shall refrain from favouring relatives and friends in work-related activities and he or she should not abuse authority or influence another employee, to abuse

authority”. Other school-based educators reported that teachers’ unions have a great influence when it comes to promotion posts in the uMhlathuze Local Municipality. It was clear to the researcher that the Public Service Regulations were not properly implemented in uMhlathuze Local Municipality. Section 13 (j) of the Public Service Regulations, 2016 requires that, “An employee shall deal fairly, professionally, equitably with all other employees or members of the public, irrespective of race, gender, ethnic or social origin or colour, sexual orientation, age, disability, political persuasion, conscience, belief, culture and language”. Challenges to the implementation of this section in the uMhlathuze Local Municipality served as an indication that there is a great need for entrenchment of ethical behaviour in the public schooling system.

According to the Occupational Health and Safety Amendment Act, no 181 of 1993, “safety policy employees extend to all employees, subcontractors and service providers”. Centre for Justice and Crime Prevention (CJCP), (8, 16/2019:1) conducted a National School Violence Study which involved 12,794 learners from primary and secondary schools, 264 school principals and 521 educators. “The study showed that 15 35 of children at primary and secondary schools had experienced some form of violence while at school, most commonly threats of violence, assaults and robbery”. The CJCP study further pointed out that the experiences of the learners were corroborated by Principals, more than four-fifths of whom had reported incidents of physical violence perpetrated by learners against fellow learners in their school in the preceding year. This is an indication that safety and security is a challenge in a number of public schools. It is no surprise that the Centre for Justice and Crime Prevention (CJCP) and the Department of Basic Education (DBE) introduced the National School Safety Framework (NSSF) in 2015. The Centre for Justice and Crime Prevention (CJCP), (2015:4) points out that, “National School Safety Framework (NSSF) was designed specifically to focus on levels of violence in schools”.

As usual, stakeholders have a responsibility to ensure that schools are safe and that there is no violent behaviour. Gillian Makota & Lezanne, (2016) point out that, “The National School Safety Framework (NSSF) is a framework for preventing violence in South African Schools”. It is encouraging to note that various initiatives have been introduced in South Africa in an attempt to ensure that schools become safer zones.

4.10. ENTRENCHING PUBLIC SERVICE ETHICS IN UMHLATHUZE LOCAL MUNICIPALITY

The Education Labour Relations Council (ELRC) met in 2003 and came out with resolution 8 of 2003, where it reached a consensus on the integration of the Developmental Appraisal System [DAS] (Resolution 1 of 2003), the Performance Measurement (Resolution 4 of 1998), the Performance Measurement system (Resolution 1 of 2003) and the Whole School Evaluation (WSE). Although IQMS has been in place since 2003, it appeared from this study indicated that, school-based educators still use corporal punishment in uMhlathuze Local Municipality. As a consequence, there is a great need for the development of educators which is part of Development Appraisal (DA). The entrenchment of public service ethics can be made part of the Integrated Quality Management System in uMhlathuze Local Municipality whereby the attention of school-based educators must constantly be brought to Section 10 of the South African Schools Act 84 of 1996. Section 10 (1) which states that no person may administer corporal punishment at a school to a learner. Section 10 (2) further states that any person who contravenes section (1) is guilty of an offence and is liable on conviction to a sentence which could be imposed for assault.

Public schools that produce good results but use corporal punishment should know that there is a dark cloud hanging over their heads. School-based educators that use corporal punishment should do away with this system. The public service code of conduct and ethics (2016) anticipates that, “the code of conduct would serve as a guide to employees”. In essence, the entrenchment of public ethics in public schools of uMhlathuze Local Municipality should be entrenched through practical examples. Michele Jones reported in Cape Times, 24 October 2012 that, “Ninety-nine cases of corporal punishment involving teachers in the Western Cape were reported to the South African Council of Educators in under a year. These cases were reported between April 2011 and March 2012”. The report further pointed out that, “525 cases of misconduct were reported country wide and they included Western Cape, KwaZulu-Natal and Gauteng, and these reports were presented in Parliament”. Thus, School-based educators should be cautioned about the dangers of using corporal punishment. However, it is discouraging to note that, the findings of this

study was conducted between 2017 and 2018, still show that there is corporal punishment in uMhlathuze Local Municipality.

School-based educators need to be referred to the practical consequences for using corporal punishment and other forms of misconduct. Jenny Evans, News24, 2015-04-29 reported that “Ten school teachers in Pretoria were struck off the registered teachers` roll mostly because of sexual offences against pupils” (the South African Council of Educators made that report). Losing one’s job has its own negative effects, especially in a country like South Africa that has a high level of unemployment. School-based and office-based educators need to consider these realities. News 24, 2015-04-29 also reported that “the South African Council of Educators received almost 700 complaints regarding violation of SACE`s code of ethics for the year 2014/2015”. This is an indication that unethical conduct is very high in public schools. The gross violation of the Codes of Public service needs to be addressed so as to implement goals of the NDP, 2030 in South Africa.

4.11. CHAPTER SUMMARY

This chapter has given an overview of the legislative landscape supporting ethical behaviour in public schools such as the South African Council for Educators in South Africa with its Professional Code of Ethics which is supposed to assist school-based and office-based educators to behave professionally. Other legislation such as the Constitution of the Republic of South Africa, Act 108 of 1996 and the South African Schools Act no 84 of 1996 were also used as references for the Professional Code of Ethics in schools. The critical goal, as articulated in Action Plan 2019 Towards the Realisation of Schooling 2030, was referred to in this chapter in the context of the policies and practices of the entrenchment of public service in the public schools of uMhlathuze Local Municipality. These values put an emphasis on ethical conduct. An extensive and intensive elaboration on the Professional Code of Ethics was also covered in this chapter. The Professional Code of Ethics should be respected by school-based and office-based educators. This study is about the entrenchment of public service ethics in public schools of uMhlathuze Local Municipality and it was seen by the researcher as a way of making a positive contribution towards fighting

corruption in public schools. The investigation and conviction¹³ of a former assistant coach of Park town Boys High School, Collan Rex, has sounded a strong warning to other school-based and office-based educators that unethical conduct will not be tolerated in South African public schools. The next chapter will therefore explore the situation in the uMhlathuze Local Municipality in terms of its adherence to public service ethics amongst school-based and office-based educators.

The main focus of this chapter was based on public service ethics, public policies such as the Professional Code of Ethics and Principles such as those that are prescribed in chapter 10 of the Constitution of the Republic of South Africa, Act 108 of 1996. School-based educators should be guided by the Professional Code of Ethics as laid down by SACE. The usage of corporal punishment is perceived as a violation of the Professional Code of Ethics. Professionalism should be practised by school-based and office-based educators. South African educators should consider the views of other international organisations such as the United Nations International Children`s Fund (UNICEF) and should promote good conduct in the public service with regard to children`s health and food provision. The National School Nutrition Programme (NSNP) should not be abused by school-based and office-based educators. It was indicated that democratic values and principles that govern public administration should always be considered by public servants. The fact that unethical conduct is viewed as a challenge in the uMhlathuze Local Municipality gives an indication that ethics management is a very important component in the public sector. Hearings in the Zondo Commission so far, have revealed that corruption has grown in South Africa since 1994. Although the Code of Conduct (COC) of public service exists in South Africa, it is evident that some departments have a challenge in the implementation of COC. Public Service values and principles for public administration should assist school-based and office-based educators to promote; honesty, integrity, leadership, selflessness, objectivity, openness and accountability. These seven principles of public life were identified by the Nolan committee (Chapman, 2000:230-231). The next chapter will focus on the reality of attempting to embed public service ethics in uMhlathuze Local Municipality.

¹³ Rex was found guilty of 144 counts sexual assault and 12 of common assault earlier in 2018 by the South Gauteng High Court, sitting in the Palm Ridge Magistrate`s Court. He was sentenced to 23 years in prison, News 24; 17:57 28/11/2018*Sesona Ngqakamba

CHAPTER FIVE

DATA PRESENTATION AND ANALYSIS

5.1. INTRODUCTION

The previous chapter discussed the principles, and policies that guided the practice of Public-School Ethics in South Africa. This chapter focuses on the presentation of data and the discussion of findings from the field. Respondents interviewed indicated that although measures of ethical standards for promoting professionalism do exist, they are however not communicated to school-based educators. This chapter focuses on data collected from school-based and office-based educators, learners, educators' unions, and school governing body members, regarding the implementation of the professional code of ethics.

5.2. THE VALUE OF PUBLIC SERVICE ETHICS IN THE PUBLIC-SCHOOL SYSTEM

5.2.1. Promotion of ethical standards

Questions that were given to school-based educators were related to ethical standards for promoting ethical conduct, policies and institutional measures for promoting ethical standards. Some questions statements were related to the Professional Code of Ethics, and other ethical measures for professional development. Seventy five percent of the respondents indicated that measures for promoting ethical standards were not presented to school-based educators. Section 32 (1) (a) of the Constitution of the Republic of South Africa Act no. 108 Of 1996 stipulates that everyone has a right of access to any information held by the state. It is evident that very little is done by office-based educators to promote professionalism in the public-school system of uMhlathuze local Municipality. Information sharing informs and develops people in a number of ways.

Any information that is collected and kept inside cabinets does not serve any good within an organization. The researcher has already highlighted media reports about unethical conduct within the uMhlathuze Local Municipality. One can make an inference that denying people access to information would lead to unethical behavior. Seventeen per cent of the respondents indicated that they were not sure

whether there were measures or not. One would expect employees to be knowledgeable about sensitive issues that affect them in an organisation. Professional matters must always be prioritized in an organization. Six per cent of the respondents pointed out that there are no measures in place to promote professionalism. School-based educators are professionals and should be informed about professional matters. The National Department of Basic Education introduced the Integrated Quality Management System (IQMS). Two per cent of the respondents indicated that the issue of measures to promote professionalism was still going to be decided by the Department.

The issue of effective policies and institutional measures for promoting professional development was highlighted in the second question. Sixty-seven per cent of the respondents indicated that measures were not effective at all. Performance management is critical in the 21st century, particularly in South Africa because this country is in the third decade of its democracy. Corruption is reported in all spheres of the government and in all sectors. The economy of the country has deteriorated badly and the lack of quality in the education system has been reported on numerous occasions. Strategies are required to address the issue of promoting professional development. Twenty-one per cent of the respondents pointed out that measures for promoting professional development were effective. Split comments demonstrated that there was no unanimous agreement about the effectiveness of measures for promoting professional development. One of the Batho Pele principles is consensus. Ten per cent of the respondents were not sure if policies and institutional measures for promoting professional development were effective or not. A well-informed school-based educator should know exactly what happens in the public-school system. A less informed school-based educator would find it very difficult to be effective and efficient in imparting knowledge to learners. Two per cent of the respondents pointed out that policies and measures were partly effective. The small portion of school-based educators uttered positive comments, but questions were raised in conferences if they were sincere with their responses or not.

The third question was about a link between institutional policy measures for promoting ethical behavior and conduct. Forty-one per cent of the respondents indicated that they were not sure whether there was a link or not. School-based educators do not seem to be in line with developments and changes that are taking

place in their own Department. This is a negative contribution towards effective teaching and learning, and a negative contribution towards the culture of teaching and learning within the public-school system. Thirty-seven per cent of the respondents indicated that there was a complete linkage in measures for promoting ethical conduct. However, this was perceived as a contradiction because sixty-seven per cent of school-based educators in question 2 confirmed that there were no policy measures to promote ethical conduct. Seemingly, some did not focus their attention on these two questions. Eleven per cent of the respondents pointed out that there was no linkage at all, whereas another eleven per cent indicated that this was going to be linked in future with the Department of Education. The national policies and principles that were discussed in the previous chapter apply to existing and organizational structures and processes that apply codes of ethics in different ways. Seventy per cent of the respondents indicated that they partly apply codes of ethics. Ethical behavior is supposed to be promoted by codes of professional ethics as laid down by SACE. Any organisation where codes of ethics are not fully applied will have loopholes when it comes to professional conduct. Professionalism is either ignored completely or deliberately violated and this has a negative bearing on quality service delivery. Thirteen per cent of the respondents indicated that there were no organizational structures to promote ethical conduct. The Post Provisioning Norm (PPN) is a national public policy which indicates the number of educators that are allocated to a public school according to the school's enrolment. All school-based educators are equally important. There is no small percentage that should not be considered for quality purposes. The views of thirteen per cent of school-based educators should not be ignored or overlooked, if the entrenchment of public service ethics is to be taken seriously in the uMhlatuze Local Municipality. Eight per cent of the respondents were not sure whether there were structures and processes that apply codes of ethics or not. Ten per cent of the school-based educators pointed out that they were still working towards the introduction of structures and processes to apply codes of ethics. This was a clear indication that the issue of structures and processes to apply codes of ethics was not given priority in the uMhlatuze Local Municipality.

Teachers Unions have a critical role to play in the public schooling system. They can also play an important role in entrenching ethical behavior in this system. It did not come as a surprise to note that, forty-nine per cent of the respondents agreed that Unions do talk about ethical behavior in their meetings. However, thirty-two per cent of the respondents' pointed out that Unions were still working towards realization of their roles. It was regrettable though, that there was no consensus on the issue of ethical conduct being discussed by Unions in their meetings. Fourteen per cent of the respondents indicated that they were not aware of the role that was played by unions. Five per cent of the respondents indicated that Unions had no role to play at all. The overall perception was that Unions do very little to address the issue of ethical behavior.

School-based educators need to be informed about the importance of promoting ethical standards. Quality education cannot be achieved in a situation where employees are unethical and fail to comply with ethical rules. Respondents indicated that information on ethical behaviour was always presented to them. The data generated from interviews revealed that school-based and office-based educators were aware of the Code of Professional Ethics however the information was not always accessible to them regarding the promotion of ethical standards. The district directors, circuit managers, principals, deputy principals, heads of departments, and the school governing body members should promote ethical standards.

5.2.2. Educators Employment Policy and Code of Professional Ethics

Section 7 (1) (a) of the Employment of Educators Act 76 of 1996, talks about appointments and filling of posts, and further stipulates that, "due regard shall be given to; equality, equity and the democratic values and principles which are contemplated in Section (195) of the Constitution of South Africa". The researcher elaborated on the democratic values and principles in the previous chapter. As has already been pointed out, there are two factors that are emphasized by section 7 (1) of this Act:

(a) "the ability of a candidate; and

(b) The need to redress the imbalances of the past in order to achieve broad representation".

It did not come as a surprise that seventy-eight per cent of the respondents agreed that the employment policy does include the Code of Professional Ethics. It was encouraging to note that school-based educators agreed that they were aware of the Professional Code of Ethics. Seventeen per cent of the respondents pointed out that they were not sure. Three per cent of the school-based educators indicated that, in their view the employment policy does not include the Professional Code of Ethics. Two per cent of the respondents indicated that there was no Professional Code of Ethics. There was no unanimous agreement on the inclusion or otherwise of a Professional Code of Ethics in the employment policy.

The Code of Profession Ethics as laid down by SACE is supposed to change the behavior and attitudes of school-based educators. Seventy-six per cent of the respondents agreed that they had a Code of Ethics. Twenty-one per cent of the respondents said that they were not sure. Three per cent of the respondents indicated that they did not have a Code of Conduct in their institutions. Although many respondents confirmed that they had Code of Conduct, it was clear that training and implementation of policies was perceived as a challenge in a number of public institutions. The South African Council for Educators has a Professional Code of Ethics which gives a clear indication with regard to the behavior of school-based and office-based educators. A Professional Code Ethics should be read to all school-based and office-based educators at least once or twice per week by the Principal, Deputy Principal or Head of the Departments.

Data collected indicated that some respondents were aware of stories of their colleagues who got expelled or dismissed because they were lacking professionalism. Stakeholders were said to be encouraging school-based educators to attend workshops and to share information at their institutions. Respondents indicated that school-based educators and public institutions are governed by the Employment of Educators` Act o76 of 1998, the South African Council of Educators Act 31 of 2000, the South African Schools Act 84 of 1996, Education Labor Relations Council and the Constitution of South Africa Act 108 of 1996. Public institutions are obliged to adhere to these legislations. Furthermore, some of the respondents indicated that Principals do convene meetings to address issues of professionalism, urging and directing school-based educators to take note of issues that were happening in public that might destroy them as custodians of this nation which

entrusted them with their children. Data generated indicated that Departmental officials used to send their representatives to public schools to unpack a code of ethics as prescribed by SACE. Data generated also indicated that SGBs and SMTs and the school management teams and the school governing bodies worked hand in glove to promote professionalism. However, there is a need to pay more attention to the issue of professionalism in the workplace so as to reduce cases of unethical conduct. In view of the findings about the code of ethics and employment policy I have learnt the following lessons from this study, that the code of ethics were known by all school-based and office-based educators but they were not implemented in public schools. School-based and office-based educators did not give themselves enough time to study code of ethics, and newly appointed educators knew nothing or very little about code of ethics. Therefore, it is not surprising that numerous cases on unethical conduct are reported to SACE yearly. It was also clear from this study that the employment policy does not include the code of ethics.

5.2.3. Code of conduct in public schools and responses from respondents

All public schools are expected to have a school policy, vision and mission statement. School policy gives guidelines to school-based educators. The school-policy should correlate with the district policy which resembles the provincial policy and mission statement which is binding on school-based and office-based educators. Each public school is also expected to have a code of conduct which is not totally different from the Code of Professional Ethics as laid down by South African Council for Educators (SACE).

Section 18 A (SASA) 84, 1996, prescribes that each school governing body should make sure it has a Code of Conduct. Section 18 A (1) of SASA stipulates that, "The Member of the Executive Council (MEC) must, by notice in the Provincial Gazette, determine a code of conduct of the school governing body of a public school after consultation with associations of governing bodies in that province, if applicable". Section A (2) further states that, "The code of conduct referred to in subsection (1) must aim at establishing a disciplined and purposeful school environment dedicated to the improvement and maintenance of equality governance structure at school". Hence, ninety per cent of the respondents agreed that they had a Code of Conduct

in their institutions. Two per cent, though, pointed out that they did not have a Code of Conduct. Eight per cent of the respondents indicated that they were not sure.

It was pleasing to note that from the data generated the majority of schools had a Code of Conduct. It shows that there is a foundation for the entrenchment of Public Service Ethics, and to talk about transparency and the importance of ensuring there is a Code of Conduct which is implemented and honored by all stakeholders. School-based educators are supposed to have their own Code of Conduct. This should include: dress code, signing of the time book, signing of leave forms when someone has been away from school for whatever reason, usage of corporal punishment and their attitude towards public service ethics and other rules and regulations, including democratic values and principles as contained in chapter ten of the Constitution of the Republic of South Africa, Act 108 of 1996. The Code of Conduct has a critical role to play in public schools. It sets a good tone in a school situation, and also allows teaching and learning to proceed in a conducive atmosphere.

A Code of Professional Ethics as laid down by SACE as the researcher elaborated in the previous chapter, gives school-based educators a guideline as to how they are expected to behave in a public-school system. However, forty per cent of the respondents pointed out that they had never read it, thirteen per cent of the respondents indicated that they read it twice within the last year; eleven per cent of the respondents read it once per month. Eight per cent of the respondents agreed that they read it once per month, and another eight per cent of the respondents only read it once a semester. Three per cent of the respondents agreed that they read it once per week. It was clear that the majority of the respondents indicated that they never read the Professional Code of Ethic as laid down by the South African Council for Educators (SACE). It was evident that many school-based educators do not give themselves time to study the Professional Code of ethics. Numerous cases that were reported by the media and other social networks, and through face-to-face interviews served as testimony that the entrenchment of ethical public service in the uMhlathuze Local Municipality is required as matter of urgency. Eliminating bad publicity affecting uMhlathuze Local Municipality must be prioritized by all stakeholders as also instilling a proper work ethos. The Code of Conduct for Public Servants in National and Provincial Departments (Chapter 2 of Public Service Regulations, 2001, as amended points out that an employee:

- 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;
- Co-operates with public institutions established under legislation and the Constitution in promoting the public interest;
- Does not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, color, sexual orientation, age, disability, religion political persuasion, conscience, belief culture or language;
- Does not abuse her or his position in the public service to promote or prejudice the interest of any political party or interest groups; and
- Respects and protects every person`s dignity and her or his rights as contained in the Constitution.

School-based and office-based educators, who have little or no time to read the Professional Code of Ethics as laid down by the South African Council for Educators, can find it very difficult to read Public Service Regulations, 2001, as amended. It is not surprising to note that the findings pointed out that there is corruption, nepotism and favoritism in uMhlathuze Local Municipality and the King Cetshwayo District as whole.

The National Government has produced a number of Acts, Policies and Regulations to ensure that service delivery is done in a proper manner. It was pleasing to note that ninety per cent of the respondents confirmed that there was a need to read the Professional Code of ethics. If a significantly large enough number of school-based educators felt that there was a need to read the Code of Ethics, then the KwaZulu-Natal Department of Education has a responsibility to appoint a monitor who will ensure that they promote the reading of the Professional Code of Ethics and also make some follow-ups to facilitate the implementation of public policies. Ten per cent of the respondents indicated that they did know whether a need existed or not. One can assume that the school-based educators who keep on using corporal punishment are likely to come from that group. Unfortunately, they add to the number who have been fired and put into prisons annually.

Unfortunately, some of these people are bread winners, and no one looks after their families when they have lost their jobs. They contribute to vulnerable children, crime

and many other social evils. Two per cent of the respondents felt that there was no need to read the Code of Ethics. One can conclude that those were confused school-based educators who needed retraining on professionalism.

Policies are supposed to be implemented by all public institutions. There is a great need for effective institutional measures to promote ethical conduct in public schools. Data collected from school-based educators indicated that, thirty-seven per cent of the respondents pointed out they were hundred per cent compliant. If so, how is it that there so many school-based educators who have either been fired or imprisoned for unethical behavior. Thirty-five per cent of the respondents pointed out that they were not sure. One can assume that those school-based educators were either lacking professionalism or were so negligent in their work that they did not appreciate that there were issues that were important and critical to the public-school system. Twenty-two per cent of the respondents indicated that they did not feel that they were effective at all. One can infer that those were serious and well-informed school-based educators. Cases of unethical conduct that were reported by the media and serious-minded people about the appalling state of unethical behavior in the uMhlathuze local Municipality confirmed that policy measures for promoting ethical conduct were not effective at all. Six per cent of the respondents claimed that there were no policies at all. These were objective school-based educators, who needed true transformation in the public-school system of the uMhlathuze local Municipality.

It was noted that forty-eight per cent of the respondents felt that the Department needs to take action to promote ethical standards. Seemingly, the majority of school-based educators were aware that the department had to take the initiatives to introduce effective measures. Twenty-seven per cent of the respondents indicated that they were not sure. A school-based educator must be able to take bold decisions to address many of the demands of the society. Seventeen per cent of the respondents pointed out that the Department was still trying to organize school-based and office-based educators so that that they would address many of the challenges that were related to the public-school system.

The fact that the majority of respondents seemed to agree that they knew about the Code of Professional Ethics created the perception in the researcher that these were positive comments that would make a positive impact on the public-school scenario.

Ten per cent of the respondents pointed out that, in their opinion no measures were being taken. This was a negative impact on measures to promote ethical standards. Data collected indicated that forty-six per cent of the respondents confirmed that the Education Sector needs to instill professionalism in school-based and office-based educators. Porcupile (2015), Bate & Harper (2007) unanimously agree that educators should have the following key points, namely; specialized knowledge, competence, honesty and integrity, respect, accountability, self-regulation and image. It is encouraging to see members of the organization with positive ideas about things that are supposed to be done by their organization. Twenty-five per cent of the respondents indicated that they were not sure. These were perceived as spoilers by the researcher, as they showed signs of lacking vision. Nineteen per cent of the respondents confessed that they had no time to implement policies. People who operate without applying policy guidelines can lose direction and end up doing reprehensible things. Ten per cent of the respondents confirmed that there was nothing in their schools. What was their source of reference if that was the case?

Data collected reflected that forty two per cent of the respondents agreed that school-based educators should give themselves more time to read the Professional Code of Ethics. This positive stance can change the current bad image of the teaching fraternity in the UMhlathuze Local Municipality. There was also a further indication that, twenty-one per cent of the respondents wanted to leave it to the educator Unions to address the situation. This could be a positive move towards the greater involvement of educator Unions. Seventeen per cent of the Unions pointed out that they felt that they should instill professionalism in school-based and office-based educators. This was viewed as a good move as it would give a boost to the teaching profession and be a spur to nation building. Thirteen per cent of respondents indicated that the emphasis was supposed to be placed on implementation. Many policies that look good on paper are not necessarily implemented at all times.

Data collected indicated that thirty-five per cent of the respondents agreed that educators` Unions put emphasis on professionalism. That sounded very positive to retrain and educate school-based and office-based educators. Thirty per cent of the respondents felt that teacher Unions focus their attention on the political aspect of teaching. Political interference in education matters seems to confuse other school-

based educators who end up losing their direction and disregard their core function, which is to teach and develop children. Twenty-two per cent of the respondents pointed out that it was hard to express a personal opinion. It seems that Unions were even confusing their own members. Thirteen per cent of the respondents indicated that focus is on other educational matters. It was encouraging to note that many school-based educators had a strong belief that the emphasis should be on professionalism. However, many school-based educators felt that Unions focused their attention on political matters. School-based educators are not politicians, but they are professionals. It goes without saying that Unions are representing school-based educators and not politicians. Thirty-five per cent of the respondents agreed that there is an ethical document that is signed, whereas thirty-three per cent of the respondents denied that there is a document that is signed by the newly appointed educators, and thirty-two per cent of the respondents were not sure. The division of opinion that the researcher observed in the data analysis confirmed the fact that the existence of an ethical document in the uMhlathuze Local Municipality, still remains in doubt. This has to be addressed without fail, to promote good ethical behavior at an early stage of any new position. Forty-one per cent of the respondents agreed that an ethical code is signed, whereas twenty-five per cent of the respondents denied this and thirty-three per cent were not sure. There is a need to make an immediate and urgent intervention to address the issue of the signing of an ethical document by Heads of Department. Forty-one per cent of the respondents agreed that it was signed, while nineteen per cent of the respondents denied this and forty per cent of the respondents were not sure. The Batho Pele (People First) Principles were introduced in 1997 to address the issue quality service delivery. Some Batho Pele principles include transparency and access to information. Fifty-nine per cent of the respondents confirmed that no ethics documents are signed when Principals were appointed in new positions. There is therefore a great need to make an urgent intervention. Forty-three per cent of the respondents agreed, whereas twenty-four per cent of the respondents denied this, and thirty-three per cent of the respondents were not sure. There was clear indication that interventions have to be implemented as soon as possible. Twenty-nine per cent of the respondents agreed that documents on ethics were signed and thirty-three per cent denied this, while thirty-eight per cent of the respondents were not sure. Gaps that were identified need to be addressed as soon as possible. Some respondents agreed that departmental

officials, school management teams and other stakeholders did assist them in their development and drew their attention to their core functions. They gave them hope and relevant resources that would assist in promoting ethics and professionalism in public institutions.

Respondents also indicated that, normally, there were no clashes encountered, but there were clashes when they were dealing with issues for which they had deadlines, and meetings on professional development that were always disrupted in public schools. There were instances where school-based educators honoured their periods, team teaching and other professional obligations. School-based educators were said to be assisting learners to behave in an ethical manner. Some school-based educators also indicated that Unions did talk about a Professional Code of Ethics in meetings and workshops. Some school-based educators indicated that they worked hand-in-hand with office-based educators to ensure that policies and institutional measures were adhered to. Some school-based educators indicated that there were disciplinary measures taken in cases where ethical behaviour or policy was violated by their colleagues.

There was a consensus that issues of a Professional Code of Ethics were highlighted in meetings, workshops and in seminars. School-based educators indicated that departmental officials did send their representative to public schools to unpack a code of ethics prescribed by the South African Council for Educators (SACE), and School Management Teams (SMTs) and the School Governing Body (SGB) worked hand-in-glove with them to hold meetings with school-based educators to promote professionalism. There was an agreement though, from school-based educators that policies derived from SACE documents. It was also indicated that there were school policies, circulars and agendas with topics that dealt with professionalism. It was also confirmed by school-based educators that their Unions had meetings concerning development. One respondent attested to the fact that his Union, the National African Teachers Union, promoted the Professional Code of Ethics all the time when they had meetings, even in their branch meetings. Respondents indicated that all stakeholders promoted professionalism at the beginning of each year. Respondents also confirmed that they were given all the support that they needed in particular situations. The issue of corporal punishment

was highlighted in other schools as a way of making educators aware that it was not supposed to be used in public schools.

Data collected indicated that there was not enough evidence that demonstrated that policies and measures were working effectively and efficiently. There were those respondents who indicated clearly that all initiatives that were made by Unions were not effective. Data collected reflected that there was no ethical document signed in the uMhlathuze Local Municipality, but the newly appointed school-based educators were referred to and briefed about Codes of Ethics available in schools. It was also said that school-based educators were referred from time-to-time to the Professional Code of Ethics. Respondents also agreed that each educator had a Policy Handbook which came from the Department of Basic Education. Data collected revealed that SGBs and SMTs were trained by the Department of Education to develop others. Data collected also revealed that there was corruption in the public-school system although there were regular meetings on policies. It was encouraging to note that their school-based educators who knew that there were policy documents on ethics which served as a guideline to educators informing them of what was expected from them from an ethical point of view. Some respondents indicated that staff development programmes did include professionalism as laid down by SACE. Respondents confirmed that stakeholders were involved in promoting professionalism through various developments in public schools.

Data collected also revealed that there were school-based educators who came out clearly and said that nothing was done by all stakeholders together to promote professionalism in the public-school system. They further argued that little attention was paid on promoting ethical conduct in the public-school system. There was no evidence of policy documents that were related to ethics. Some respondents further argued that little was ever said about professional code of ethics and Unions only focused their attention on matters brought to their attention. Data also reflected that there were school-based educators who felt that there were policies that targeted school-based educators only.

Research findings demonstrated that there were many challenges surrounding the implementation of public service ethics in uMhlathuze Local Municipality. Seventy-five per cent of the respondents indicated that, although there are measures in place,

they were not explained to school-based educators. It is clear that school-based educators have a challenge regarding access to information. It is a futile exercise to make a host of policies but to make insufficient effort to ensure that they are understood by the people involved and are properly implemented in the work place. Very few workshops were conducted on the code of ethics. If measures for ethical adherence were not explained to respond as they indicated in this study, it was therefore clear that there was gap in the promotion of ethical behaviour in the uMhlathuze local Municipality.

Sixty-seven percent of the respondents indicated that measures were not effective at all. It is clear that many school-based educators know very little about professional development. The issue of professional development is the main component for quality education to take place. Seventy per cent of the participants indicated that they partly applied the Professional Code of Ethics. Cases of unethical conduct will always be encountered in uMhlathuze Local Municipality if the majority of school-based educators do not operate according to the prescripts of the Professional Code of Ethics as laid down by the South African Council for Educators.

Unions have an important role to play in conveying an understanding of and entrenching ethical behaviour and fifty-one per cent of the participants did not seem to understand the role of an educator in the inculcation of public service ethics. Data collected indicated that educator Unions increased tensions in public schools by recommending their favourites or friends for promotion posts. School-based educators need a relaxed atmosphere where they can be told about public service ethics without putting pressure on them. Unions were said to be spending more time on political issues and less time on professional matters.

There are structures and processes that should exist to apply the Professional Code of Ethics, but fifty-six per cent of the respondents had a feeling that the Education Sector is not doing enough to deal with unethical behaviour in public schools. Therefore, it is not surprising that there are numerous reports about unethical behaviour in uMhlathuze Local Municipality. This study could assist the Education Sector to instil professionalism amongst school-based educators.

The implementation of policies and measures in striving to promote ethical conduct should not clash with contact times for effective teaching and learning in the public

schooling system. The majority of respondents had a feeling that policies were only formulated to victimise school-based educators and that Union meetings often clashed with teaching and learning implementation, as they needed more time in meetings or workshops. They pointed out that policies, rules and procedures were violated in awarding promotion posts, because even school governing bodies were said to be carrying out the agendas of the Unions. Side-lining competent people have caused instability in a number of public schools; as a result, there is no harmony, teamwork, cohesion and solidarity amongst school-based educators. The district director and circuit managers have a responsibility to ensure that policies, procedures and rules are not violated. The researcher has learned that that are many loose nuts to tighten in the uMhlathuze Local Municipality to ensure that competent people are employed in senior positions, and there are no job reservations.

5.3. REDUCTION OF UNETHICAL BEHAVIOUR IN THE PUBLIC SCHOOLS

The entrenchment of Public Service ethics in the public-school system of uMhlathuze Local Municipality is perceived by the researcher as a remedy to this unethical conduct that was highlighted by the respondents. Stakeholders should fully understand the concept of trustworthiness. It is always important to maintain the public trust if you work in the public service. The researcher decided to use qualitative research in this study. In qualitative research the faith, assurance and trust one can have in a study including its findings is referred to as trustworthiness (Petty, et al., 2012). Trustworthiness comprises credibility, transferability, dependability and conformability (Wellington, 2000).

Respondents unanimously agreed that they had representative councils for learners (RCLs) in their schools and they also raised a common concern that substance and drug abuse was still a challenge in their schools. It was also pleasing to note that all respondents indicated that they had Representative Councils for Learners (RCL). Section 11 (1) of SASA stipulates that, "A Representative Council of Learners at the school must be established at every public-school enrolling learner in the eighth grade or higher, and such council is the only recognised and representative learner body at the school". Substance abuse and drug abuse are perceived as serious challenges in teaching and learning situation. This may lead to immoral behaviour if

it is not firmly addressed in schools. More than fifty-two per cent of the respondents pointed out that late-coming was a serious challenge in their schools. Lack of passion for learning was cited as the main cause for late-coming. Some schools have resorted to bad tactics of locking late learners outside the school grounds in the mornings. Some late-comers indulge in drugs, criminal activities, unprotected sexual relations that escalate teenage pregnancy and HIV/AIDS infections. School Governing Bodies (SGBs) need to ensure that teaching and learning is not interrupted in public schools and should assist school-based educators and learners to behave in a proper manner. Section 20 of SASA talks about functions of governing bodies and Section 20 (1) (d) of SASA specifically stipulates that the "School Governing Body (SGB) must adopt a code conduct for learners". SGB members that were interviewed also saw the positive side of the situation. They stated that learners were, for the most part, disciplined, punctual and that their performance was good. They also indicated that they were aware of the Code of Professional Ethics. Their views can be used as building-blocks for the entrenchment of Public SGB needed more freedom to express their views on the Code of Professional ethics. Urban, semi-urban and township schools are better positioned to entrench public service ethics as they operate with middle class parents who are educated, and know their rights and responsibilities as parents. Rural schools have school governing who are either illiterate or semi-illiterate the entrenchment of public service can definitely be a challenge under such conditions. Service Ethics in the public-school system of the uMhlathuze Local Municipality.

Respondents pointed out that SGBs fail at times to play their role when making recommendations for appointments in promotion posts. They seemed to be overpowered by educator Unions. Their inability to take their position as a legal structure will always create problems. Section 16 (1) SASA (Act No 84 of 1996), the governance of every public school is vested in its governing body and it may perform only such functions and obligations and exercise only such rights as prescribed by the Act. Section 16 (2) stipulates that a governing body stands in a position of trust towards the school. Participants suggested in findings that school governing bodies only push agendas for educator Unions. This implies that they do not behave in a trustworthy manner and take decisive actions to make proper recommendations.

Three Unions were given questionnaires, namely the South African Democratic Teachers Union (SADTU), the National African Teachers Union (NATU) and the Suide Afrikaanse Onderwys Unie (SAOU). Union members agreed that there were measures in place for promoting ethical behaviour, but these were not always presented to Unions. There was a consensus amongst other members though that policy measures for promoting ethical conduct were one hundred per cent effective but some respondents were not sure if there was a linkage between policy measures and institutional measures. However, respondents also agreed that there were institutional policy measures and institutional structures that applied the codes of ethics. Responses from Unions seemed to indicate that Unions were still working on an understanding of their roles in implementing the Code of Ethics. There was an agreement that the employment policy does include the Professional Code of Ethics. Unions confirmed that they talk more than once per month about the Code of Ethics. Respondents indicated that workshops on professional ethics were conducted more than once per annum.

Unions also agreed that they had cases of unethical conduct in the UMhlatuze Local Municipality. Some of these cases were mentioned in the previous chapter. Unions confirmed that issues of unethical conduct were taken seriously in the UMhlatuze Local Municipality. Unions confirmed that there was a challenge in the effectiveness of policies and in the promoting of ethical conduct. Measures for promoting ethical standards that were prescribed by the Department are usually considered by school-based educators. Unions confirmed that there were no measures to promote the Professional Code of Ethics and Unions were still working towards such initiatives. Unions did not seem to be fully involved in promoting ethical standards. They did, however, agree that there were documents regarding ethics from the circuit and from the district office. Data collected from Unions established that there was a lot of corruption that was happening in the uMhlatuze Local Municipality and in the whole of King Cetshwayo District Municipality. Union members also confirmed that there were structures which monitored the progress in terms of IQMS. They also pointed out that nothing was being done effectively to deal with issues of promoting professionalism in the public-school system. They also agreed that there were clashes in the implementation of policies and measures to promote ethical conduct. They said that this was happening due to the

inconsistencies that existed between the Department of Education and public schools. Respondents suggested in the findings that Unions focused their attention on political aspects of education rather than on professionalism. Conflict of interest was unavoidable amongst school-based and office-based educators. Unions seemed to weaken the education system if they imposed their agendas on school governing bodies when there are promotion posts, as reported by participants in this study.

Data generated also showed that Unions hold workshops to promote political agendas and hold developmental workshops when promotions were about to be announced. It was said that Unions were too political and that education issues were rarely discussed by Unions. Respondents indicated that cultural issues also affected the school Code of Ethics especially on the issue of hair some religions believe that hair should not be cut for example Shembe religion. Respondents had a feeling that parents were not fully involved in the education of their children at times. This was caused by the fact that they were often not living as family units. Some indicated that workshops and symposiums were organised to promote the Professional Code of Ethics and that there was networking on this with other departments. Data collected also revealed that there were problems with implementation of public service ethics. In addition, it was argued that some policies from the Department of Basic Education were not future-oriented in terms of shaping, moulding and guiding learners for the future. Data also revealed that there was poor co-ordination in terms of alignment of policies with the technical capacity of the Department. However, very positive comments came from some respondents who argued that their Principals convene meetings from time to time to address issues of professionalism and alert them to issues happening in the uMhlathuze Local Municipality that might destroy their image as custodians of the nation which entrusted them with their children. The researcher has noted that although principals do convene meetings to address issues of professionalism, but seventy five percent of the respondents indicated that although measures were in place, but were not presented to them. The researcher can make an inference that principals just talk about general professional issues in their meeting such as curricular issues which include; assessment issues, preparation, lesson planning, recording and classroom actions. They may also be discussing issues such dress codes, discipline and

sports, but put aside issues that promote the code of professional ethics as laid down by SACE.

Data also revealed that, although there were no clashes, there were some loopholes and shortfalls when it came to the enforcement of compliance or obedience amongst school-based educators. It was said that there were lots of 'loose nuts' because some educators were not receiving the acknowledgements that were due to them, for example, in achievement awards or in long service awards for quality education that acknowledged their hard work, sacrifice and commitment. Absenteeism was said to be minimal, but punctuality was said to be a serious challenge in some public schools.

Seemingly, Unions do tell school-based educators about the consequences of disobeying the Professional Code of Ethics. There was an acknowledgement from the Unions' side that there were clashes in policy implementation with statistics and Annual Teaching Plans (ATPs). Data also showed that there were school-based educators who were committed to quality service delivery. Morning and afternoon classes were regarded by Unions as a way of showing commitment and dedication amongst school-based educators. Data generated also indicated fairness was encouraged as a way of promoting fair labour practice. Some school-based educators alluded to the fact that trade Unions were mainly established to protect and promote the rights of workers in the workplace. Some school-based educators were bold enough to talk about unethical things that were happening in the uMhlathuze Local Municipality and in the King Cetshwayo District as whole. Some school Principals seemed to be scared to return questionnaires to the researcher and requested other questionnaires. Respondents raised the issue of fear in responding to the questionnaires, but the researcher managed to allay their fears.

Respondents amongst school-based educators indicated that office-based educators do nothing or very little to address the issue of the promotion of ethical behaviour. Participants further pointed out that office-based educators are full of corruption, fraud, nepotism and bribery. Some office-based educators who were participants in the study also confirmed that some of their colleagues are full of corruption, fraud and bribery.

There is need for workshops, seminars and meetings where public service ethics would be discussed with school-based educators. Principals should organise developmental meetings to promote ethical adherence discussed by school-based and office-based educators. Principals should invite departmental experts on policy issues to talk about public service ethics. Circuit Managers should engage school-based educators about the reduction of unethical behaviour. District directors should monitor and evaluate all activities that relate to the promotion of public service ethics and the reduction of unethical conduct.

5.4. PUBLIC SERVICE ETHICS AND LEARNERS PERFORMANCE

The unwillingness of some respondents to provide comments on public service ethics perhaps suggested that they were working in fear. It is always difficult to work with people who operate in fear because they cannot be used as whistle-blowers. A person who is not psychologically or mentally liberated would find it very difficult to report on another person. However, it must be pointed out that corruption is to be expected in a situation where ethical conduct is not taken seriously. This opens up a space for the corrupters to play their dirty games and this has a negative impact on quality service delivery and Unions exploit this situation to their advantage. It is clear that nothing is done effectively to maintain and promote ethical standards. The King Cetshwayo District, as the researcher has alluded to earlier, is one of the districts which delivered a poor performance in 2015.

Table 5.1. KZN District Report on National Senior Certificate Results for 2015

1. uMlazi	72,6	%
2. uMgungundlovu	68,0	%
3. Pinetown	64,6	%
4. Sisonke	62,7	%
5. uMkhanyakude	62,7	%
6. uThukela	61,1	%
7. UGu	60,3	%
8. Amajuba	58,8	%
9. King Cetshwayo District	54,6	%
10. Zululand	53,6	%
11. Ilembe	51,9	%
12. uMzinyathi	46,6	%

Source: Department of Basic Education School Performance Report, DBE Report, (2015:105).

The district collects information from local Municipalities such as uMhlathuze Local Municipality which inform the district report. A challenge was noted by the researcher amongst office-based educators. People who are supposed to stop unethical conduct in the local Municipality admitted that they did not know how ethical behavior could be entrenched within the public-school system. It was clear that Unions had to be informed about measures that could curb corruption and promote effectiveness and efficiency amongst school-based and office-based educators. It was also evident that transparency was a challenge in the uMhlathuze Local Municipality and the whole of the King Cetshwayo District Municipality. To conclude this of discussion, it must be pointed out that school-based, office-based educators and educators Unions provided very similar responses relating to their views on public service ethics and ethical conduct in the public schooling system of the uMhlathuze Local Municipality. The implementation of public service ethics was perceived as a challenge in the uMhlathuze Local Municipality. Seemingly, challenges identified in the previous chapter amongst school-based educators in the uMhlathuze Local Municipality, emanate from improper implementation of public service ethics.

5.5. ACTUALISING PUBLIC SERVICE ETHICS IN UMHLATHUZE LOCAL MUNICIPALITY

The Public Service Code of Conduct for 2016 is applicable to all public officials including those that are in the uMhlathuze public schools. For the purpose of the Code “public official” means a person employed by a public authority; in this research study it refers to school-based and office-based educators in the public-school system of the uMhlathuze Local Municipality. The provisions of this Code may also be applied to persons employed by private organisations performing public services, in this research study it includes people who are employed in the private sector who are making a significant contribution in the Local Economic Development (LED) of the uMhlathuze Local Municipality. Companies such as Richards Bay Minerals (RBM), Richards Bay Coal Terminal (RBCT), Richards Bay Harbour and those people employed by the uMhlathuze Local Municipality. The provisions of the Code also apply to publicly elected representatives, members of the government and holders of judicial office.

On the coming into effect of this Code, the public administration has a duty to inform public officials about its provisions. Circuit Managers, Subject Advisors, District Director, Education Specialists and Deputy Chief Education Specialists and the School Management Teams have a collective responsibility to inform school-based and office-based educators in the uMhlathuze Local Municipality and the King Cetshwayo District Municipality about this Code that shall form part of the provisions governing the employment of public officials from the moment they certify that they been informed about it.

Every public official has the duty to take all necessary action to comply with the provisions of this Code. The Head of the Department of Education needs to appoint someone who does whatever is possible to ensure that school-based and office-based educators are aware of the provisions of this Code. The purpose of this Code is to specify the standards of integrity and conduct to be observed by public officials, to help them meet those standards and to inform the public of the conduct it is entitled to expect from public officials. School Governing Bodies should be well-informed about the provisions of this Code so that they can make appropriate interventions during periods of crisis. The public official should carry out his or her

duties in accordance with the law, and with those lawful instructions and ethical standards which relate to his or her functions. For example, there should be no instances where school-based and office-based educators are involved in cases of sexual harassment, maladministration, applying corporal punishment, displaying favouritism, using political connections, nepotism, bribery and many other forms of corruption. It was reported in findings that many school-based and office-educators contravene the Code of Conduct in a number of ways. The usage of corporal punishment as it was reported by learners in this study was perceived by the researcher as a resistance to change. Bribery and favouritism were some of the corrupt actions that were identified by the respondents in this study, which must be rooted out in public schools as they increase corruption in the public service. The public official should act in a politically neutral manner and should not attempt to frustrate the lawful policies, decisions or actions of the public authorities. Political aspirations of public officers will always compromise the essence of quality education. The public official has a duty to serve loyally the rulings of the lawfully constituted national, provincial and local Municipalities. Allowing inappropriate conduct will always compromise loyalty. The public official is expected to be honest, impartial and efficient and to perform his or her duties to the best of his or her ability with skill, fairness and understanding, having regard only for the public interest and the relevant circumstances of the case. Public officials who become dishonest during interviews lower the morale of other employees.

Respondents also indicated that mediocre performance is tolerated at the expense of experts in particular fields or positions. Any appointment that is not based on merit will always be perceived as a resistance to change where quality service is compromised in the public sector. This will have a negative impact on quality education and learners or the public become victims under such circumstances. The public officials should be courteous, both in their relations with the citizens they serve, as well as in their relationship with superiors, colleagues and subordinates. If a person has been acting in a position and understands the culture of that institution and does not become a preferred candidate, this creates unnecessary tension in that institution. In the performance of their duties, public officials should not act arbitrarily to the detriment of any person, group or body and should have due regard for the rights, duties and proper interests of all others.

Respondents demonstrated their bitterness in scenarios where appointments were not always based on merit in the uMhlathuze Local Municipality. Side-lining an incumbent who has been acting in a position for a reasonable period, and who has done nothing wrong to warrant his/her removal is perceived as a way of tampering with the appointment procedure. In decision-making, the public official should act lawfully and should exercise his or her discretionary powers impartially, taking into account only relevant matters. The aspirations of learners, school governing bodies, school-based and office-based educators must be considered in all decision-making processes. The public official should not allow his or her private interests to conflict with his or her public position. It is his or her responsibility to avoid such conflicts of interest, whether real, potential or apparent, cannot prefer a candidate because they belong to the same Union, church, or social group at the expense of a genuine candidate who can take the organisation to the next level. Public officials should never take undue advantage of their position for their private interest. No one should be in a sexual relationship with another colleague due to his or her personal interest and no one should advance his or her business interest at the expense of a public institution. The public official has a duty always to conduct himself or herself in a way that the public's confidence and trust in the integrity, impartiality and effectiveness of the public service are preserved and enhanced. Any school-based or office-based educators who display unethical conduct will compromise public trust, integrity, impartiality and effectiveness of the public institution.

The public official is accountable to his or her immediate hierarchical superior unless otherwise prescribed by law. It is clear that people who are employed in senior positions should earn public trust, because it is very difficult to report to an incompetent person. Having due regard for the right of access to official information, the public official has a duty to treat appropriately, and with all necessary confidentiality, all information and documents acquired by him or her in the course of, or as a result of, his or her employment. No one must treat information to his or her advantage or to ill-treat or to punish others. The public official who believes that he or she is being required to act in a way which is unlawful, improper or unethical, which involves maladministration, or which is otherwise inconsistent with the Code of Ethics, should report the matter in accordance with the law. Some public officials work in fear; they are intimidated or threatened so that they do not report unethical

behaviour. These people end up underperforming because they are frustrated due to stress and depression. The public official should, in accordance with the law, report to the competent authorities if he or she becomes aware of breaches of this Code by other public officials.

It becomes very difficult though if all public officials are scared of addressing real issues that affect public employees, and this affects the performance of some school-based and office-based educators in the uMhlathuze Local Municipality. The public official should not seek access to information which is inappropriate for him or her to have. The public official should not make improper use of information which he or she may acquire in the course of, or arising from, his or her employment. However, it must be highlighted that democratic rights emphasise that the citizenry should have access to information. However, such information should not be used to exploit others, or to undermine democratic values. Equally the public official has a duty not to withhold official information that should properly be released and not to provide information which he or she knows or has reasonable grounds to believe is false or misleading. Any false or misleading information can serve as a threat to democracy and can have a negative impact on social transformation. In the exercise of his or her discretionary powers, the public official should ensure that, on the one hand, the staff, and on the other hand, the public property, facilities, services and financial resources with which he or she is entrusted are managed and used effectively, efficiently and economically. These should not be used for private purposes except when permission is lawfully given. All public schools are given their allocations for norms and standards to ensure that schools buy the Learner Teacher Support Material (LTSM) and other school needs. School-based educators in this research study revealed that there are public officials who use these funds for their personal purposes. The public official who has responsibilities for recruitment, promotion or posting should ensure that appropriate checks on the integrity of the candidate are carried out as lawfully required. Findings in this research study revealed that promotions are based on favouritism, bribery, nepotism, corruption and connections in the uMhlathuze Local Municipality.

Recommendations emphasised that promotions should be based on merit so as to make a positive impact on the Quality Learning and Teaching Campaign in the public-school system of the uMhlathuze Local Municipality. If the result of any such

check makes him or her uncertain as to how to proceed, he or she should seek appropriate advice. However, it must be pointed out that it becomes very difficult for any public official to make checks in a scenario where he or she has vested interests. The public official who supervises or manages other public officials should do so in accordance with the policies and purposes of the public authority for which he or she works. He or she should be answerable for acts or omissions by his or her staff which are not consistent with those policies and purposes if he or she has not taken reasonable steps required from a person in his or her position to prevent such acts or omission. No policy document will ever say that an individual should use their person interests or aspirations in the implementation of policies, for example, in national public policy on in the allocation of posts in public schools. If the Post Provisioning Norm-PPN indicates that a school needs 20 school-based educators, but the public school has 25 school-based educators, this means that 5 school-based educators need to be taken to another public school. There is a policy on LIFO (last in first out) which must be used to address such a situation, but the manager and the selection team need to consider the curriculum needs of the school. Removal of excess school-based educators should not be perceived as a punitive measure or as a way of eliminating those who are not in your good books.

The public official who supervises other public officials should take reasonable steps to prevent corruption by his or her staff in relation to his or her office. These steps may include emphasising and enforcing rules and regulations, providing appropriate education or training, being alert to signs of financial or other maladministration in his or her staff, and providing, through his or her personal conduct, an example of propriety and integrity. This research study revealed that there are supervisors who break rules. The reputation of the Department is severely affected if such things happen in the circuit or district. The public official should not take improper advantage of his or her public office to obtain the opportunity of employment outside the public service.

The public official should not allow the prospect of other employment to create for him or her actual, potential, or apparent conflict of interest. He or she should immediately disclose to his or her supervisor any concrete offer of employment that could create a conflict of interest. He or she should also disclose to his or her supervisor his or her acceptance of any offer of employment. In accordance with the

law, for an appropriate period of time, the former public official should not act for any person or body in respect of any matter which would result in a particular benefit to that person or body. Research findings indicated that educator Unions have the upper hand in the employment of school-based and office-based educators in the uMhlathuze Local Municipality.

A former public official should not use or disclose confidential information acquired by him or her as a public official unless lawfully authorised to do so. The public official should comply with any lawful rules that apply to him or her regarding the acceptance of appointments on leaving the public service. The public official should not give preferential treatment or privileged access to the public service facilities to former public officials. It is true that all community-based organisations (CBO) and nongovernmental organisations (NGO) or individuals should be given equal access to a public institution so as to promote good working relations. This Code is issued under the authority of the Minister or under the Head of the Public Service. The public official has a duty to conduct oneself in accordance with this Code and therefore to keep informed of its provisions and any amendments. He or she should seek advice from any appropriate source when he or she is unsure of how to proceed. Unfortunately, public officials who break rules or ignore rules and policies, do so deliberately. One needs to work on their mind-sets and their professionalism. Subject to Article 2, paragraph 2, the provisions of this Code of Ethics forms part of terms of employment of the public official. Breach of them may result in disciplinary action. This study revealed that many managers got away with breaches to the Code in the uMhlathuze Local Municipality and this affects cohesion and coordination in the public-school system. The public official who negotiates terms of employment should include in them a provision to the effect that this Code of Ethics is to be observed and forms part of such terms. The public official who supervises or manages other public officials has the responsibility to see that they observe this Code and to take or propose appropriate disciplinary action for breaches of it. The public administration will regularly review the provisions of this Code.

5.6. CORRUPTION WATCH PERSPECTIVE IN 2017 AND 2018

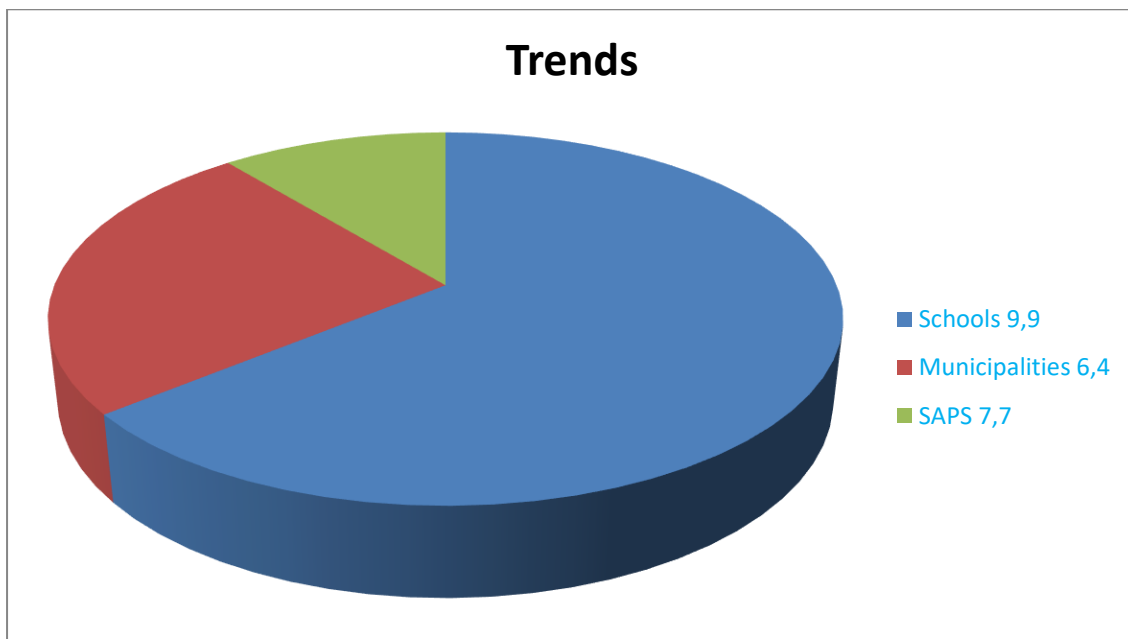
The entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality is crucial as South Africa is in the third decade of its democracy, and has been enjoying its democracy for twenty-five years. Democratic elections that have taken place in South Africa in 2019 mark the last phase of the third decade, but corruption is still perceived as a major threat to the economic growth of South Africa, and to the alleviation of poverty and challenges that affect the country such as the high level of youth unemployment and the provision of quality service delivery. Ethical behaviour is still perceived as a major challenge in a number of public institutions such as the Education Sector, Health, the South African Police Services and other sectors. The following comparison provides a clear picture in terms of the level of corruption in South Africa.

Table 5.2. Corruption Perception Index of 2017. Annual Report for 2017, Corruption Watch- 27-02-2017. This shows corruption in SA and unethical conduct in the public service where adherence to ethics is required.

Total reports	2744
First Quarter Report	1624
Second Quarter Report	1120
PROVINCES	
Gauteng	37,3%
KwaZulu-Natal	9,3%
Western Province	10,45%
MUNICIPALITIES	
Johannesburg	19,5%
Tshwane	9,3%
Cape Town	6,5%
Ekurhuleni	5,6%
TRENDS	

Corruption in schools	9,9%
Corruption in municipalities	6,4%
Corruption in South African Police Service	7,6%

Figure 5.1. Shows corruption trends in 2017: Source Corruption Watch Report, 2017, 27-02-2017



The Annual Corruption Watch Report of 2017 indicated that there was a high level of corruption in schools in South Africa (Corruption Watch Report, 2017). The Minister of Basic Education and all Members of the Executive Council in the Education sector should be worried when statistics show such a high level of corruption in schools. Quality Education cannot be achieved under such conditions. Therefore, the entrenchment of public service ethics should be supported by all stakeholders, so aspirations for Quality Education in South Africa can be achieved.

Table 5.3. Types of corruption. Source: Corruption Watch Report, 2017, 27-02-2017

Bribery	29,5%	
Procurement irregularities	12,7%	

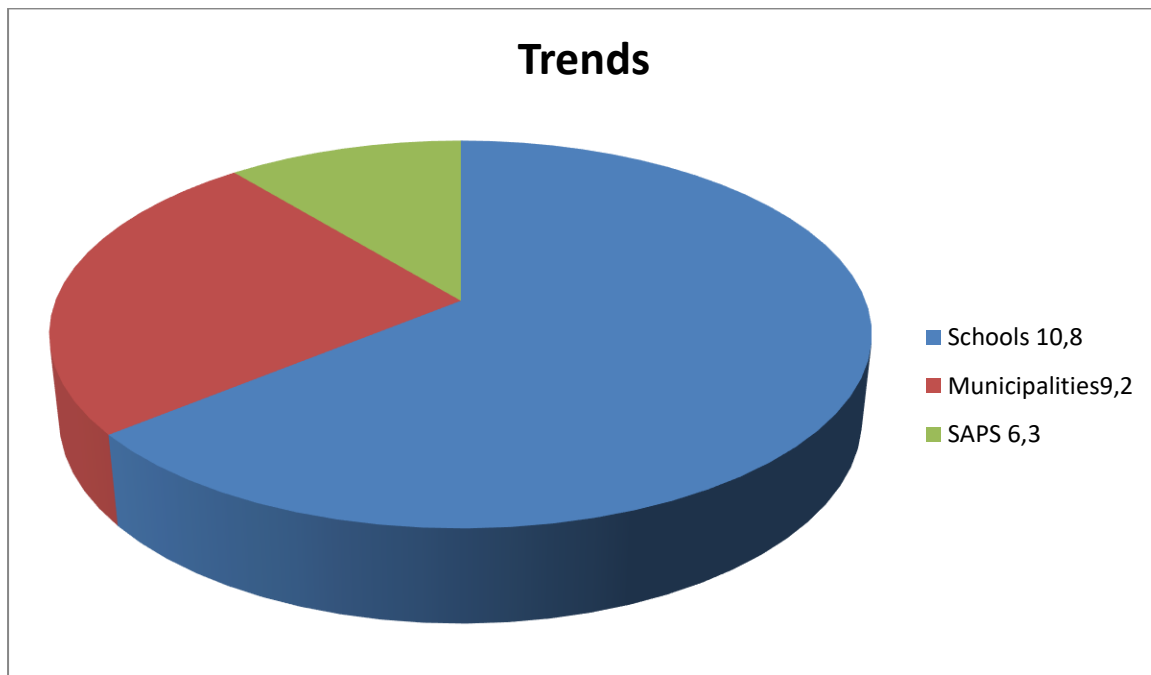
Embezzlement/Resource theft	14,4%	
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Trends in the CPI, Report (2017) indicates that the Education Sector has a serious challenge in terms corruption. Quality Education cannot be expected in a situation where there is high level of corruption. Bribery is perceived as the highest form of corruption in the public sector.

Table 5.4. Corruption Perception Index, 2018. Source: Corruption Watch- April 4, 2018

TOTAL CORRUPTION REPORTS	1362
First Quarter Reports	246
Second Quarter Reports	1116
PROVINCIAL REPORTS	
Gauteng	39,8%
KwaZulu-Natal	9,6%
Western Cape	6,5%
Eastern Cape	6,5%
CORRUPTION IN MUNICIPALITIES	
Johannesburg	20,1%
Tshwane	10,1%
Cape Town	6%
Ekurhuleni	6%
CORRUPTION TRENDS	
Corruption in schools	10,8%
Corruption in municipalities	9,2%
Corruption in South African Police Service	6,3%

Figure 5.2. Shows corruption trends in 2018. Source :(Corruption Watch Report, 08 August 2018)

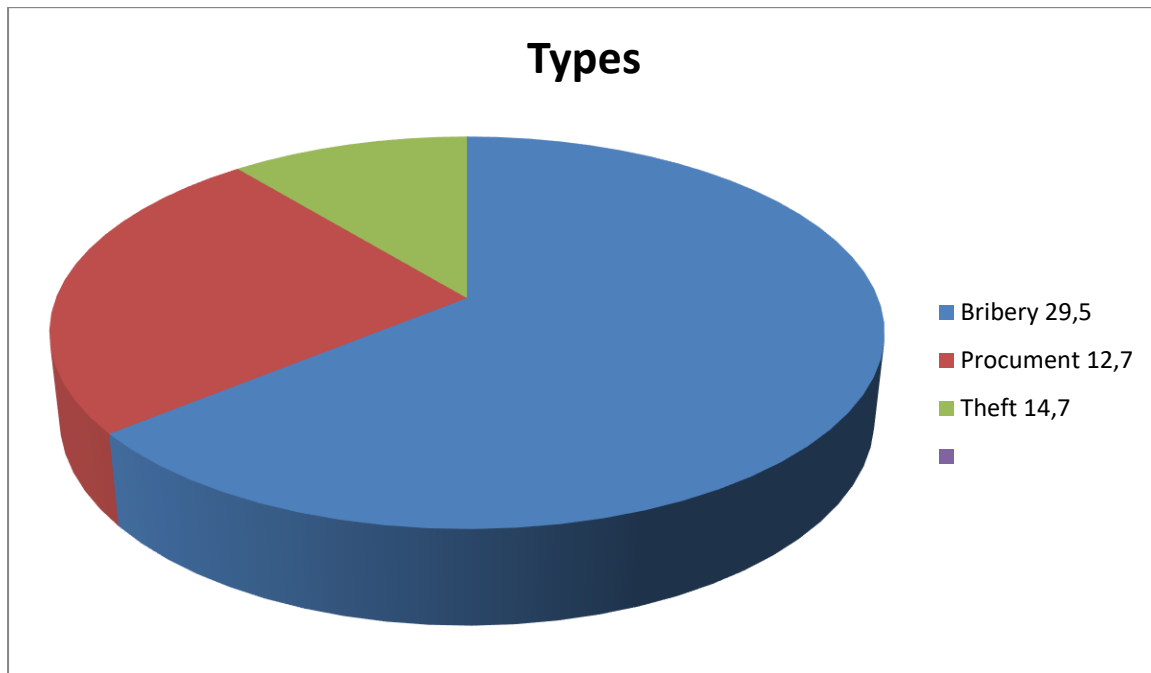


Corruption trends in 2018 show that corruption was very high in public schools. This research was conducted in 2018 and findings indicate that there are indeed very high corruption levels in public schools. Unethical behaviour was seen in various forms. The manifestation of corruption is common in uMhlathuze Local Municipality. The use of corporal punishment, nepotism, bribery, the use of ‘connections’, favouritism and misappropriation of funds were seen as forms of corruption in the public-school system. The above diagram also indicates that Municipalities come second when it comes to corruption.

Table 5.5 Types of Corruption. Annual Corruption Watch Report, 08 August 2018. Bribery dominated in public schools, followed by procurement and theft.

TYPES OF CORRUPTION	
Bribery	29,5%
Procurement irregularities	12,7%
Embezzlement/Resource theft	14,4%

Figure 5.3. Shows corruption types. (Annual Corruption Watch Report, 08 August 2018)



2018 Annual Report of Corruption Watch points out that, “Corruption Watch opened its doors on 26 January 2012, and to date it has received 23 000 reports of corruption. Many of these reports have formed the basis for further investigations for advocacy campaign and for litigation” (Corruption Watch Report, 2018:7). Figure 5,3 shows that bribery was very high in 2018. Findings in this research study indicated bribery is a major problem in public schools of uMhlathuze Local Municipality when it comes to post level one appointment and to senior posts, such as Principal posts, Deputy Principals and Heads of Department posts. Bribery is perceived as a threat to the Quality Learning and Teaching Campaign. Many school-based and office-based educators showed that they were against bribery and they want it to be rooted out in the public-school system of uMhlathuze Local Municipality. It should be easy to deal with a problem where there is a hundred per cent support from all stakeholders.

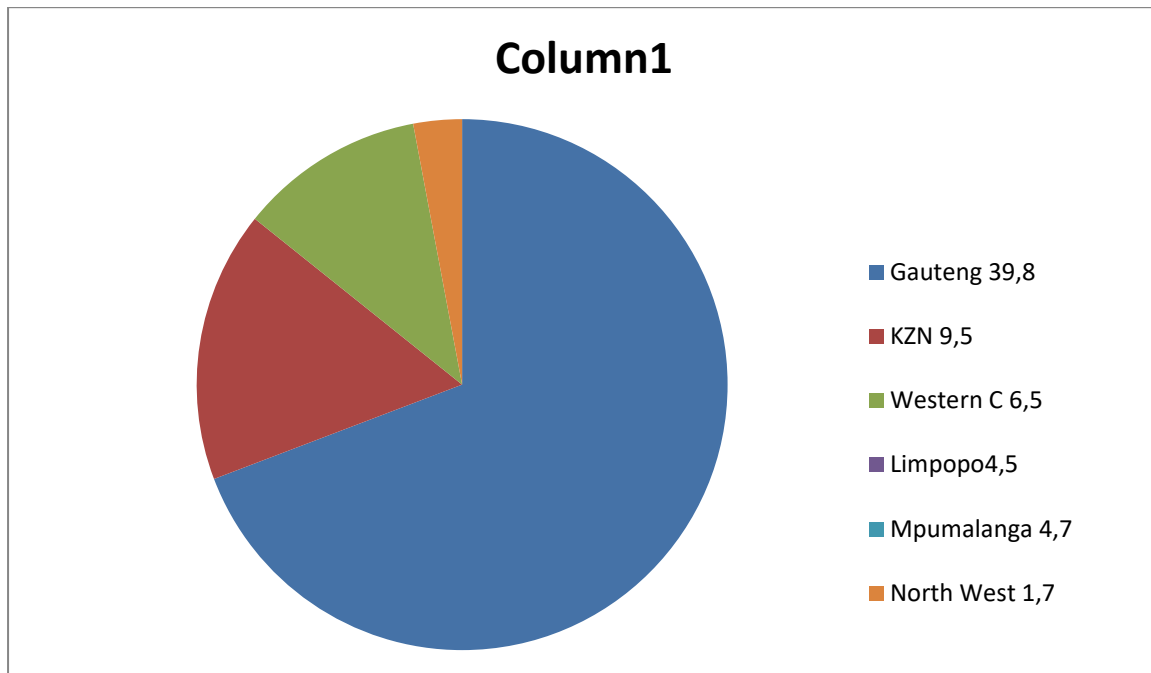
Table 5.6. Trending issues. Corruption Watch Report, 08,08. 2018.

TRENDING ISSUES	2017	2018
Corruption in schools	9,4	10,8%
Corruption in offices of Municipalities	6,4%	9,2%
Corruption in South African Police Service	7,6%	6,3%
Licensing Centres	2,8%	3,3%
State Owned Entities	2,2%	3,1%
Heath Sector	2,5%	2,7%

Table 5.7. Types of corruption: Source: Corruption Watch Report, 08 August 2018 also recorded Corruption according to Provinces in South Africa.

TYPES OF CORRUPTION	2017	2018
Bribery	29,5%	23%
Irregularities	12,7%	16,9%
Embezzlement	14,4%	11,3%

Figure 5.4: Shows Corruption Breakdown in 2018 according to Provinces in South Africa. Source: Corruption Watch Report, 08 August 2018



Corruption Watch Report (2018) indicated that Gauteng was the dominant province in terms of corruption and it was followed by KwaZulu-Natal. Corruption trends indicated that corruption was dominant in public schools for two consecutive years, 2017 and 2018. It was 9, 4% in 2017 and 10, 8% in 2018. Figure 5.1-5.7 clearly illustrate this high level of corruption in public schools. This research study was about the entrenchment of public service ethics in public schools: A case study of uMhlathuze Local Municipality. Findings indicated that unethical behaviour does take place in uMhlathuze Local Municipality. Corruption was seen as a wide-spread phenomenon in South Africa but it was considered a good idea to talk about the entrenchment of ethical behaviour in uMhlathuze Local Municipality as an example, so as to curb the escalation of corruption in the uMhlathuze Local Municipality and elsewhere. Table 5.1. 5.3. Illustrate corruption breakdown in South Africa as whole.

Martin, C. (2017:1) argues that, “moral and political decisions made by citizens with special kinds of influence and other coercive powers should be accountable to other citizens on the basis of good reason.” Senior departmental officials and unions who used their influences to choose their preferred candidates in senior positions should

be held accountable by parents. They need to present good reasons why they chose those candidates.

Gowthope, (2003:1) also argues that, “a range of ethical principals should be involved in business ethical decision-making.” This study was conducted in New Zealand by Gowthope in 2003. UMhlathuze Local Municipal senior managers and unions should consider should consider the democratic values and principles as laid in chapter 10 of the South Africa’s Constitution, Act No. 108of 1996, when they appoint people in senior positions. These principles should also be considered in presenting measures to school-based educators to promote public service ethics and ethical adherence.

Anti-Intimidation Ethical Practices Forum, (2018:1) argues in a survey that, “ethics is not prioritised in South Africa in both the private and public sectors; the country’s leaders are failing South African.” This study revealed that seventy five percent of the participants indicated that although there measures in place that promote public service ethics, but they are not presented to them. SMTs have a responsibility to presents the Codes of Professions ethics to school-based educators. District managers and circuit managers also have responsibility to present the Codes of Professional ethics to school-based educator. If they fail to do that, one would to concur with Anti-Intimidation Forum, (2018:1), that such leaders fail South Africans. Learners who do not prioritise ethics when they make appointments in senior positions also fail South Africans, because they may end appointing people who can make a positive impact in the education system of South Africa.

Serfontein, E. and de Waal, E. (2015:1) argue that, “that the influence of power over others is perceived as challenge by many writers,” Zaaman (2007) indicates that, “power influences the lives, actions and opinions of others, abusing authority in the sense that power holders violate concomitant responsibility (Malan, 2009), persuaded by rewards for own advantages (Webb, 2005), violates civil order and public interests.” Using nepotism, favouritism and corruption during interviews is using your power over other and it has a negative impact on service delivery, and destroys the morale of other employees and creates unnecessary tension in an organisation.

5.7. LEADERS AND PUBLIC SERVICE ETHICS

These future leaders must be moulded in such a way that they can play a crucial role in their family's lives and in their society. Responsible citizens are nurtured at an early stage. Unemployment, crime and low self-esteem can be addressed at school level. Learners must be encouraged to believe in themselves and to take proper decisions at an early stage. Public servants must always show allegiance to the public sector unit so as to gain the confidence of the public. School-based and office-based educators must know the value of doing their work with passion and compassion. A passion-driven school-based and office-based educator is an inspiration to the nation. Good public servants should always show humaneness and compassion for others inside and outside of the public sector unit so as to win their hearts and their trust. The atmosphere must always be conducive to enable the teacher to teach and for learning to take place.

5.8. CHAPTER SUMMARY

This chapter presented findings of this study. The findings revealed that school-based and office-based educators knew about public service ethics but they have problems in the implementation of public service ethics. The findings also revealed that Unions dominate all the proceedings during promotion interviews and end up recommending their own comrades who may be less competent, at the expense of other relevant candidates. It became evident to the researcher that appointments were not based on merit, but on favouritism and on having the right 'connection'. The researcher concluded that the integrity of interviews was always compromised when it came to the appointment of senior positions in the uMhlathuze Local Municipality. The fact that Unions always dominate interviews gave the researcher an indication that School Governing Body (SGB) members do not play their roles in public schools during interviews at school level. This is despite Section 20 (1) (i) stipulating that SGBs recommend to the Head of Department the appointment of educators at the school, subject to the Employment of Educators Act, 1998 (Act No. 76 of 1998), and the Labour Relations Act, 1995 (Act No. 66 of 1995). Findings also revealed that there are no whistle-blowers regarding corruption or unethical conduct that take place in the uMhlathuze Local Municipality. The findings also revealed that corporal punishment was perceived as a common factor in a number of public schools,

although school-based educators knew that it was forbidden in public schools. Learners indicated that drugs abuse and substance abuse were a challenge in their schools. In the light of what has been presented in this chapter, the next chapter will therefore verify if an embedded Code of Public Service Ethics at uMhlathuze Local Municipality is a myth or a reality. This chapter also included corruption trends in South Africa as revealed by Corruption Watch. It revealed that corruption in public schools is very high in South Africa.

CHAPTER SIX

ACHIEVING EMBEDDED PUBLIC SERVICE ETHICS IN THE UMHLATHUZE LOCAL MUNICIPALITY: MYTH OR REALITY?

6.1. INTRODUCTION

The previous chapter dealt with data presentation and analysis as collected from school-based educators; office-based educators; learners from grades eight to twelve; educators' Unions and school governing body members (SGB) from uMhlathuze Local Municipality. The findings revealed that most of the respondents were well aware of public service ethics and how the Code of Professional Ethics should guide the behaviour of school-based and office-based educators. However, school-based educators felt that very little or nothing is said by the School Management Teams (SMTs) about the Code of Professional Ethics. SMT members include school Principals, Deputy Principals, Heads of Department and senior educators. All respondents seemed to concur that there is a gap in the implementation of public service ethics. The areas of focus in this chapter were based on research findings and on verification or refutation of whether entrenchment of public service ethics in the public schooling system will be a reality or a myth in the uMhlathuze Local Municipality.

The researcher wants to demonstrate in this chapter that achieving an embedded Public Service Ethics Policy in uMhlathuze Local Municipality is not a myth but a reality. Positive responses that the researcher received from school-based and office-based educators show that there was cooperation and this can be used in the entrenchment of public service ethics in public schools. The researcher makes further reference to findings, and these findings can be integrated with activities that take place in public schools and that yield positive results in the entrenchment of public service ethics.

The school Principal is the first accounting officer in a public school. This means that he or she is accountable to the community and to the Department of Education for everything that takes place in his or her school. The position requires the Principal to lead, plan, organise control, direct, delegate, implement and evaluate the functional management and educational aspects of the school. The Principal leads in activities

that are related to effective teaching and learning in a school situation and should take the lead in the implementation of national, provincial and local policies. Any national policy that deals with the understanding and implementation of public service ethics should first be understood by the Principal and then communicated to staff members by way of promoting teamwork and the development of staff members. Findings in this study indicated that national policies on public service ethics are not conveyed by the Principal to the school-based educators. The Principal should always lead using various leadership styles, including a participative or democratic style where all subordinates or co-workers participate in the decision-making processes, an autocratic style where the Principal runs the institution all by himself or herself with the involvement of his colleagues, a laissez-faire style of leadership where workers do what they like, or a coercive style of leadership where the Principal applies force in some way. The participative style of leadership would seem to be the most appropriate style to promote ethics in public schools. Respondents pointed out that information on the promotion of public service ethics was not presented to them. This is an indication that Principals were not using a participative leadership style. The researcher has a strong belief that Principals should use a referent style of leadership where they use other Principals as references or experts whose advice and expertise they might have acquired from workshops, seminars and conferences. The Principal does not run the school alone, but should always work in together with the Deputy Principal who acts as Principal in the Principal's absence, and should also work with Heads of Department who communicate daily with other school-based educators in subject meetings. These people also have a crucial role to play in the Promotion of Public Service Ethics. Bush & West-Burnharm (1994:9) maintain that "the growth in the autonomy of schools and colleges has been paralleled by an increasing emphasis on the need to manage education". Public schools need to be managed properly by SMTs to ensure that they disseminate information on Public Service Ethics to school-based educators.

There should be good human relations at school between the Principal and the SMT, the learners, the public and the Departmental officials so as to achieve positive results in terms of ethical standards and learners' performance. Crises arise when there is tension amongst stakeholders, and crisis management is unavoidable in

such a situation. Learners performance is always affected, where there are conflicts and cliques, and it becomes difficult to institute teambuilding and to implement policies such as those that deal with public service ethics and professional development issues. Findings in this study indicated that policies on the Promotion of Ethical Standards are not communicated to all the stakeholders. That could contribute to instability amongst school-based and office-based educators.

Public servants are expected to render public service with integrity, honesty, and humility. It is an ideal thing to implant the concept of Public Service Ethics so as to revive the public trust. The entrenchment of integrity and transparency in the public schooling system is an integrated part of Public Service Ethics, because this endorses the importance of integrity, transparency, accountability and honesty. Shehu (2015:2) quotes the Mirriam-Webster dictionary definition of integrity as “firm adherence to a code of especially moral values which makes one incorruptible”. Shehu (2015:2) defines transparency as, “openness, clarity, lack of guile and attempts to hide information”. The purpose of achieving an embedded concept of Public Service Ethics in the public schooling system is about getting school-based and office-based educators to serve with integrity, honesty and transparency. The researcher alluded in previous chapter to one of the Batho Pele Principles as being that of transparency within the public service.

6.2. ETHICAL STANDARDS IN THE PUBLIC SERVICE

The issue of ethical standards in the public-school system should be given serious attention so as to achieve embedded Public Service Ethics in uMhlathuze Local Municipality. Ethical standards should not be separated from quality education in the public service. The issue of morality cannot be divorced from ethical standards. Tavani (2004:28) argues that, “morality can be defined as a system of rules for guiding human conduct, and principles for evaluating those rules”. The morality of school-based and office-based educators has to change so that public service ethics implementation can be achieved in the form of an embedded public service ethics ethos. According to Bernard Gert (1998) in Tavani (2004:29), morality is a “system whose purpose is to prevent harm and evils”. The issue of corporal punishment which is still used in a number of public schools in uMhlathuze Local Municipality was raised by the respondents in this study. School-based educators who use

corporal punishment in public schools' harm learners by causing physical pain, emotional instability, psychological challenges and moral degeneration, because some other learners can end up causing pain to others by bullying or victimising other learners. The usage of corporal punishment contributes to a number of drop outs, and some learners end up becoming aggressive, and may end up inflicting pain on others. Corporal punishment can destroy the positive self-esteem of learners. If a child has done some wrong the teacher can use other alternatives to corporal punishment such as: a verbal warning, a written warning and suspension or they can give learners duties to do under supervision after school, but make sure parents or guardians are involved in all decisions that are taken by the school regarding punishment to avoid other charges that can be made by parents. The issue of nepotism, favouritism, and corruption during appointments for promotion posts is an evil because it has a negative impact on quality learning and teaching in public schools. Misappropriation of funds allocated to the national school nutrition programme (NSNP) that was raised by the respondents in this study is an evil because that has a negative impact on service delivery. Achieving an embedded code of public service could be a reality because findings indicated that there are major positive factors in place. The majority of respondents are in favour of such a code and they should be utilised in achieving embedded public service ethics at uMhlathuze local municipality. Only a few responded negatively and that gives room for positive actions to change the bad image of the uMhlathuze Local Municipality.

SMT members should collaborate in the coordination of all school activities. The school policy should be coordinated with other policies such as the circuit policy, the district policy, and provincial and national policies. It is for this reason that each Department in each Province has a Head of Department (HoD) who should coordinate all activities that take place in public schools. KwaZulu-Natal has twelve districts, but all these districts are controlled by one HoD. Education Human Resources (2000) point out that, "SMT should become more familiar with the policy and legislative framework which guide them in their roles as leaders". Therefore, any policy link should be understood by SMT and should be presented to school-based educators. The SMT is the engine of the public school, and it should ensure that policies are properly implemented in public schools. The SMT should ensure that there is cohesion in and coordination of policies with school activities.

Disagreement on the implementation of policies amongst respondents gave the researcher an indication that educators are used for turning policy around in uMhlatuze and this bedevils the achievement of an embedded public service ethics policy. It should be easy to change attitudes of the people if you embark on educating them first about the importance of integrity in the public service.

As mentioned, several times, the three unions which participated in this study included the South African Democratic Teachers Union (SADTU), the National African Teachers Union (NATU) and Die Suid Afrikaanse Onderwys Unie (SAOU). Unions act as social partners in education. They protect the interest of school-based and office-based educators. As social partners therefore, they are supposed to assist in the promotion of ethics in schools. NATU has a pledge for teachers. There are many points in this pledge, but for the sake of this study, the researcher will quote one which says, that, as a teacher, “I promise to uphold the integrity of the teaching profession. This refers to the standards, or norms and principles that members of a person’s trade or profession hold. I realise that those I teach may put me on a pedestal, and emulate what I do”. This indicates that NATU as a Union is attempting to bind its members to the pursuit of ethical behaviour at all times. Data generated also reflected that 61 per cent of the respondents indicated that Unions do play their role in promoting ethical behaviour. Respondents further indicated that Unions communicate this to their members in their meetings, workshops and in conferences.

SADTU, NATU and SAOU as Unions have concepts that address professionalism and ethics in their policies and codes of conduct. “SADTU is the largest union for teachers in South Africa. It was founded on 6 October 1990, and has 254 000 members, and it is affiliated to the Congress of South African Trade Union (COSATU)”, (Mail & Guardian, September 16, 2019). SADTU’s Code of Conduct stipulates “minimum standards of teachers and is not an exhaustive list of such standards. Any member of SADTU, who is alleged to have violated the standards, or norms and principles of the Code, may be subjected to disciplinary action by the Union”. The findings in this study indicated that Unions destabilise monitoring and functionality in schools. SADTU members were depicted as the main culprits that contribute to instability in schools. SGB members are expected to submit the names of their recommended candidates to the HoD after the interviews for school-based promotion posts. Therefore, it is an irregularity if Union members put pressure on

SGBs to recommend their candidates. Functionality is always affected in cases where there is interference by Union representatives. It would be possible to achieve an embedded Policy of Public Service Ethics if the Union and SADTU in particular stick to their Code of Conduct and take decisive action to deal with those members who interfere with appointments in public schools.

SADTU states clearly in its Code of Conduct that “the teacher may not take advantage of his/her professional position to profit from the sale of goods or services to, or for, pupils in a teacher’s charge”. The findings of this study indicated that Unions were included in bribery and corruption cases these are contained in the analysis of Corruption Trends Report of 07 August 2018 as reported by Corruption Watch of 2019, that were reported in the uMhlathuze Local Municipality. Respondents indicated that there were office-based educators who demanded cash from them if they needed appointments to certain posts. Some office-based educators seemed to have succeeded with this bribery. The SADTU, Code of Conduct also stipulates that, “it is an abuse of a teacher’s position if she/he shows undue personal favour or disfavour towards a ‘pupil, and further points out that the teacher shall act responsibly in the discharge of professional, organisational and administrative duties”. This means that an educator should not give pupils access to examination question papers or give false progress reports to pupils because that is a violation of the professional code of ethics and of SADTU’s Code of Conduct. In fact, all three Unions that participated in this study unanimously agreed that professionalism should always be promoted in the teaching fraternity. Unions should be utilised in achieving an embedded Public Service Ethics Policy in the uMhlathuze local Municipality. However, it was a worrying factor that seventy-eight per cent of the respondents indicated that the employment policy, as it guides school-based and office-based educators in public schools, does not include the Code of Professional Ethics. Section 6 of the Employment Equity Act (EEA) stipulates that, “no person may unfairly discriminate, against an employee in any employment policy or practice”. Any person, who complies with section 5 of EEA is said to be someone who serves with integrity. Favouritism and nepotism that was raised by respondents in this study constitutes unfair discrimination. Denying a person appointment to a promotion post, simply because that person is not active in a Union, also constitutes unfair discrimination. Respondents indicated that a person is not recommended for

appointment to a senior position by other Unions if that person is not active in a Union. It is therefore clear that, such a Union is practising unfair discrimination. However, educators' Unions have a responsibility to communicate with senior departmental officials to include the Code of Professional Ethics in the employment policy. Unions can elaborate further during the orientation of the newly appointed educators or newly appointed SMT members to close the gap that was created in the employment policy. This can assist in achieving an embedded public service ethics policy. The findings confirmed though, that office-based educators used to visit schools to unpack the Code of Professional Ethics. These office-based educators can again be used to achieve an embedded Public Service Ethics Policy.

Rossouw et al., (2006:131) argue that, "the success of business clearly does not depend solely on financial performances but on socio-ethical and environmental performances". Therefore, achieving an embedded Public Service Ethics Policy in the uMhlathuze Local Municipality means creating a socio-ethical environment, where people are bold enough to talk about unethical issues in a socio-ethical environment. Magahy & Pyaman (2010: 57-59), argue that, "an integrity of an organisation consists of a whole range of elements. These elements are supported by a strong programme of internal controls, which includes a standard of conduct". If school-based and office-based educators would be prepared to abide by rules and regulations contained in the public Service Regulation of 2001, and the Constitution of the Republic of South Africa, Act no. 108 of 1996 it would be easy to achieve an embedded Public Service Ethics Policy. The purpose of Local Government Anti-Corruption Strategy (LGACS) is to create an incorruptible public service ethic within the public sector. Rossouw et al., (2006: 3-5) argue that, "If an individual believes that only him/her deserves equality or freedom, such action will not be good. Such behaviour will amount to "unethical behaviour". Research findings that were discussed listed a number of actions that constitute unethical conduct. These included: bribery, nepotism, the use of political connections and others. However, respondents further indicated that their schools do have school policies and codes of conduct for school-based educators and learners. It is therefore theoretically possible to achieve an embedded Public Service Ethics Policy.

Some respondents indicated that drugs and substance abuse were perceived as challenges in other schools, it was also pleasing to note that respondents agreed

that their schools had a Representative Council for Learners (RCLs). These legal structures can be used to instil acceptable conduct amongst learners and school-based educators. It is therefore a reality not a myth to achieve an embedded Public Service Ethics Policy. What is needed, however, is the willpower to turn things around in the uMhlathuze Local Municipality.

6.3. STRATEGIES TO REMOVE UNETHICAL BEHAVIOUR IN UMHLATHUZE LOCAL MUNICIPALITY

“The Education Sector also developed and adopted Action Plan 2019; Towards the Realisation of Schooling 2030”, as articulated by NDP 2011. (NSLA-Amended on 05/06/2015). Therefore, there is also a National Strategy that should aim at improving the behaviour of school-based and office-based educators.

The proposed National Strategy may address the issue of adherence to public service ethics in the public schooling system so as to reduce or eliminate corruption and cases of unethical behaviour within the public schooling system. “Professionalism and the conditions that enhance professional conduct must be rebuilt, and accountability for performance needs to be enhanced” (NDP, 2030:4). School-based and office-based educators need to acknowledge their specialised knowledge, and get rid of unethical behaviour so as to regain the public trust. They need to work in an environment that allows them to talk about ethical issues, and to add value to the quality of education in South Africa.

The Committee of Standards in Public Life (CSPL) in December 2015 reiterated the seven principles first set down by Lord Nolan, which comprise: honesty, integrity, accountability, leadership, openness, selflessness and objectivity. A school-based or office-based educator who is honest always distances himself or herself from bribery, fraud and corruption. Such individuals comply with the Code of Conduct for public servants and Unions. They see the AAE clauses as binding and always avoid deviations from the legislation. An ethical person is one with integrity, who is trustworthy, and who does not aim at self-enrichment using public funds. An ethical leader needs to be able to account for everything that takes place in his or her organisation or Department. For instance, if that person is a finance officer who handles public funds, he or she should always make sure that finance committees and awarding committees are in place to ensure that procurement processes are

properly conducted. If there is any job to be done in a public school, the awarding committee should make sure that it gets three quotations, and that it chooses a reasonable quotation. The findings indicated that there is a misappropriation of funds when it comes to the norms and standards for financial allocation in public schools that should be utilised for buying stationery, textbooks and for schools' repairs and maintenance. That money should not be used for buying other things such as school cars and other items. A leader should demonstrate ethical leadership and play an important role in the entrenchment of public service ethics in the public schools. An ethical person should always demonstrate openness in his/her leadership. All role players should be involved when remaking financial budgets and financial reports. Fruitless, irregular and wasteful expenditure should always be avoided and registered auditors should do the auditing at the end of each financial year. Some respondents indicated that they are not involved when financial matters are discussed in SGB meetings. SGB members should include: parents, educators, learners and non-teaching staff. All these members should be included when financial matters are discussed in schools. Excluding educators or learners during financial meeting is a violation of SASA rules. No leader should fight for self-enrichment in the use of public funds, because that is corruption, and should be eliminated at all costs. An ethical leader has a clear objective for the organisation.

These principles can play an important role in achieving an embedded Public Service Ethics Policy in the uMhlathuze Local Municipality. Ninety per cent of the respondents pointed out that there is a need to read the professional code of ethics and other national initiatives that have been mentioned as a way of making a positive contribution to the quality learning and teaching campaign in school. People who have a positive attitude towards reading can develop their reading skills better than those that are not positive towards reading. This willingness to read the Code of Professional Ethics could help in achieving an embedded Public Service Ethics Policy. All these strategies should be implemented in public schools to turn around the bad image that was painted by respondents in this study. Respondents also indicated that they did not have enough time to read Codes of Professional Ethics as laid down by SACE. These Codes were introduced in 2000 and this is known as Act 31 of 2000. It gives guidelines with regard to expected behaviour from school-based and office-based educators. Although, respondents alluded to the fact that

departmental officials do unpack these Codes of Professional Ethics to them, they had a feeling that it was not adequate. Continuous Professional Teacher Development (CPTD) was also introduced to develop educators. SMT members should embark on educator development at least once or twice per week to eliminate unnecessary cases of sexual harassment, sexual abuse, verbal, emotional and psychological abuse of learners and other colleagues. Some educators have already lost their jobs due to misconduct. Any case of misconduct against an educator will always damage the image of the teaching and public service as a whole. Teachers need to be reminded frequently that they should avoid sexual relations with learners, and other social evils that are spelled out clearly in the Codes of Professional Ethics. CPTD can also cause school-based educators to stop using corporal punishment and harassment of learners and colleagues. Educators should always remember that they are mentors and role models for learners.

In cases where respondents said that policies on the promotion of public service ethics were not presented to them by senior managers, meetings, workshops, seminars and conferences should be organised, where issues of unethical conduct would be discussed and reference made to the Code of Professional Ethics. Symposiums, circulars and memos should be issued where the attention of school-based and office-based educators should be drawn to categories of misconduct; serious misconduct as articulated in Section 17 (1) (a) of Employment of Educators Act (EEA) 76 of 1998. This includes; “theft, bribery, fraud or an act of corruption in regard to examinations or promotional reports”. These also include; “sexual assault on a learner, student or other employee; illegal possession of intoxicating, illegal or stupefying substances; seriously assaulting, with intention of causing grievous bodily harm and others”. The issue of substance abuse was also picked up by the researcher in the findings. School-based and office-based educators ought to know about cases of serious misconduct, and should be given a strong warning that they should stay away from various forms of misconduct. No effective teaching and learning can be expected in a situation where there are cases of serious misconduct.

Achieving an embedded Public Service Ethics Policy in uMhlathuze Local Municipal could be a reality if all stakeholders can speak with one voice and behave ethically in public institutions. It should also be easy to implement national initiatives such as the Integrated Quality Management System (IQMS) which assists school-based

educators to identify their areas of strength and weaknesses and areas where they would need to be developed. It is very difficult to work with someone who does not know his/her areas of strength and weakness. IQMS aims at improving the performance of school-based educators. It is unfortunate that school-based educators see IQMS as a way of promoting their friendship and biasness. Such people do not improve their performance. IQMS is a three-in-one intervention because it includes: developmental appraisal (DA), performance measurement (PM) and whole school evaluation. (WSE). PM enables an educator to qualify for salary progression whereas WSE makes an evaluation of the school as a whole.

The KwaZulu-Natal Department of Education (KZNDoE) used to attend all cases of unethical conduct. For example, the case of sexual abuse that was reported by the Zululand Observer (ZO), 16 August 2018, in one of the Richards Bay schools needed KZNDoE intervention. Therefore, KZNDoE has a responsibility to come up with strategies that can eliminate or reduce these cases of unethical conduct amongst school-based and office-based educators. These strategies should be introduced to districts, circuits and public schools. Workshops should be conducted at district level to indicate approaches that can be used to deal with cases of unethical conduct in the public schools. Training of school-based educators on issues of unethical conduct should be done on termly basis. It should be the responsibility of each circuit to ensure that school-based educators in that circuit receive training on avoidance of unethical behaviour. It is therefore the responsibility of each school manager to inform, train and facilitate training at school level. "It was reported that more than 300 cases of sexual abuse towards young girls in uMhlatuze, KZN, were logged with police. Some victims were as young as twelve. Many cases were withdrawn due to the lack of evidence" (Times Live, 6 March 2018). Findings in this study also reported that there were cases of unethical conduct at uMhlatuze Local Municipality. Strategies to end unethical behaviour amongst school-based and office-based educators should be regarded as an urgent necessity.

6.4. EVIDENCE OF LEADERSHIP COMMITMENT TO ETHICAL STANDARDS

Leaders need to demonstrate commitment and dedication to dealing with unethical conduct in the workplace. Public Statements and day-to-day behaviour that demonstrate visible commitment to ethical standards and taking responsibility should be encouraged. Any senior or middle manager who fails to convene meetings, workshops and symposiums to talk about unethical behaviour is perceived as someone who lacks commitment to service standards. The Principal should always bear in mind that he or she is the first accounting officer in a school. He or she should behave in an exemplary way at all times and speak against unethical conduct in the workplace. The Public Service Commission (PSC) issued a practical guide to ethical dilemmas in the workplace. The government and the community expect a high level of professionalism from public servants. "Professionalism here means: punctuality, dedication, skill and quality service" (PSC, 2002:50). In this way, school-based and office-based educators can strengthen the public trust. It is not a myth but a reality that an embedded public service ethics policy could be achieved in the public schooling system of uMhlathuze Local Municipality. Data generated indicate that school-based educators do come to schools on a regular basis and they seem to honour their teaching periods, it should therefore be possible to achieve an Embedded Public Service Ethics Policy if one works with responsible school-based educators. Cases of misconduct by using corporal punishment according to respondents can be easily eliminated by placing an emphasis on the dangers of using corporal punishment which is regarded as a criminal offence in South Africa. Other forms of discipline can be suggested to school-based educators. The involvement of all stakeholders is required in achieving an embedded Public Service Ethics Policy, as they responded in their findings that ethical conduct is critical in achieving quality education in realisation of 2030 NDP goals.

All public schools are expected to have annual planning for each year. The findings were that there were no structures in place to promote ethical conduct. A well-drafted annual plan should list: important school calendar dates of opening and closing, assessment plans (tests, examinations, moderations, marking, recording of marks and issuing of progress reports), SGB meetings, parents meetings educator meetings, developmental meetings where developments on Codes of Professional Ethics would be made, RCL meetings, school excursions, sporting activities and

other important activities that make a positive contribution to the school. Any public school that has no annual calendar lacks commitment to education. Annual Teaching Plans (ATP) should make a clear indication that teaching and learning takes place in this public school. There should be a composite time table, class time tables and personnel time tables should indicate a commitment on the side of school management. There should be clear plans showing how lesson plans are done and checked by the SMT. Work schedules should demonstrate clearly how syllabi are completed, and when revision or remedial work before examinations could begin. Annual planning should also demonstrate the exact time for the training of invigilators and chief invigilators so as to maintain the integrity of the examinations.

The NDP 2030 has twenty goals which are aimed at supporting education in South Africa. A committed leader would expose his staff members to these goals and look at them on a weekly basis. The school needs to measure its successes and failure against these major goals. School-based and office-based educators need to know that they need to toe the line with other employees in the public service with regard to NDP, 2030, because it is aimed at the development of all sectors in South Africa.

Respondents who represented the school governing body (SGB) members indicated that there were Codes of Professional Ethics although they were not sure how school-based educators implemented the Code of Conduct. Section 16 (2) of SASA stipulates that, “a governing body stands in a position of trust towards the school”. Respondents on the side of school-based educators indicated that SGB members had powers to recommend candidates to take senior posts in schools after interviews. One can question then why SGBs allow Unions to dominate proceedings during interviews. It becomes evident that some of these SGB members are illiterate, and those that are literate are so keen to retain their ‘good names’ or good working relations at the expense of candidates who come for interviews. Some respondents revealed that there were SGB members who were said to be involved in fraud and corruption cases and they tended to abandon their duties and they listened instead to the Unions. Confirmation came from school-based educators when this research study was conducted in the uMhlathuze Local Municipality. Section 18 A (3) articulates that, “all members of a governing body must adhere to the code of conduct”. The Code of Conduct for 2016 puts an emphasis on integrity and honesty. Part 4 (6) of the Public Service Code and ethics, 2016 talks about impartiality,

“employees are expected to do their work with impartiality”. Seemingly, Unions are not impartial when it comes to interviews because respondents amongst school-based educators indicated that they allow Unions to recommend their preferred candidates during interviews or allow gifts to be received from candidates before interviews. A committed leader would be an example to his or her staff members. The issue of time management is always critical in any organisation. Committed leaders should not talk about punctuality when they are always either a late-, or are well known for early departure or for absenteeism. Leaders must lead with integrity and colleagues should see them as people they can rely on, for their growth and development. A committed leader does not only talk about organisational goals and objectives, but initiates and pursues strategies that may assist in attainment of organisational goals and objectives. The entrenchment of public service ethics requires a leader to do things in an efficient way especially for quality education to be attained in public schools. They must always bear in mind that each situation requires a specific type of leadership skill and it could happen that two different public schools have two different school policies, even if they have some similarities, but they would be different, and a committed leader should be able to identify a suitable leadership style that may be applicable in their particular situation.

A committed leader would demonstrate that commitment by being effective in his or her leadership. The school is a centre of academic achievement, but should demonstrate good partnership with the community. The school should serve the community, and should therefore promote good relations with the community. Committed leadership will always participate in community projects and take the initiative to intervene, for example, in the issue of gender-based violence (GBV) prevailing in the community. It is a fact that GBV symptoms may be seen in schools. Learners, who come from a family where GVB is high, can victimise other learners at school in a number of ways. If there are mass demonstrations on GBV in the community, committed leaders would participate, after getting approval from the department officials. Committed leadership ensures that there are basic services so as to operate effectively. Water and sanitation are crucial in public schools. It is always unethical to keep learners in a school that has no toilets or water.

The researcher alluded earlier to the fact that IQMS aims at the development of school-based educators. Committed leaders should always ensure that there are

IQMS documents available in the school. There should be IQMS files that contain educators' profiles, self-evaluation forms and an evaluation form where an appraisal by his/her developmental support group (DSG) is filed. The professional growth plan (PGP) for each educator should also appear in the IQMS file. A committed leader should ensure that the PGP has areas of development including codes of professional ethics, and that an educator clearly indicates his or her strengths and weaknesses.

Committed leadership should always conduct an orientation programme for newly appointed educators. Findings indicated that there are cases where the employment policy does not include codes of conduct. Therefore, it is the responsibility of committed leadership to include the Code of Conduct in the orientation programme. Newly appointed educators should be informed about unethical conduct during orientation, and a committed leadership should also draw the attention of newly appointed educators to cases that constitute serious misconduct and their consequences.

Committed leadership would organise the staff into groups, teams and learning networks. Decision-making is always better if people operate as a team, and where there is an exchange of ideas with other schools. Achieving an embedded Public Service Ethics Policy may be easier if staff members operate as a team or a group. The findings also indicated that there is an issue of financial mismanagement. Committed leaders should ensure that there are structures in place for controlling funds. There should be fundraising committees and other committees that would ensure that funds are always handled with care and that would eliminate financial mismanagement. A committed leader should be able to manage diversity in the form of culture, gender, language, race, financial background or origin. It is unethical to discriminate in terms of culture and other origins. Curriculum and assessment policies should be in place to ensure that teaching and learning do not disadvantage learners in that public school. No success can be achieved by one individual. Support from all stakeholders so as to achieve an embedded Public Service Ethics Policy is required. The findings indicated that respondents were aware of areas where they were lacking in terms of the promotion of ethical conduct at uMhlathuze Local Municipality. The National Department of Basic Education depends on

provinces, districts and local government for the implementation of policies that are formulated at national level.

6.5. THE ROLE OF ETHICAL LEADERSHIP

Achieving an embedded Public Service Ethics Policy in the uMhlathuze Local Municipality requires ethical leaders. This ethical force is critical to the entrenchment of public service in public schools of uMhlathuze Local Municipality. In turn, the SACE needs to enforce ethical behaviour in all public schools in South Africa and uMhlathuze Local Municipality in particular. From this study it is now clear that Principals, Deputy Principals, Heads of Departments, and Circuit Managers have a critical role to play in achieving an embedded Public Service Ethics Policy. These managers must ensure that they become role models for other employees. It is, however, difficult to talk about ethical conduct as a leader, if that leader is unethical in his/her behaviour. For instance, the Public Administration Code of Conduct for 2016 points out the importance of respecting laws and regulations. As such, a leader must not only respect laws and regulations but should also respect other people. Findings in this study pointed out those school-based and office-based educators are involved in corrupt practices and other forms of unethical behaviour. This result is confirmed by the Corruption Watch Report of 13 March 2016, which emphasised the prevalence of favouritism, “where singled-out employees are appointed, promoted, transferred, or given generous treatment based on friendship or on returning a favour.” To be sure favouritism was identified by many respondents in uMhlathuze Local Municipality as a bad habit which continues to affect teaching and learning in public schools of uMhlathuze Local Municipality. Participants in this research study pointed out that there are school-based and office-based educators who receive preferential treatment either from Unions or from office-based educators. As a result, some school-based and office-based educators are said to be demoralised because of this unethical conduct. In order to address this, the Provincial Education Department (PED) must deal decisively with favouritism, because quality education cannot be achieved under such unethical conditions. Any person who has been serving in an acting position for more than six months should be recommended for a permanent appointment in that post, rather than appointing a new person in that position who may be coming from another public school or sector. This should restore stability in the uMhlathuze Local Municipality.

Ethical leadership can play an important role in achieving goals for improving schooling as presented in the National Development Plan (NDP) 2030. DBE data indicated that, “the education sector continues to experience problems attracting enough young and appropriately skilled people in relation to certain specialisation subjects such as Mathematics and African Languages” NDP, vision, (2030:32). An ethical leader should be able to identify areas where there are some gaps. It is true that many young unemployed graduates contribute to the high level of unemployment in South Africa. This is caused by the fact that unemployed graduates have major subjects that do not address the curriculum needs of the school system. The findings of this study revealed that the post provision norm (PPN) which determines the allocation of teaching posts per school is giving school Principals a number of challenges as they fail to allocate educators that can teach all learning areas effectively, especially in secondary schools. An ethical leader should be able to raise the PPN problem with the senior departmental officials. Action Plan (2019:33) indicates that, “a key policy governing teacher’s availability is the post provisioning policy, which in a narrow sense is the formula that determines how many educators posts a school receives, and it includes the incentive paid to teachers who teach in remote areas”. Findings revealed that not all teachers who teach in remote areas receive these incentives. An ethical leader should be able to draw the attention of the Department of Education to areas that need urgent attention. The findings also indicated that there are numerous public schools that have infrastructural challenges. Achieving an embedded Public Service Ethics Policy in public schools that have PPN challenges, infrastructure and shortages of skills in specialist subjects such as Mathematics, would be a constant struggle. Such a policy would become a myth. It becomes the responsibility of ethical leaders to be realistic in their leadership and to be willing to address problems where there are challenges. “The integrated quality management system (IQMS), gradually expanded and strengthened since its inception in 2003” (Action Plan, 2019:34). The findings indicated that IQMS implementation is currently very weak. Seemingly, it does not accomplish academic objectives that were intended in 2003. This could be attributed to a number of factors. The number of nationally employed IQMS monitors was reduced on 30 June 2017 due to financial constraints on DBE side (DBE report, 2017). The monitors who remained could not cover the whole of KZN to monitor IQMS implementation. Therefore, IQMS monitoring has become solely the

Principal's responsibility, and it is in this area that the role of ethical leadership is needed most, so that achieving an embedded Public Service Ethics Policy can become a reality in schools.

The NDP, 2030 goal number 16 talks about hours per year spent by teachers on professional development and it is also confirmed in Action Plan (2019:36). An ethical leader should always focus on teachers' development and professionalism. As mentioned above, respondents indicated that they do not get enough time to read about the codes of professional ethics as laid down by the South African Council of Educators (SACE) and the Code of Conduct for 2016 as presented by the Department of Public Service and Administration in South Africa (DPSA). The SACE and the DPSA are responsible for the behaviour of employees in the public service. Unethical public servants damage the image of the public sector. The role of ethical leadership is to ensure public servants are ethical at all times, and to know more about the Code of Conduct in the Public Sector. Achieving an embedded Public Service Ethics Policy can be a reality in the uMhlathuze Local Municipality if all leaders can accept their responsibilities and become true ethical leaders.

Respondents also raised the issue of educators' absenteeism in public schools for various reasons, namely sickness, attendance at workshops, meetings, study leave and many other reasons. These findings confirmed what was discovered by the School Monitoring in 2011. "The School Monitoring Survey of 2011 confirmed what earlier research had shown, that on an average day, around 85 of the educators are absent from schools, for a variety of reasons, both legitimate and illegitimate" (Action Plan 2019:37). An ethical leader has an important role to play in reducing or eliminating absenteeism in schools. Contact time is always affected if an educator is absent from his class for one period, and it becomes worse if he is absent for the whole day or week.

Achieving an embedded Public Service Ethics Policy in schools requires ethical leaders in schools who are able to address curriculum issues. The school curriculum plays an important role in a child's future and future career choices. Therefore, an ethical leader should know subjects that would make a positive contribution to a learner's life and address gaps if there is a need to do so as soon as possible. It's a pity that the pressure to obtain the hundred per cent pass rate or to achieve above

sixty per cent is putting so much weight on schools that public schools end up forgetting the future needs of learners. The findings indicated that public schools opt for passable subjects, and learners struggle in tertiary institutions when they are expected to make career choices. Ethical leaders need to look at this issue and to make the right choices. New paradigms demand new approaches and a curriculum review that would end up increasing employment opportunities for students. The government is responsible for the empowerment of Principals. Therefore, it is not surprising that the NDP has the following points on empowering capable school Principals. “Gradually give Principals more administrative powers as the quality of school leadership improves, including in financial management, the procurement of textbooks, and other educational materials, and human resource management” (NDP 2011:310).

An ethical Principal need to improve his or her leadership skills to cope with new leadership challenges. Respondents indicated that Principals fail to link ethical policies with educational policies. Good policy implementers should be able to see the value of ethical policies and educational policies. Proper implementation of policies requires proper leadership skills. The quality of leadership in the public school, determines the quality of the products of a particular school. Respondents in this study also indicated that there was a misappropriation of funds. An ethical leader should not use funds for textbooks or stationery from funds allocated to the school nutrition programme (virementing). There is a great need for training Principals in procurement. Human resources are very important in any organisation. An ethical leader is responsible for ensuring that the human resources staff are given proper training and should always include a code of conduct so that they are able to differentiate between good or bad behaviour, right or wrong things in a school situation, and what ought to be done or not in the teaching fraternity. Cases of unethical conduct can be reduced or eliminated amongst school-based and office-based educators and amongst the support staff which includes security guards, clerks and cleaners. It should be easy to achieve an embedded Public Service Ethics Policy if human resources staff receives proper training on ethical issues.

6.6. EDUCATION AND INTEGRITY

The findings of this research study also pointed out that nepotism is a problem in the uMhlathuze Local Municipality among office-based educators and school management teams (SMTs). Corruption Watch, 1(2016) defined nepotism as a situation “where an employee is appointed, promoted, transferred, or given some or other advantage because they are family or friends with a supervisor”. This research study revealed that nepotism has reached high levels in uMhlathuze Local Municipality. Therefore, achieving an embedded Public Service Ethics Policy means confronting misconduct head-on, so as to create a conducive environment for effective teaching and learning. The study argues that it is possible to root out corruption from public schools if senior department officials can serve as good role models and unions participate in dealing with corruption. In the same vein, if public employees can organise marches, strikes, demonstrations and picketing against inequitable salary increases, they can also mobilise to do the same against corruption, unless beneficiaries are vocal in favour of corruption. Corruption Watch, (2013), further points out that, “If an employee is not involved in corrupt practices, but is aware of colleagues who are and does not report the malpractice, he or she becomes an accessory to corruption”. The findings of this study suggest that people are perhaps scared to talk about corrupt activities because of possible repercussions that may follow. Because of this fear, whistle-blowers do not seem to do their work in uMhlathuze Local Municipality. Furthermore, the SACE needs to include corruption issues in Continuous Professional Development Education Programmes (CPDEP). The issue of corruption should always be included on agendas for circuit meetings, district meetings, workshops, seminars, school meetings and conferences. Debating the pros and cons of corruption by school-based and office-based educators gives them a platform to speak out against corrupt practices in the public-school system.

The Department of Basic Education launched the Quality Learning and Teaching Campaign (QLTC), 2008. The Department of Education (2018) pointed out that, “it is crucial to mobilise and galvanise the entire nation to rally around the cause of the achievement of quality education for all, QLTC was introduced for that purpose”. These structures should be used to achieve an embedded Public Service Ethics Policy in uMhlathuze Local Municipality, so as to contribute to quality education initiatives.

The Annual Report of the Corruption Watch (2014:6) points out that the annual Transparency International (TI), Corruption Perception Index (CPI), “Ranks countries or territories by their perceived levels of public sector corruption”. “The lower score which falls between 100-0 indicates the more corrupt the country is perceived by T.I.,” (Corruption Watch Report, 2014:6). “South Africa according to this report went up from 42 to 44. Corruption Watch noted with great concern that South Africa had scored below 50, which indicated that South Africa had a significant corruption problem, which placed the country in a precarious territory” (Annual Corruption Report, 2014:6). The researcher wants to reiterate that this research study was conducted from 2017-2018. The findings pointed out that corruption does take place in public schools of uMhlathuze Local Municipality and this affects the functionality of a number of public schools in uMhlathuze Local Municipality.

The Corruption Perception Index (2015), pointed out that “Not one of 168 countries assessed in 2015 got a perfect score, and two thirds got below 50, on a scale of zero (highly corrupt) to (100) very clean)”. The 2015 Corruption Perception Index pointed out that, “Corruption is a Global Battle. South Africa was rated 44 in 2015” (Annual Report of 2015:16). The report also pointed out that, since the launch of Corruption Watch in January 2012, “there was an annual increase in the number and quality of corruption complaints received from the public”. “In 2015 Corruption Watch received 2382 complaints and, of those, seventy-one per cent of reports were classified as corruption as per the definition of Corruption Watch” (Corruption Watch Report, 2015:16). Corruption Watch defines corruption as, “the abuse of public resources, or public power for personal gain” (Corruption Watch Report, 2015:16). The Annual report of 2015 further points out that, Corruption Watch is concerned with, “any such abuse by any one at any level of government or business”.

Research findings of this research study confirmed that there is, indeed, an abuse of public resources either by unions or office-based educators or Principals or school governing body members in uMhlathuze Local Municipality. Achieving an embedded Public Service Ethics Policy in uMhlathuze Local Municipality should not be a problem amongst school-based educators, however it must be pointed out that achieving this can be perceived as a myth amongst office-based educators, as some of them were even reluctant to respond to questionnaires. Some took questionnaires but did not return them to the researchers. However, district officials are always

willing to support local municipalities as they did with the questionnaires. Some Principals found it very difficult to respond to the questionnaires, simply because it was talking about the entrenchment of public service ethics in the public-school system of uMhlathuze Local Municipality. However, an inference can be made that those who were reluctant to respond to questionnaires are somehow affected by ethical behaviour in their positions.

The Annual Report of 2016, celebrated whistle-blowers who risked their reputations like Mavis who travelled close to 5000 km from Kimberly to Johannesburg to report a case of corruption in her community, Mam Sarah exposed graft at a secondary school in Soweto, Marthe Bikuelo; a refugee reported a case of bribe in the Home Affairs Department. The findings of this research study indicated that school-based educators are aware of corruption, nepotism and fraud amongst school-based educators and office-based educators but they are too scared to expose the perpetrators. Some decide to keep it to themselves so as to protect their positions. Whistle-blowers, who are brave enough to risk their lives and their positions, as happened in the Corruption Watch Report of 2016, are needed in uMhlathuze Local Municipality. The findings of this research study also pointed out that office-based educators are too scared of educators' Unions and, as a result, they compromise their positions and turn a blind eye to corruption that is perpetrated by Unions, because Unions are too powerful and carry political backing. The findings also pointed out that some Principals feel betrayed by office-based educators when it comes to the exposing of unethical behaviour in uMhlathuze Local Municipality. Without an about-turn in behaviour, and in the absence of a courageous public service, achieving embedded public service ethics will be a myth in the public schools of uMhlathuze Local Municipality.

The Annual Report (2016) stated that 2016 was a politically charged year, 'Brexit, the Trump president, ANC lost three major metropolitan cities: Nelson Mandela Bay, Johannesburg and Tshwane cities in Local Government election, and the Constitutional Court handed-down a judgement that President Zuma violated the Constitution. The Corruption Watch reported some shenanigans at SARS. The findings of this research study indicated that participants were aware of people who were deployed in senior positions, not because of their skills and expertise, but due to other factors that could be linked to corruption. The Zondo Commission is

investigating allegations of state capture in 2019 and it may come out with true facts that indicate practical scenarios of corruption in South Africa. Achieving an embedded Public Service Ethics Policy in uMhlathuze Local Municipality will be a myth if fraudulent cadre deployment is not eliminated in uMhlathuze Local Municipality.

6.7. PUBLIC SERVICE ETHICS AT UMHLATHUZE AND IN SOUTH AFRICA

There is a need for an ethical leadership to achieve an embedded public service ethics policy. The United Nations Development Programme (UNDP;2007), pointed out that “ethical leadership is vital to create an ethical force and further pointed out that an ethical leader is a leader who cares, listens to what employees have to say, and has the best interest of employees in mind” (Trevino,2007). In addition, “An ethical leader communicates on ethics, values messages when making decisions, and he/she asks, `what is the right thing to do.” (Trevino, 2007). “An ethical leader also models ethical conduct and conducts his/her life in an ethical manner. This role model is trusted by employees and it sets an example of how to do things the right way instead of talking about right things to be done. An ethical leader holds everyone accountable, and defines success not just by results, but also by the way they are obtained.” (Trevino, 2007).

School-based and office-based educators must be trusted by the community, learners, departmental officials and social partners such as educators’ Unions and the business community. School Management Teams need to communicate effectively with other employees about the importance of public service ethics in schools at uMhlathuze Local Municipality. Principals and Circuit Managers need to talk about democratic values and principles that are spelt out clearly in chapter 10 of the Constitution of the Republic of South Africa, Act 108 of 1996. Circuit Managers and Principals need to serve as role models so that the implementation of public service ethical behaviour can yield expected results. Research findings of this study revealed that it is the responsibility of the Principal and other school management team members to speak against the usage of corporal punishment. The Principal must not say that educators must not use corporal punishment when s/he is using it. No Principal should talk against child abuse when s/he is abusing learners for whatever reason.

The introductory paragraph of this chapter focuses on key operational standards such as good ethical conduct, fairness and integrity as mandatory standards as articulated by the Project Management Institute (PIM) of South Africa in their Code of Ethics and Professional Conduct. An ethical leader always refrains from the conflict of interest. The findings indicated that there is nepotism amongst school-based and office-based educators when there are promotion posts involved. It is unethical to choose a person for any position simply because one belongs to the same Union or organisation. There is a conflict of interest in such a situation, achieving embedded public service ethics can be a myth in such conditions. The findings also indicated that there is favouritism amongst office-based educators in uMhlathuze Local Municipality. It is always important to avoid favouritism and discrimination in the workplace. Nothing should be based on favouritism, nepotism, or bribery or any other form of unethical behaviour in the public sector. Honesty must always be encouraged in public institutions. The findings indicated that these unethical forms of behaviour do prevail in uMhlathuze Public Schools. There was the sixth democratic election in 2019 in South Africa but it is a scary situation to note that corruption is increasing instead of decreasing. Media reports point out that unethical behaviour is a challenge in uMhlathuze Local Municipality.

Action Plan 2019 towards the realisation of schooling 2030, (NDP, vision 2030) states clearly that, “goals 14-27 are goals dealing with strategies that can be used to improve schooling in South Africa”. It is true that there are many challenges in South African schools. The findings indicated that there is a lack of properly skilled educators in learning areas such as Mathematics, Physics and Technical subjects, especially in rural areas. An ethical leadership can identify challenges that are being encountered in a school. It is good to see learners getting good results and going on to tertiary institutions such as universities and colleges, but it is sad to see learners failing to find jobs after graduation. Parents end up having an ethical dilemma, because they are not sure whether to allow their children to go to tertiary institutions or not. It becomes a sad situation when graduates add to the numbers of the unemployed people. Education, therefore, is said to be dysfunctional, because it seems to create problems instead of solving them. An ethical leadership should be able to identify challenges of the unemployed graduates. “DBE decided to increase the number of tertiary institutions in 2013, where a new University was established in

2013” (NDP, vision 2030). An ethical leadership should be able to identify scarce skills and to advise learners accordingly.

It became clear that, “the availability of teachers in schools and classrooms has not improved across the schooling system in any substantial way” (NDP, vision 2030). Respondents raised a challenge to the Post Provisioning Norm (PPN). However, that could not be translated into reality, since a number of unemployed graduates at uMhlathuze Local Municipality were still searching for employment. It was also clear that some of those unemployed graduates could not be absorbed in schools because their major subjects were not in line with school needs. An ethical leader should be able to identify challenges amongst unemployed graduates and find a way of resolving these. Goal number 16 says, “Improve the professionalism, teaching skills, subject knowledge and computer literacy of teachers throughout their entire careers” (NDP, vision 2030). An ethical leader should be able to identify skills shortages amongst educators. The Fourth Industrial Revolution puts emphasis on technological skills. It is the responsibility of leadership to advise educators to specialise accordingly.

The Zondo Commission (2019) which was set up in 2018 to investigate allegations of State Capture continues to expose those who were involved in Bossasa which is a service provider and the State-Owned Entities (SOEs) such as Eskom. The Regional Anti-Corruption Programme for Africa (2011-2016) pointed out that, “Undoubtedly, corruption remains the most daunting challenge for good governance, sustainable growth, peace, stability and development in Africa”. The Anti-Corruption Programme for Africa (2011-2016), further pointed out that, “In many Corruption Perception Surveys and Indices, Africa is perceived as the most corrupt region in the World, and concomitantly also the most underdeveloped and backward region”. There are many areas in uMhlathuze Local Municipality that are still struggling in terms of sanitation, for example, Port Dunford Area, KwaNdaya Area and Ndindima Areas, to name just a few, which serve as evidence that Africa, and South Africa in particular, have a number of areas that lack basic services such as water and sanitation, electricity, shelter and decent roads. There are many people who are always vulnerable during storms, tornadoes and heavy rains. “Hence, addressing the problem of corruption in a strategic and comprehensive ways is of paramount importance, as a development priority for Africa” (Anti-Corruption Programme for Africa, 2011-2016). So, if findings

of this research study pointed out that there is unethical conduct amongst school-based and office-based educators, learners, educators' Unions, and school governing bodies, it is not something that is only obtaining in uMhlathuze Local Municipality, but it is a national crisis. It must be addressed by entrenching public service ethics.

6.8. CHAPTER SUMMARY

This chapter looked at whether the possibility of achieving an embedded Public Service Ethics Policy in uMhlathuze Local Municipality is a myth or a reality. Many factors indicated that it is a reality, because most participants in this study as school-based educators and office-based educators, learners, educators' Unions and school governing body members, demonstrated that they are against unethical behaviour. It will be easy to implement any strategy that deals with the entrenchment of public service ethics in public school system of uMhlathuze Local Municipality, because Corruption Watch Reports from 2014-2018 demonstrate that corruption in schools is the highest as compared with other sectors such as Municipalities and the South African Police Service. This chapter also emphasised the importance of ethical leaders, if there is seriousness in rooting out unethical conduct from uMhlathuze Local Municipality. It has also been confirmed by the research findings that corporal punishment is still used in a number of public schools at uMhlathuze Local Municipality. Reference was also made in this study to the Corruption Perception Index (CPI) which revealed that Africa has the highest level of corruption in the world. South Africa is part of those corrupt countries in Africa, which is why the Zondo Commission was established in 2018 to deal with the state capture saga.

South Africa has a number of good policies on paper but they are not properly implemented. In 2002, Cabinet approved the Public Service Anti-Corruption Strategy to be implemented over a period of five years. It had nine strategic considerations that are interrelated and mutually supportive. They are: review and consolidation of the legislative framework: actions should be guided by law; increased institutional capacity: capacity building should be given to public employees; improved access to report wrongdoing and protection of whistle-blowers and witnesses. Prohibition of corrupt individuals and businesses should be taken seriously by all public servants. There should be whistle-blowers in schools who must be protected at all times. All

management policies should be reviewed on a regular basis. Managing professional ethics should be part of continuous professional development and it is imperative in schools. All stakeholders should work together to promote ethics. The entrenchment of public service ethics as in the case study of the uMhlathuze Local Municipality is about ensuring that all public policies are properly implemented in the public-school system. The proposed model aims at drawing the attention of the public officials to an ideal situation which should prevail in the public-school system of the uMhlathuze Local Municipality. Questionnaires, data analysis and discussions, research findings and recommendations have drawn the attention of public officials to areas that must be addressed by all stakeholders to promote quality education in the uMhlathuze Local Municipality. It is also about making a positive impact or contribution to all initiatives that are aimed at rooting out corruption in the public system.

School-based and office-based educators must always be encouraged to act in an ethical manner in public schools. Hodgson (1992) suggests seven fundamental duties that have to be fulfilled to be considered as ethics. These fundamental duties can assist in the entrenchment of public service ethics in the uMhlathuze local Municipality. People's lives must be respected. School-based and office-based educators must always bear in mind that they are working with human beings and should not abuse learners by using corporal punishment. People who have been active in senior positions should not be humiliated and removed from such positions, simply because there are other favourites for such positions.

All people are intrinsically valued and have a right to self-determination. School governing bodies should be allowed to recommend their preferred candidates without fear or favour. Unions and other senior department officials should not impose their views on them. The truth should be told to those who have a right to know it. It is imperative to bear in mind that people should have access to information in a democratic country where transparency is emphasised at all times. Promises, contracts, and commitments should be honoured. Some people talk injustice and unfairness, yet this research study has proved that school-based educators see themselves as victims of unfairness in the uMhlathuze Local Municipality. People should be treated justly. Side-lining competent people in favour of friends are a symbol of unfairness. Our actions ought to accomplish good and people should avoid doing evil. Proper application of the above model would mean

that a person has acted in a humane manner. Our actions should accomplish 'the greatest good for the greatest number of people'. UMhlatuze Local Municipality should serve as a model municipality in the King Cetshwayo District Municipality, where the majority of school-based and office-based educators appreciate good working relations and observe proper adherence to public service ethics.

The essence of education is to develop future leaders and to contribute to the growth and development of the country by addressing challenges of that country such as poverty, unemployment, crime, injustice and many other social ills. On 1 October 1997, the Public Service embarked on a Batho Pele campaign aimed at improving service delivery to the public. In order for the new approach to succeed changes had to take place in the following areas: public service systems, procedures, attitudes and behaviour had to change towards customers - the public. It is discouraging that the research findings of this research study reveals that unethical conduct still prevails in the public-school system of the uMhlatuze Local Municipality. These cases are not unique to the uMhlatuze Local Municipality only, but in the whole of South Africa. It is not surprising that learner performance in KwaZulu-Natal, Limpopo and Eastern Cape are far below expectations. Drug abuse amongst learners, unemployment, corruption, nepotism, bribery, racism and many other social ills have reached high levels in the uMhlatuze Local Municipality and other parts of KwaZulu-Natal and South Africa as a whole.

Public Service ethics need to be entrenched in both public and private institutions. It is a futile exercise to boast about democracy and a good constitution when the economy of the country is going down and the level of poverty is going up, simply because the public needs are not being taken into consideration. The National Development Plan 2030, p.7, contains the following sentence: "We know that those, to whom we have given the privilege to govern our land, do so on our behalf and for the benefit of all the people. Public service ethics should be entrenched at national, provincial and local levels for economic growth and social development to take place." When the New Coat of Arms was introduced, it was stated that it was introduced so as to enhance Batho Pele which is a Sesotho phrase meaning 'People First', committing the people to serve all the people of South Africa. It is discouraging if public servants satisfy personal aspirations at the expense of the public when there are clear guidelines that assist them to carry out their proper mandate.

This chapter has highlighted ethical fundamentals that should be operationalised in the area under study. The employment of ethical leaders if implemented may actualize the main objectives of this study. However, this is only possible if there is apolitical will which be emphasised at this juncture. It has been well argued that, boasting of a good Constitution and thriving democracy may not be enough under cloud of increased corruption and related unethical practices especially in the school system which should be a paragon of virtue. The fact that South Africa is in recession make the situation worse in ensuring that all planned programmes and projects are carried out properly. "This is South Africa's third recession since 1994." (Khumalo, S. Fin 24, 03/03/2020)

CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1. INTRODUCTION

The focus of this study was to critically examine the entrenchment of professional ethics in the public schooling system of uMhlathuze Local Municipality. The research begins with an introduction and background regarding public service ethics in the South African context and an assessment of global perspectives on public ethics. The study was therefore underpinned by the existing literature on public service ethics and the legislative framework that is aimed at promoting ethical conduct in the observance of National, Provincial and Local policies that are intended to curb corruption in the workplace. These were used as points of references in this study while National and Provincial government documents meant to make a positive contribution to quality learning and teaching campaigns in South Africa were also examined and used to foreground empirical reference in the study. Data were generated and results revealed that it is possible to achieve an embedded Public Service Ethics Policy in the uMhlathuze Local Municipality through the involvement of all stakeholders and to get an independent body to instil the Codes of Professional Ethics amongst school-based and office-based educators, involving psychologists and motivational speakers or life coaches to talk to learners about the dangers of substance and drug abuse.

The discussion and analysis therefore looked at the possibility of achieving an embedded Public Service Ethics Policy in uMhlathuze. This chapter provides a summary of the study and indicates possible suggestions for the entrenchment of Public Service Ethics Policy in the public schooling system of uMhlathuze Local Municipality and in South Africa as a whole. The previous chapter gave an indication of whether it is a myth or reality to achieve an embedded Public Service Ethics Policy in uMhlathuze Local Municipality, after data scrutiny and the discussion of findings. In this summary and conclusion, the study presents a number of recommendations. Public service ethics have a huge role to play in a country that has numerous cases of unethical conduct in public schools. "Some of these cases escalate corruption, and undermine the fight against poverty by enriching corrupt officials, and it hampers service delivery and the economy" (DPSA, 2006:4). Public

schools need to strengthen structures that enhance and promote ethical behaviour so as to restore public trust. The entrenchment of a Public Service Ethics Policy in the public schooling system can make a positive impact in fighting unfair labour practices at uMhlathuze Local Municipality. The SACE drafted the code of professional ethics which must be applied by public schools in South Africa. School-based and office-based educators need to respect the public service code of conduct of 2016 so that they can significantly reduce all forms of corruption in schools.

7.2. SUMMARY

The purpose of the study was to examine the possibility of the entrenchment of a public ethics policy in the public-school system of uMhlathuze Local Municipality. The initial concern for the study was triggered by the researcher's awareness of numerous cases of unethical conduct that were reported in the media regarding corruption in the uMhlathuze Local Municipality.

Public servants should do their work in an efficient and effective manner and there is also a strong belief that the entrenchment of public service ethics could facilitate the entrenchment of policies that help to address the challenges of South Africa such as, "poverty, unemployment (which seem to escalate each and every year) and crime" (Institute for Security Studies [ISS]; 2018). There is a need for transformation in the public sector, and in public schools in particular. This chapter emphasises the centrality of the code of conduct (COC) in promoting ethical conduct and in fighting against fraud and corruption in the public service.

Widespread complaints about the lack of ethical behaviour on the part of school-based and office-based educators present a problem statement for this study. Bribery, misappropriation of funds, the power of 'connections', nepotism, late coming and early departure, corporal punishment, sexual harassment and various forms of child abuse are some of the social evils that need to be investigated. This study interrogated whether or not the measures put in place to promote ethical behaviour in uMhlathuze Local Municipality are sufficiently adhered to. The research hypothesis states that the entrenchment of a public service ethics policy amongst school-based and office-based educators will impact positively on quality education in the uMhlathuze Local Municipality. The fact that the study focused on school-based and office-based educators, educators' unions, learners and representative

council for learners (RCL) in the uMhlatuze Local Municipality, served as limitations of this study.

In the second chapter, the study focuses on the literature review and theoretical framework. The literature examined how corruption in any continent, region or any sphere of government is an indication that there is a violation of public service ethics. Therefore, School-based and office-based educators, like all other public servants, have a responsibility to ensure that the quality of teaching and learning is promoted at all times especially in the uMhlatuze Local Municipality. To achieve this, there is a need for good leaders in order to transform the behaviour of school-based and office-based educators. According to Richardson (2008:4), “good leaders strongly believe in participative leadership and strive to democratise everything in an organisation while allowing employees to come out with productive ideas”.

Ethical theories that are related to this study were also discussed. Various types of ethical theories were defined in this chapter with the researcher agreeing with Tavani (2004:48) that, “morality must be ultimately be grounded in the concept of duty or obligations that humans have to one another”. There is also the rights-based ethical theory which is associated with contract-based ethical theories. It was further pointed out that professionalism in teaching examines the ethical issues of teaching. Concepts that were referred to intermittently in this study were also defined in chapter two. They included ethics which was defined by Rollinson (2005:697) as “moral beliefs about what is right and wrong, good or bad that provides a guide in his or her behaviour”. Griffin (1990:814) defines a code of conduct as a formal statement of what values and ethical standards guide individuals in an organisation.

The literature reviewed established that public service ethics inform public servants in the public sector about behaviour that is right or wrong, good or bad, what ought to be done and desired in the public sector or what should not be done in the public sector. Surprisingly, the literature revealed that corruption prevails in all spheres of government in South Africa and in other countries, despite anticorruption strategies. It was also established that all public institutions have a code of conduct which guide the behaviour of all public servants. Persistent violation of the code of conduct destroys all initiatives that are aimed at fighting corruption. It was also discovered that the education sector, like other public institutions, has its codes of professional

ethics, which was endorsed by the South African Council for Educators Act No 31 of 2000. The South African Council for Educators (SACE) has to foster the implementation of this Act, but there seems to be an escalation in the number of cases of misconduct in public schools.

This study hopes to close the gaps in the implementation of public service ethics through vigorous strategies that would involve the entrenchment of a public service ethics policy. These strategies would include the formation of teams that deal with the entrenchment of public service ethics. These teams would include school-based and office-based educators, unions, community-based organisations, non-governmental organisations, religious people, business people, political representatives, social development theorists and members of the South African Police Service. This team should have not more than twenty members, so that it can make a significant input in all public schools. UMhlatuze Local Municipality can be used as a model for the entrenchment of public service ethics in schools. All public schools should be made aware of this team and should meet on a regular basis so as to test its functionality. Issues of unethical conduct that have been established in this study can be eliminated in public schools. These include, drug abuse, corporal punishment, late comings, and a check list for public schools on strategies to entrench ethical behaviour in each and every school. This team should remind all stakeholders about democratic values and principles as they appear in chapter 10 of the Constitution of the Republic of South Africa, Act no. 108 of 1996.

In chapter three, the study focuses on the research design and methodology and provided a picture of how the research study was conducted, in terms of data collection methods from a range of sources and participants including school-based and office-based educators, educators' unions (SADTU, NATU and SAOU), learners from grades 8-12 and school governing body members. The data collection process is in line with McMillan & Schumacher's (2006:9) definition of research as a "systematic process of collecting and logically analysing data for the purpose of establishing new facts, solving new and existing problems, providing new ideas or developing new theories usually using scientific methods". In other words, closed-ended and open-ended questionnaires were used in data collection. Document reviews were also used in data collection.

Other key concepts that were also described in this chapter included validity and reliability which was intended to establish the validity and soundness of the research among other concepts. (Kvale 2009). For this study, it was important to ensure that valid and reliable information was collected from participants through a closed-ended questionnaire, an open-ended questionnaire, observation and a literature survey. Throchin (2006:1) “describes reliability of the tool as consistency of the actual measuring instrument or procedure”. It was also indicated in this chapter that ethical issues are always critical in a research study. The sample population that participated in the study was defined in this chapter.

Chapter four focuses on the legislation that supports ethical issues in the public sector. This chapter aimed at reviewing public school ethics in South Africa: principles, policies and practices. It was possible to do a thematic analysis of data as it was based on measures in public schools that were directed at the promotion of public service and to determine how information on the promotion of public service ethics was accessible to school-based and office-based educators, unions, learners and school governing body members. Principles, policies and practices cover all public servants and all participants in this study. The researcher managed to get a clear picture of things that were taking place in public schools in terms of principles, policies, and practices. Therefore, it was not very difficult to get findings from respondents and to make relevant recommendations. The legislation reviewed includes the Constitution of the Republic of South Africa, Act no. 108 of 1996, South African School Act no. 84 Of 1996, and the South African Council of Educators Act, 31 of 2000. Accordingly, it was evident that section 195 (1) of the Constitution of the Republic of South Africa provides that public administration should be governed by using democratic values and principles enshrined in the Constitution, including principles which are clearly defined in this chapter. Codes of professional ethics as laid down by the South African Council for Educators (SACE) were also discussed in this chapter with an explanation provided of the legislative landscape supporting ethical behaviour in public schools in South Africa.

The subsequent chapter (five) focused on data presentation and analysis. This chapter interrogated measures to promote public service ethics in schools and the code of professional ethics as laid down by SACE, the involvement of unions in the promotion of ethical conduct, policies in place that enhance the promotion of ethical

conduct amongst school-based and office-based educators, unions, learners and members of the school governing bodies. There was a need for measures to promote public service ethics and it was noted that the employment policy did not include the code of professional ethics. As a result, all public schools were said to have schools' policies and codes of conduct, but cases of unethical conduct that were reported by the media indicated that codes of conduct were not properly implemented. For example, Orri Singh of the Zululand Observer, (24 May 2018) reported the case of the Heuweland Primary School teacher in uMhlatuze, who was dismissed after sexual misconduct that amounted to the sharing of inappropriate WhatsApp messages with learners.

Corporal punishment should be abolished in all public schools in the uMhlatuze Local Municipality because it is against the law. The study could assist in the entrenchment of public service ethics by significantly reducing nepotism, bribery, fraud and corruption in schools.

It became clear to the researcher that the unethical conduct that was revealed by respondents in this study, also prevailed in the whole of South Africa according to Corruption Watch Reports for 2017/18. Thus, the study argues that the entrenchment of public service ethics can assist in instilling ethical conduct amongst school-based and office-based educators in South Africa. In effect, national initiatives such as the IQMS and Continuous Professional Teacher Development (CPTD) cannot be properly implemented while there are no structures in place to deal with unethical behaviour in public schools. IQMS is a three-in-one intervention because it has developmental appraisal, performance measurement and whole school evaluation. Without a doubt unethical conduct would affect developmental appraisal in a number of ways. Firstly, the School Management Team (SMT) that is unethical cannot develop other members, because it would not be trusted by other colleagues. If SMTs are said to be unethical, they would find it very difficult to apply fair labour practices that promote teachers' development and give staff member's reliable scores. Unethical conduct can create divisions amongst staff members and it fails to produce the desired outcomes in the development of attitudes. Other staff would not see the value in developmental appraisal if unethical SMTs formed their developmental support groups (DSG). IQMS has performance measurement as its second component. Performance measurement has monitory connotations. Any

person with high IQMS scores qualifies for salary progression and his salary notch would also rise. A dishonest SMT would not give credible scores during IQMS. IQMS scores could be questionable and performance measurement may become invalid due to bias or other factors that could be related to unethical behaviour. The third component of IQMS is the whole school evaluation (WSE). WSE deals with functionality in schools such as timetabling, that is, the correct number of learning areas in class time tables and composite time tables. Time tables should have the correct number of hours or minutes per subject or learning areas. Unethical educators would find it very difficult to honour time tables and their actual contact time. An unethical educator can use 30 instead of 60 minutes during contact time which can have a negative impact on the quality of teaching and learning in that particular school. The entrenchment of public service ethics would ensure that functionality is restored in schools and quality learning and teaching would improve in schools.

The CPTD system was announced in the National Policy Framework for Teacher Education and Development published by the Minister of Education in 2007. It encourages teachers to develop themselves professionally. Professional Development (PD) is developed and managed by the School Management Teams (SMTs) to meet the needs of the school. Unethical teachers cannot develop themselves professionally; they always blame others for their failures. Professional Development needs ethical teachers. Professional development is part of SACE's Code of Professional Ethics. Therefore, the entrenchment of a public service ethics policy in the public schooling system could assist teachers to implement CPTD in a proper manner and the objectives could be accomplished if teachers are ethical at all times. It is clear that an educator, who undermines the Codes of Professional Ethics by SACE, will also undermine PD. The entrenchment of a public service ethics policy becomes imperative if professionalism is a priority in education. Hence this study was a necessity in making a positive input towards professionalism. Unethical SMTs cannot make a valuable contribution in the formation of PD in public schools.

Chapter six focuses on the possibilities and challenges of achieving an embedded public service ethics policy in the uMhlathuze Local Municipality. As the chapter posits, unions, namely SADTU, NATU and SAOU participated in the research study and can play an important role in achieving an embedded public service ethics

policy. This can be achieved by increasing the role of respective union leaderships in meetings, conferences and workshops in the promotion of ethical behaviour amongst school-based and office-based educators. The evidence from the findings suggests that SADTU, NATU and SAOU unions appeared to dominate all proceedings during interviews, thus contributing to unfair discrimination. It is therefore important to change the mentality of union members as they contribute negatively to the behaviour of school-based and office-based educators.

Chapter seven, which is this concluding chapter, focuses on the summary and the conclusion. In this final chapter, the study suggests the establishment of a team that will consist of community-based organisation (CBO), and non-governmental organisations (NGO), unions, school-based and office-based organisations to monitor the effectiveness of the public service ethics policy and its entrenchment in the uMhlathuze Local Municipality. This team should report to the Head of the Department in the province and also deals with issues such as late-coming, substance and drug abuse that affects learners' performance in the uMhlathuze Local Municipality.

7.3. CONCLUSION

The aim of this research was to determine measures for promoting ethical conduct in the public schooling system of uMhlathuze Local Municipality. Findings and media reports confirmed that uMhlathuze Local Municipality was mired deeply with corruption, fraud, nepotism, sexual abuse and other anomalies that strained ethical conduct of public officials. From the analysis in the study, it was clear that the entrenchment of public service ethics was possible in the public schooling system of uMhlathuze Local Municipality. Practical application of the codes of professional ethics as laid down by SACE is crucial to the entrenchment of a public service ethics policy in the public schooling system. School-based and office-based educators should put the codes of professional ethics into practice. Cases of unethical conduct in the uMhlathuze Local Municipality could be significantly reduced if school-based and office-based educators fully understood the purpose of the codes of professional ethics. These codes place the emphasis on professionalism, the type of relationship which is expected between: the educator and the learner; the educator and his colleagues; the educator and the community, and the educator in relation to the

standards or norms and principles that members of a person's trade or profession hold. It assists in the restoration of work ethics amongst school-based and office-based educators.

A major aim of this study was therefore to ascertain the existing policy measures for promoting ethical behaviour among school-based and office-based educators in uMhlathuze Local Municipality. With the evidence showing that no significant measures were put in place to promote ethical behaviour among school-based and office-based educators, this revealed that even institutional measures for promoting ethical behaviour were far from effective. Thus, the inadequacy of institutional measures to promote ethical behaviour seems to escalate unethical conduct among school-based and office-based educators. Although respondents positively agreed that all public schools had school policies and codes of conduct for educators and learners, it was however clear that these were not fully implemented at creating loopholes for unethical conduct amongst school-based and office-based educators. Regrettably, SGB members, RCL members and SMTs members did not seem to effectively play their roles in ensuring that measures for promoting unethical conduct were efficient in the public schooling system. It is no surprise, therefore, that the researcher reported, in chapter five, that media reports showed that more than 300 misconduct cases were reported in uMhlathuze Local Municipality. Official-based educators and unions which prevented SGB members from exercising their roles and from submitting their recommendation to the HoD for the Department of Education in KZN, used this situation as an opportunity to take advantage of the system. Hence, favouritism, nepotism and corruption increased during interviews for senior positions such as Principals, Heads of Department and Deputy Principals, as was confirmed by the respondents in this study.

Importantly, this study also sought to consider the possible linkages between institutional policies and measures for promoting ethical conduct. The analysis (particularly in chapter six) revealed that there are no existing connections at all. The school policy and code of conduct for learners and educators should always be linked so as to achieve positive results in an organisation. Dealing with the complaints of respondents about social ills such as substance abuse and drugs amongst learners can prove difficult if institutional measures and policies are not linked for positive results. Respondents also raised the issue of corporal punishment

in public schools, although section 10 (1) of the South African Schools Act (SASA) 84, 1996 articulates that, “no person may administer corporal punish, Section 10 (2) of SASA articulates that any person who contravenes subsection (1) is guilty of an offence and is liable on conviction to a sentence which could be imposed for assault”. School-based educators who still used corporal punishment took advantage because there were no links in institutional and policy measures for promoting ethical behaviour in the public schooling system. The General Household Surveys (GHS) of 2011 and 2014 revealed that, “the Eastern Cape and KwaZulu-Natal were recognised as provinces with the highest incidents of corporal punishment”. GHS data (2014), “also showed evidence that the practice of corporal punishment had been on the increase steadily in provinces such as Limpopo, Western Cape and Northern Cape”. The 2012 National School Violence Survey (NSVS) “exposed the prevalence of corporal punishment in South African schools”. South African cases include: *Stander V Education Labour Relation* (2011) 32 ILJ 978 (LC) 2010, an educator who had been teaching for over thirty years was dismissed because he was guilty of slapping a grade 11 child; *S V Williams and others* (1995) (3) SA 632 (CC) 1995).

The research study also examined the extent to which existing organisational structures and processes apply codes of ethics to foster ethical behaviour. The study concludes that the majority of the respondents indicated that there were no adequate measures. The South African Council of Educators’ Act 31 of 2000 outlines codes of professional ethics. Expectations from school-based and office-based educators are clearly articulated by this Act and they serve as legal prescripts for employees in the education sector for the whole of South Africa. Negative comments from the respondents indicated that no one took cognisance of the implementation of the codes of professional ethics. It is no surprise that the South African Council for Education (SACE) is always dealing with numerous cases of unethical conduct in the public schooling system of South Africa. The SACE also introduced Continuous Professional Teachers’ Development (CPTD) to deal with unethical behaviour in the public schooling system of South Africa. This may also become a futile exercise if there are no measures and structures in schools to promote ethical behaviour. The implication would be an escalation of cases of unethical conduct if structures and

measures to promote ethical conduct amongst school-based and office-based educators are non-existent.

Again, the study probed the role of educators' unions as social partners in education that always communicate with educators in their meetings, conferences and workshops, to promote ethical conduct in the public schooling system. The study concludes that while the educators can play a critical role in promoting ethical behaviour, their current role was, however, minimal at best. According to the respondents, unions do talk about ethical issues in meetings, workshops and conferences, but they seem to use a double standard since they dominate all proceedings during the appointment of post level one educators, Heads of Department, Deputy Principals and Principals. Respondents indicated that they (unions) always pushed for their favoured candidates during interviews. Therefore, it is clear that appointments were not always based on merit during interviews and this created animosity amongst school-based and office-based educators in the uMhlathuze Local Municipality. Some respondents revealed that unions tend to push their political agendas in meetings and undermine department officials when they do their monitoring work, and, when there are cases of misconduct involving their members.

This study also sought to investigate the inclusion of a Code of Professional Ethics in the employment policy of school-based and office-based educators in the uMhlathuze Local Municipality. With many respondents suggesting the contrary, this indicated that scanty information was given during the orientation of newly appointed educators during induction programmes because the focus was often on academic work.

This study is about the entrenchment of a public service ethics policy in the public schooling system in the uMhlathuze Local Municipality. The researcher hopes that the study could reduce or completely eradicate cases of misconduct in the uMhlathuze Local Municipality. The entrenchment of public service ethics could serve as a catalyst to school-based and office-based educators who show weaknesses in terms of ethical behaviour, and may promote professionalism amongst educators. All forms of unethical conduct could be significantly reduced and quality education could prevail in uMhlathuze Local Municipality. Professionalism

which seem to be fading away amongst other educators due to unethical behaviour amongst school-based and office-based staff can still be revived, and those who lost their confidence due to nepotism can regain it. District and Circuit management can still be trusted again if school-based educators see that something is being done to address the issue of unethical conduct.

7.4. RECOMMENDATIONS

The findings in this study reveal the need to revive professionalism among school-based and office-based educators. This should be done by drawing the attention of school-based and office-based educators to guidelines that are contained in the code of professional ethics as laid down by the SACE. Also, the NDP, 2030 should be well understood by school-based and office-based educators so that they can properly implement its goals. Again, school-based and office-based educators should be informed about the danger of using corporal punishment and its legal implications to school-based educators. Fair labour practices which are not based on discrimination should be instilled in the minds of public servants. There is also a need for effective monitoring and evaluation of ethical conduct among school-based and office-based educators. DBE monitors should do monitoring and evaluation on quarterly basis. Feedback should be given quarterly and areas of good practice should be identified, and areas of concern should also be identified so as to address them. UMalusi Quality Assurance should also participate in monitoring and evaluation of public service ethics. Educators' unions should serve as social partners in education and should not sabotage the implementation of public service ethics. Importantly, the Department of Basic Education (DBE) and the SACE should come up with strategies that could significantly reduce unethical conduct in schools. It is true that the CPTD as a national initiative is aimed at teacher development, but it does not seem to be active currently. It was indicated in this chapter that the DBE, SACE and CPTD could play an important role if they could ensure that the codes of professional ethics as laid down by SACE could be given more attention than what is currently being given. Good leadership could play an important role in achieving an embedded public service ethics policy in the uMhlathuze Local Municipality. The entrenchment of a public service ethics policy should be done in both public and private sectors. The following ten recommendations are suggested:

1. Strengthen the IQMS

The IQMS should be properly implemented so as to expose school-based and office-based educators to public service ethics. There should be independent assessors for IQMS. Procedural misconduct usually occurs during the IQMS process. Some school-based educators tend to choose their friends to form developmental support groups (DSG). These friends tend to be biased and scores that come from DSG members are not valid as they come from people who are not subjective during the IQMS process. Cases of unethical conduct cannot be eliminated if the IQMS process is not properly done. The DBE introduced its employees to serve as monitors in 2003, but they were converted to other roles in 2015 and became school improvement support coordinators (SISCOs). That had a negative impact on the IQMS process. It is not surprising that IQMS scores become very high, while learner performance becomes very bad in those schools. There should be well-trained independent people to do the IQMS in schools, because there is money attached to IQMS scores.

2. Schools-based educators should abstain from using corporal punishment in public schools

The attention of school-based educators should always be drawn to the fact that the South African Schools Act no 84 of 1996 abolished corporal punishment. They must know that it is illegal; anyone who uses it may end up losing their jobs and find him or herself in prison. Sabelo Ndlazi reported that, “a Statistics SA Survey showed that, corporal punishment was still existing in schools” (Pretoria News, 2018). Thami Magubane also reported in Media News, 1 June 2019, that, “Durban schools were worst in terms of corporal punishment”. The SACE reported in 2019 that, “31 teachers were sacked for sexual offences”. The National Prosecuting Commission (NPC) also reported through the Chief Justice Mogoeng Mogoeng that, “corporal punishment was illegal even in homes” (Media News, 2019). This study has the potential to assist school-based educators to stay away from trouble, if not from prison.

3. Effective Implementation of Professional Codes of Ethics

Professional codes of ethics should be clearly implemented by office-based and school-based educators and should be properly implemented in the uMhlathuze Local Municipality. The goals and objectives of the NDP, 2030 could easily be achieved if the codes of professional ethics are well understood and implemented by school-based and office-based educators. This study has drawn the attention of school-based and office-based educators to areas that need to be given serious attention in the uMhlathuze Local Municipality so as to promote quality education and to implement policies without fear or favour, but only focus on the academic and professional side of education.

4. Eliminate Social Ills

It is important to address social ills that lead to the violation of public service ethics. Alcohol seemed to affect the behaviour of school-based and office-based educators according to the respondents. Continuous staff development programmes should always prevail in schools. Social workers should assist all those school-based and office-based educators who seemed to be alcoholic, and damage the image of teaching as a whole.

5. Effective Communication of Public Service Ethics

There is a need for effective communication about public service ethics in the uMhlathuze Local Municipality. All school-based and office-based educators should communicate about public service ethics so as to significantly reduce cases of misconduct in schools. Regular communication of public service ethics should take place in meetings, workshops, conferences, and seminars.

6. Transparent Appointment Process

All appointments of school-based and office-based educators to promotional posts should be done in a fair and transparent manner in order to significantly reduce forms of unethical behaviour during interviews. Policy guidelines should always be implemented when it comes to appointments. Section 4 (1) of Education Labour Relations Council (ELRC) articulates that, "subject to the provisions of this Act, the objective of the Council shall be to maintain and promote labour peace in education".

There would be no peace in education if some members continue to use unfair labour practices. Section 4 (2) further states that, “the Council should prevent and resolve labour disputes in education”. Numerous disputes were experienced in education because policies were undermined during interviews.

7. Encourage career guidance among learners

Invite motivational speakers to inspire learners to focus on choosing proper careers that would be suitable for their abilities and future needs so as to eliminate complaints about late-coming in schools. Career guidance could reduce or completely eradicate absenteeism and late-coming, and promote regular attendance in schools.

8. Unions as Social Partners

Unions should always remember that they are social partners and they should renounce their dominance over school-based and office-based educators. Unions are social partners in education, and they are expected to promote professionalism amongst school-based and office-based educators. They should play an important role in staff development programmes such as the IQMS and the Code of Professional Ethics. They should coordinate all academic activities and enhance all initiatives and policies that are aimed at promoting quality education in South Africa such as the Quality Learning and Teaching Campaign (QLTC).

9. Merit-based Appointment Process

Appointments should always be based on merit in the uMhlathuze Local Municipality so as to restore professionalism and to regain the confidence of those who were victimised by corruption in the past. There should be no bribery, nepotism, favouritism and the use of ‘connections’ when appointments are made for promotion posts. These, should be completely eradicated as this affects effective teaching and learning in schools. It creates divisions amongst school-based and office-based educators. Professionalism is always compromised in situations where there are divisions amongst staff members.

10. Role of Life Coaches and Psychologists

Life Coaches and Psychologists should be invited to schools. Substance and drug abuse are a major challenge in South Africa even in public schools. Any person who takes drugs is dangerous to himself and to others. Therefore, life coaches should be invited by public schools to motivate learners and to encourage positive thinking about life. Learners should be encouraged to take life seriously and to stay away from substance and drug abuse if they want a bright future. Learners must be told that drug abuse is a criminal offence and can cause someone to end up in prison. Psychologists should also address learners about the dangers of drug abuse, and psychological effects of drug abuse at school and in life. The setting up of a twenty members team of ethics leaders in area under study drawn from various sectors including civil society and community based organisations could be added as another plausible recommendation as discussed in the thesis.

11. Ethical behaviour in public schools

The Department of Education should choose someone who will promote the entrenchment of ethical behaviour in the public school system. School-based and office-based educators must ensure that the National development Plans are not compromised due to unethical behaviour in the public school system. There should be workshops and seminars on the understanding and implementation of the National Development Plans.

12. School Management Teams and the public service

Managers should demonstrate and promote an ethical code and an organisational environment where high standards of conduct are encouraged by providing appropriate incentives for ethical behaviour that has a direct impact on the daily practice of public service values and ethical standards. Management policies, procedures and practices should promote ethical conduct.

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APPENDIX A: ETHICAL CLEARANCE CERTIFICATE

**UNIVERSITY OF ZULULAND
RESEARCH ETHICS COMMITTEE**
(Reg No: UZREC 171110-030)



RESEARCH & INNOVATION

Website: <http://www.unizulu.ac.za>
Private Bag X1001
KwaDlangezwa 3886
Tel: 035 902 6731
Fax: 035 902 6222
Email: LundallN@unizulu.ac.za

ETHICAL CLEARANCE CERTIFICATE

Certificate Number	UZREC 171110-030 PGD 2017/161					
Project Title	The Entrenchment of Public Service Ethics in the Public Schools System : A Case Study of uMhlatuze Local Municipality					
Principal Researcher/ Investigator	TI Nxumalo					
Supervisor and Co-supervisor	Dr RO Oggunnubi			Dr NN Jili		
Department	Public Administration					
Faculty	Commerce, Administration and Law					
Type of Risk	Med Risk – Data collection from people					
Nature of Project	Honours/4 th Year		Master's	Doctoral	x	Departmental

The University of Zululand's Research Ethics Committee (UZREC) hereby gives ethical approval in respect of the undertakings contained in the above-mentioned project. The Researcher may therefore commence with data collection as from the date of this Certificate, using the certificate number indicated above.

- Special conditions:**
- (1) This certificate is valid for 1 year from the date of issue.
 - (2) Principal researcher must provide an annual report to the UZREC in the prescribed format [due date-30 April 2021]
 - (3) Principal researcher must submit a report at the end of project in respect of ethical compliance.
 - (4) The UZREC must be informed immediately of any material change in the conditions or undertakings mentioned in the documents that were presented to the meeting.

The UZREC wishes the researcher well in conducting research.


Professor Mashupye R. Kgaphola
Acting Chairperson: University Research Ethics Committee
Deputy Vice-Chancellor: Research & Innovation

05 June 2020

CHAIRPERSON
UNIVERSITY OF ZULULAND RESEARCH ETHICS COMMITTEE (UZREC) REG NO: UZREC 171110-30
05 June 2020
RESEARCH & INNOVATION OFFICE

APPENDIX B

**Application for Permission to Conduct Research in
KwaZulu Natal Department of Education Institutions**

1. Applicants Details

Title: Mr Surname: Nxumalo

Name(s) Of Applicant(s): Thabani Israel Email: thaba2009@live.com

Tel No: N/A Fax: N/A Cell: 0837231563/0722004756

Postal Address: P.O. Box 263, Esikhawini, 3887

2. Proposed Research Title: THE ENTRENCHMENT OF PUBLIC SERVICE ETHICS IN THE PUBLIC SCHOOL SYSTEM: A CASE STUDY OF UMHLATHUZE LOCAL MUNICIPALITY

3. Have you applied for permission to conduct this research or any other research within the KZNDOE institutions? Yes No
X

If “yes”, please state reference Number: N/A

4. Is the proposed research part of a tertiary qualification? Yes

If “yes”

Name of tertiary institution: University of Zululand

Faculty and or School: Faculty of Commerce, Law and Administration, School of Public Administration

Qualification: D Admin in Public Administration

Name of Supervisor: Dr R.O. Ogunnubi Supervisors

Signature _____



If “no”, state purpose of research: The purpose of the research project is to entrench public service ethics in the public school system of the UThungulu District Municipality so as to make a positive contribution in the Quality Learning and Teaching Campaign. To make a meaningful contribution in the National development Plan towards the achievement of goals 2030

6. What is the main research question(s):

1. What existing measure of ethical standards exists in promoting professionalism within the public-school system in uMhlathuze Local Municipality? How effective are these policies and institutional measures for promoting professional Development?
2. What is the linkage between institutional and policy measures for promoting ethical conduct?
3. To what extent do the existing and organisational structures and processes apply codes of ethics in fostering ethical behaviour?
4. What is the role of Unions in understanding and entrenching ethical behaviour?
5. Does the employment policy include the code of professional ethics?

7. Methodology including sampling procedures and the people to be included in the sample

- schools to submit questionnaires

7.6. Sampling

- Random sampling will be used in choosing schools that will participate in the research study.
- The study will include; urban, semi-urban, rural and township schools.
- Secondary and primary schools will participate in the study.
- Secondary Schools and Primary schools in the uMhlathuze cluster will participate in the study.
- 10 Office-based educators 100 school-based educators, 50 learners and 20 SGB members will participate.

8. What contribution will the proposed study make to the education, health, safety, welfare of the learners and to the education system as a whole?

It will make a positive contribution to the body of knowledge. It will emphasise the importance of adhering to the professional code of ethics as laid down by the South African Council of Educators. This study will promote a healthy life style of learners and school-based educators and eliminate unnecessary cases in public schools. Learners and educators will feel safe because the study will significantly reduce various forms of abuse; sexual, emotional, verbal, physical and various forms of sexual harassment. The culture of teaching and learning will be enhanced in a number of ways. The value of District Coordination Monitoring and Support will be perceived by the school-based educators.

KZN Department of Education Schools or Institutions from which the sample will be drawn – If the list is long please attach at the end of the form		
TOWNSHIP SECONDARY SCHOOLS	URBAN SECONDARY SCHOOLS	PRIMARY SCHOOLS
1.uMdlamfe Secondary School	1. Empangeni High School	1.Ixhaphozini PS
2. Hlamvana Secondary School	2. Old Mill High School	2. Imizikayifani PS
3. Amangwe High School	3.Richem High School	3. Sikhulangemfundo PS
4. Thanduyise High School	4. Richards Bay Secondary	4. Phalane PS
5. Khula High School	5. Aquadine High School	5. Thambolini PS
6. Khombindlela High School	6. Emkhayideni High School	6. Ilembe PS
7. Thanduyise High School	7. St Chatrines High School	7. Phesheya PS
8. Ikhandlela High School	SEMI- URBAN	8. Mzingwenya PS
9. Ziphozonke High School	1. Mevamhlophe High School	9. Imbabe PS

10. Ungoye High School	2. KwaNxusa High Scholl	10. Qambokwethu PS
11. Tholokuhle High School	3. Mthonjaneni High School	11. Indundulu PS
RURAL	4. Ugome Secondary	12. Ubuqhawebethu PS
1. Isitheku High School	5. Mbuyiseni High School	13. Ithubalethu PS
2. Incaphayi High School	6. Esikhaleni SeNkosi High	14. Qhubandaba PS

9. Research data collection instruments: (Note: a list and only a brief description is required here - the actual instruments must be attached): Open and close-ended questionnaires will be used in data collection. Face-to-face interviews will also be used in data collection. A Literature Survey will also be used in data collection.

10. Procedure for obtaining consent of participants and where appropriate parents or guardians:

Each questionnaire will be accompanied by the appropriate consent to participate forms and, where applicable, translations will be made, letters will be written to parents or guardians in the case of learners.

11. Procedure to maintain confidentiality (if applicable): All participants will not write their names and it will be stressed that questionnaires are for the purpose of study only and that there is no hidden agenda. There will be no school, individual's name or circuit name to ensure that there is confidentiality. All responses will be kept in a closed envelop.

12. Questions or issues with the potential to be intrusive, upsetting or incriminating to participants

(if applicable): _The researcher will eliminate or remove all sensitive questions which yield unintended consequences.

13. Additional support available to participants in the event of disturbance resulting from intrusive questions or issues (if applicable): The researcher will give the Principal or any other SMT members his contact details in case of emergencies.

14. Research Timelines : 28 November 2016 to 9 December 2016

15. Declaration

I hereby agree to comply with the relevant ethical conduct to ensure that participants' privacy and the confidentiality of records and other critical information is kept securely.

I Thabani Israel Nxumalo declare that the above information is true and correct

Nxumalo Thabani Israel

Signature of Applicant

13 September 2016

Date

16. Agreement to provide and to grant the KwaZulu Natal Department of Education the right to publish a summary of the report.

I/We agree to provide the KwaZulu-Natal Department of Education with a copy of any report or dissertation written on the basis of information gained through the research activities described in this application.

I/We grant the KwaZulu-Natal Department of Education the right to publish an edited summary of this report or dissertation using the print or electronic media.

Nxumalo Thabani Israel

Signature of Applicant(s)

Date: 13 September 2016



Return a completed form to:

Sibusiso Alwar

The Research Unit; Resource Planning; KwaZulu Natal Department of
Education

Hand Delivered:

Office G25; 188 Pietermaritz Street; Pietermaritzburg; 3201

Or

Ordinary Mail

Private Bag X9137; Pietermaritzburg; 3200

Or

Email

sibusiso.alwar@kzndoe.gov.za

APPENDIX C: An Approval Letter from KZN DoE



education

Department:
Education
PROVINCE OF KWAZULU-NATAL

Enquiries: Phindile Duma

Tel: 033 392 1004

Ref.:2/4/8/915

Mr TI Nxumalo
PO Box 263
Esikhawini
3887

Dear Mr Nxumalo

PERMISSION TO CONDUCT RESEARCH IN THE KZN DoE INSTITUTIONS

Your application to conduct research entitled: **"THE ENRICHMENT OF PUBLIC SERVICE ETHICS IN THE PUBLIC SCHOOL SYSTEM: A CASE STUDY OF UMHLATHUZE LOCAL MUNICIPALITY"**, in the KwaZulu-Natal Department of Education Institutions has been approved. The conditions of the approval are as follows:

1. The researcher will make all the arrangements concerning the research and interviews.
2. The researcher must ensure that Educator and learning programmes are not interrupted.
3. Interviews are not conducted during the time of writing examinations in schools.
4. Learners, Educators, Schools and Institutions are not identifiable in any way from the results of the research.
5. A copy of this letter is submitted to District Managers, Principals and Heads of Institutions where the Intended research and interviews are to be conducted.
6. The period of investigation is limited to the period from 25 August 2016 to 26 March 2018.
7. Your research and interviews will be limited to the schools you have proposed and approved by the Head of Department. Please note that Principals, Educators, Departmental Officials and Learners are under no obligation to participate or assist you in your investigation.
8. Should you wish to extend the period of your survey at the school(s), please contact Miss Connie Kehologile at the contact numbers below
9. Upon completion of the research, a brief summary of the findings, recommendations or a full report / dissertation / thesis must be submitted to the research office of the Department. Please address it to The Office of the HOD, Private Bag X9137, Pietermaritzburg, 3200.
10. Please note that your research and interviews will be limited to schools and institutions in KwaZulu-Natal Department of Education.

uThungulu District

Dr. E. Nzama
Head of Department: Education-KZN
Date: 04 October 2016

04/10/2016

...Championing Quality Education - Creating and Securing a Brighter Future

KWAZULU-NATAL DEPARTMENT OF EDUCATION

Postal Address: Private Bag X9137 • Pietermaritzburg • 3200 • Republic of South Africa

Physical Address: 247 Burger Street • Anton Lembede Building • Pietermaritzburg • 3201

Tel.: +27 33 392 1004/41 • Fax: +27 033 392 1203 • Email: Kehologile.Connie@kzndoe.gov.za/Phindile.Duma@kzndoe.gov.za • Web:www.kzneducation.gov.za

Facebook: KZNDOE • Twitter: @DBE_KZN • Instagram: kzn_education • Youtube: kzndoe

APPENDIX D: PARTICIPANT INFORMED CONSENT DECLARATION

INFORMED CONSENT DECLARATION

(Participant)

Project Title: THE ENTRENCHMENT OF PUBLIC SERVICE ETHICS IN THE PUBLIC SCHOOL SYSTEM: A CASE STUDY OF UMHLATHUZE LOCAL MUNICIPALITY

(Nxumalo Thabani Israel) from the Department of Public Administration, University of Zululand has requested my permission to participate in the above-mentioned research project.

The nature and the purpose of the research project, and of this informed consent declaration have been explained to me in a language that I understand.

I am aware that:

1. The purpose of the research project is to entrench public service ethics in the public school system of the UThungulu District Municipality so as to make a positive impact in the Quality Learning and Teaching Campaign. To make a meaningful contribution in the National Development Plan towards the achievement of goals for 2030. Contribute to Local Economic Development by creating job opportunities that will significantly reduce crime and promote tourism.
2. The University of Zululand has given ethical clearance to this research project and I have seen/ may request to see the clearance certificate.
3. By participating in this research project I will be contributing towards performance management, educator development and the whole school evaluation. To enhance skills development so as reduce unemployment, poverty and inequality, and to strengthen the initiatives for District Coordination Monitoring and Support as introduced by the South African National Department of Basic Education. To improve learner performance and quality results in the Public School System of UThungulu District and South Africa as a whole.
4. I will participate in the project by submitting and collecting data from all public schools that will participate in the research study in the UMhlathuze Circuit. Collection, analysis and presentation of data in a professional and a comprehensive manner.

5. My participation is entirely voluntary and should I at any stage wish to withdraw from participating further, I understand that I may do so without any negative consequences.
6. I will not be compensated for participating in the research, but my out-of-pocket expenses will be reimbursed, but this will not exceed R1000,00
7. There may be risks associated with my participation in the project. I am aware that
 - a. the following risks are associated with my participation: car hijacking, criminality, victimisation and Union resistance.
 - b. the following steps have been taken to prevent the risks: consensus from all leadership structures such as: the School Management Teams (Principals, Deputy Principals, educators, parents, learners in case of Secondary Schools), business people, social partners and other interested parties and department officials. Members of the SAPS will be made aware of the project through station commissioners- ESikhaleni Police Station. Church leaders will also be made aware of this research projects for their prayers and participation.
 - c. there is a two per cent chance of the risk materialising, because I have lived in this area since 1988 and I am well known and connected with key stakeholders.
8. The researcher intends publishing the research results in the form of print media- Zululand Observer, Mercury, Sowetan iLanga and iSolezwe; TV- 1KZN, Radio Ukhozi, Zululand FM, SAFM, Ikhwezi, Nguna FM and Newcastle Community Radio and Igagasi FM. However, confidentiality and anonymity of records will be maintained and that my name and identity will not be revealed to anyone who has not been involved in the conduct of the research. All questionnaires have no public school name, circuit or personal names.
9. I will receive feedback in the form of responses from participants and key role players and stakeholders regarding the results obtained during the study.
10. Any further questions that I might have concerning the research or my participation will be answered by Nxumalo Thabani: 0837231563/0722004756, thaba2009@live.com, whatsapp 0837231563, twitter @Nxumalo Thabani, Face book Nxumalo Thabani Israel.
11. By signing this informed consent declaration I am not waiving any legal claims, rights or remedies.
12. A copy of this informed consent declaration will be given to me, and the original will be kept on record.

I Nxumalo Thabani Israel have read the above information / confirm that the above information has been explained to me in a language that I understand and I am aware of this document's contents. I have asked all questions that I wished to ask and these have been answered to my satisfaction. I fully understand what is expected of me during the research.

I have not been pressurised in any way and I voluntarily agree to participate in the above-mentioned project.

.....

Participant's signature

.....

Date

APPENDIX E: PARTICIPANT INFORMED CONSENT FOR PARENTS

INCWADI EVEZA IGUNYA LOKUBAMBA IQHAZA

(Ozophendula)

ISIHLOKO: THE ENTRENCHMENT OF PUBLIC SERVICE ETHICS IN THE PUBLIC SCHOOL SYSTEM: A CASE STUDY OF UTHUNGULU DISTRICT MUNICIPALITY

U- Nxumalo Thabani Israel ovela emnyangweni wokusebenza emphakathini, ENyuvesi yakwaZulu (oNgoye) uyicele kimi imvume yokungimbakanya kulolucwaningo mayelana nesihloko esibhalwe ngenhla.

Inhloso nendlela yokusebenza kwalolu cwanningo ichaziwe kimi ngolimi engiluzwayo futhi ngiyayiqonda

Ngiyakuqonda ukuthi:

1. Inhloso yalulucwaningo ukufaka indlela yokuphatha kubafundisi abasezikolweni kanye nalabo abasemahovisi, kusifunda sase Mhlathuze, ukuze kuthuthukiswe izinga lemfundo. Ukuthuthukisa zonke izinhlelo zemigomo yezwe, nezinjongo zika 2030. Ukuthuthukisa umnotho kanye nokudala amathuba emisebenzi ukuze kuphele ubugebengu, kuthukiswe nezokuvakasha.
2. INyuvesi ilikhiphile igunya ngokusemthethweni lokuthi kwenziwe lolucwaningo futhi ngingayicela ukuyibona noma nini.
3. Ngikubamba iqhaza kulolu cwanningo ngizoba yingxenye yokwakhiwa kwemigomo engasiza noma ezosiza abantu abaningi.
4. Ngizobamba iqhaza ngokuphendula le mibizo enikezelwe kimi ngokwethembeka.

5. Ukubamba kwami iqhaza kungukuzikhethela futhi nginganquma ukuhoxa noma nini futhi ngeke kungibangele izinkinga.

6. Akukho nzuzo noma isinxephezelo engizosithola ngokuba yingxenye yalolu cwaningo, kodwa izindleko zephakethe zizo nxeshezela.

7. Nginyaqonda ukuthi buncane ubucayi obungalindeleka kulolucwaningo. Umcwaningi ungiqinisekile ukuthi imininingwane iyogodlwa ukuvikela mina uma kusatshalaliswa ulwazi kwabanye. Ngakho ngiyazi ukuthi nginalo ilungelo lokungayiphenduli eminye noma imibuzo futhi nginalo ilungelo lokuhoxa phakathi kokuphendula le mibuzo.

8. Umcwaningi unenhloso yokubhala nokukhipha imiphumela yalolucwaningo kodwa imininingwane ezeza ubumina okubhalwa kuyo negama lami ngeke ivezwe komunye umuntu ongesiyo ingxenye yalo msebenzi.

9. Imiphumela ngeke ithunyelwe kimi kodwa ngingayicela ngiyibone.

10. Imibuzo engingaba nayo noma izinkinga ngingaqondisa ku Prof. R.O. Ogunnubi, Faculty of Commerce, Administration and Law, Public Administration Department.

Inombolo kamakhalekhukhwini: 0735061433

Email address: OgunnubiR@unizulu.ac.za

11. Ngokusayina leli phepha elingukuzibophezela angimisi amalungelo ami futhi kubophezeleka ngokomthetho.

12. Leli phepha liyonikezelwa kimi bese elinye ligcinwa emiqulwini yomcwaningi

Mina, ----- ngilufundile lolulwazi olungenhla futhi ngiyaqinisekisa ukuthi luchaziwe kimi nacho konke okuqokethwe yilawa maphepha. Ngiyibuzile yonke imibuzo ebenginayo futhi yaphendulwa ngokweneliseka. Ngikuqonda konke okulindeleke kimi kuqhubeka ucwaningo.

Ngiyaqinisekisa ukuthi akunangcindezi engifakwe yona futhi ngingena ngokuzikhethethela ekubambeni iqhaza kulolu cwaningo.

Sayina lapha

Usuku

APPENDIX F: IT WAS COMPLETED BY SCHOOL-BASED EDUCATORS

Questionnaires: Responses from school-based educators

Please respond to the following by ticking the correct answer/s that suits you.

1. General information

1.1. Sex :

- (a) Male
- (b) Female

1.2. Rank :

- (a) Educator
- (b) HOD
- (c) Deputy Principal
- (d) Principal

1.3. How long have you been serving the Education Sector?

- (a) 0 – 10 years
- (b) 10 – 20 years
- (c) 20 – 30 years
- (d) Above 30 years

1.4. Highest qualification

- (a) REQV 13
- (b) REQV 14
- (c) REQV 15
- (d) REQV 16
- (e) REQV 17

1.5. Phase where you are teaching:

- (a) Junior Primary School
- (b) Senior Primary School
- (c) General Education and Training

(d) Further Education and Training

2. Questionnaires on Public Service Ethics. Questionnaires to be completed by school-based educators.

2.1. There are current measures of ethical standards which exist to promote professionalism within the public school system

(a) Not sure.

(b) They are there but not always presented to school-based and office-based educators.

(c) There are no measures.

(d) Still to be decided on by departmental officials.

2.2 There are effective policies and institutional measures for promoting professional development.

(a) Partly effective.

(b) Hundred per cent effective.

(c) Not Sure.

(d) Not effective at all.

2.3. There is a linkage between institutional and policy measures for promoting ethical behaviour conduct.

(a) No Linkage at all.

(b) Complete linkage.

(c) Not sure.

(d) To be linked in future.

2.4. There are existing and organisational structures and processes that apply codes of ethics in fostering ethical behaviour.

(a) There are no organisational structures.

(b) Partly apply codes of ethics.

(c) Not sure.

(d) Public school still working towards that application.

2.5. Unions play a major role in understanding and entrenching ethical behaviour.

(a) Members are talking about public service ethics in meetings and workshops.

(b) No role at all.

(c) Not sure.

(d) Unions are working towards their roles.

2.6. The employment policy does include the Code of Professional Ethics.

(a) Yes.

(b) No.

(c) Not sure.

(d) No code of professional ethics.

2.7. There is a code of ethics in your institution.

(a) Yes

(b) No

(c) Not sure

2.8. Your institution has a code of conduct.

(a) Yes

(b) No

(c) Not sure

2.9. I do read a code of ethics as prescribed by South African Council for Educators.

(a) Once per week.

(b) Once per Month

(c) Once per term

(d) Once per semester

(e) Twice per year

(f) Never

(g) Other

2.10. There is a need to read the code of ethics.

(a) Yes

(b) No

(c) Don't know

2.11. Policies and institutional measures for promoting professional development are effective.

- (a) No policies.
- (b) They are a hundred per cent effective.
- (c) Not effective at all.
- (d) Not sure

2.12. Measures to maintain and promote ethical standards do exist and they are effective.

- (a) There are no measures.
- (b) Not sure.
- (c) Measures are required by departmental policies.
- (d) Still trying to organise ourselves.

2.13. Structures and processes to apply the professional code of ethics do exist.

- (a) No time to implement.
- (b) Nothing in our institution.
- (c) Not sure.
- (d) Required structures and processes.

2.14. There are strategic measures that can be applied to entrench ethical behaviour in public institutions.

- (a) We should give ourselves time to read the code of ethics as prescribed by SACE.
- (b) Instil professionalism in school-based and office-based educators.
- (c) Leave it to teacher unions.
- (d) Not sure
- (e) Make sure that you implement what you have read in policy documents

2.15. Teacher unions play an important role in promoting ethical behaviour in the public school system.

- (a) They put more emphasis on professionalism.
- (b) Focus is on other educational matters.
- (c) It's hard to say .
- (d) Focus their attention on the political aspect of education.

2.16. | There is an ethical document that is signed by newly appointed educators.

- 1. Educators
 - (a) Yes
 - (b) No
 - (c) Not sure
- 2. Hods
 - (a) Yes
 - (b) No
 - (c) Not sure
- 3. Principals
 - (a) Yes
 - (b) No
 - (c) Not sure
- 4. Deputy Principals
 - (a) Yes
 - (b) No
 - (c) Not sure
- 5. Acting Personnel
 - (a) Yes
 - (b) No
 - (c) Not sure

APPENDIX G: IT WAS COMPLETED BY SECONDARY SCHOOL LEARNERS

Questionnaires to be given to learners.

1. Gender
 - (a) Male
 - (b) Female
2. Grade
 - (a) Grade 10
 - (b) Grade 11
 - (c) Grade 12
3. How is the late-coming on the part of the learners?
 - (a) Bad
 - (b) Not sure
 - (c) No late comers
4. How is the late-coming on the part of the educators?
 - (a) Not bad
 - (b) I don't know
 - (c) Bad
5. Is corporal punishment still used in your school?
 - (a) Yes
 - (b) No
6. How is the level of drugs and alcohol?
 - (a) Very high
 - (b) Does not exist
 - (c) Not sure
7. Are class periods honoured by educators?
 - (a) Yes
 - (b) No
 - (c) No comment
8. Is there any RCL in your school?
 - (a) Yes
 - (b) No
9. What is the behaviour of your educators like?
 - (a) Good
 - (b) Bad
 - (c) No comment
10. What is the behaviour of the learners like?
 - (a) Good

- (b) Bad
(c) No comment
11. Is there any School Governing Body?
(a) Yes
(b) No
(c) Not sure
12. How is the culture of teaching in this school?
(a) Good
(b) Bad
(c) Not sure
13. What is the culture of learning like?
(a) Good
(b) Bad
(c) Not bad
14. Is your Representative Council of learners active?
(a) Yes
(b) No
(c) Not sure
15. Are you aware of good and bad things at school?
(a) Yes
(b) No
(c) No comment
16. Are you happy with your school?
(a) Yes
(b) No
(c) No comment
17. Is there any need to talk about good conduct here?
(a) Yes
(b) No
(c) Not sure

APPENDIX H: IT WAS COMPLETED BY SCHOOL GOVERNING BODIES

(i) Questionnaires for School Governing Body members (English version)

Please respond by writing a tick next to one of these answers

1. Gender	MALE	FEMALE	
2. Are you happy with the behaviour of learners?	YES	NO	
3. What is the late-coming of the learners like?	Bad	Not bad	Not sure
4. Late-coming by educators?	Not bad	Bad	Not sure
5. Discipline at school?	Good	Bad	Not sure
6. Do you know of a professional code of ethics?	Yes	No	Never heard
7. Learner performance?	Good	Bad	Not sure
8. Are you satisfied with your involvement at school?	Yes	No	Not sure
9. Rate of absenteeism by educator?	Not bad	Bad	Not sure
10. Public Service Ethics in this Public School/	Good	Bad	Not sure

APPENDIX H (ii): Imibuzo eqondene namalunga school Governing Body (IsiZulu)

Faka isiphambano_X_maqongana nempendulo oyikhethayo

1. Ubulili	Owesilisa	Owesifazane	
2. Ugculisekile yini ngokuziphatha kwabafundi?	yebo	Cha	anginasiqiniseko
3. Banjani kodwa ukufika leyidi abafundi?	kubi	Akukubi	anginasiqiniseko
4. Linjani kodwa izinga lokufika leyidi kubafundisi?	akukubi	Kubi	anginasiqiniseko
5. Kunjani ukuziphatha kwabafundi?	Kuhle	Kubi	anginasiqiniseko
6. Uyayazi yini imithetho eqondene nokuziphatha kothisha?	yebo	Cha	Akaze ngizwe
7. Injani imiphumela yabafundi?	mihle	Mibi	anginasiqiniseko
8. Unelisekile yini yiqhaza lakho lapha esikoleni?	yebo	Cha	anginasiqiniseko
9. Linjani izinga lokuphutha kothisha esikoleni?	akukubi	Kubi	anginasiqiniseko
10. Wake wezwa yini ngemthetho wokuziphatha kwezisebenzi zomphakathi?	yebo	Cha	anginasiqiniseko

APPENDIX I: IT WAS COMPLETED BY EDUCATORS UNIONS; SADTU, NATU & SAOU

Questionnaires to be answered by educators` Unions.

Choose the most suitable answer /s by making a tick.

Questionnaires on Public Service Ethics.

1. What current measure of ethical standards exists in promoting professionalism within the public school system?

- (a) Not sure.
- (b) They are there but are not always presented to school-based and office-based educators.
- (c) There are no measures.
- (d) Still to be decided on by departmental officials.

2. How effective are policies and institutional measures in promoting professional development?

- (a) Partly effective.
- (b) A hundred per cent effective.
- (c) Not Sure.
- (d) Not effective at all.

3. What is the linkage between institutional and policy measures for promoting ethical behaviour conduct?

- (a) No Linkage at all.
- (b) Complete linkage.
- (c) Not sure.
- (d) To be linked in future.

4. To what extent are the existing and organisational structures and processes applying codes of ethics in fostering ethical behaviour?

- (a) There are no organisational structures.
- (b) Partly apply codes of ethics.
- (c) Not sure.
- (d) Public school still working towards that application.

5. What is the role of Unions in understanding and entrenching ethical behaviour?

- (a) Members are talking about public service ethics in meetings and workshops.
- (b) No role at all.
- (c) Not sure.
- (d) Unions are working towards their roles.

6. Does the employment policy include the Code of **Professional** Ethics?

- (a) Yes.
- (b) No.
- (c) Not sure.
- (d) No Code of Professional Ethics.

7. How often do you talk about codes of ethics in the UMhlatuze Local Municipality?

- (a) Once per week
- (b) Monthly
- (c) more than once per week
- (d) More than once per month
- (e) Other

8. How often do you conduct workshops on the Code of Ethics within the district?

- (a) Once per term
- (b) Once per semester
- (c) More than once per year .

9. Do you have cases of unethical conduct in the district?

- (a) Yes
- (b) No
- (c) Not sure

10. Is the issue of unethical conduct taken seriously within the district?

- (a) Yes
- (b) No
- (c) Not sure

11. How effective are policies and institutional measures for promoting professional development?
- (a) 100 per cent effective.
 - (b) Average.
 - (c) Not sure
12. What measures exist and how effective are they to maintain and promote ethical standards?
- (a) Those that are prescribed by the departmental policy and they are highly effective.
 - (b) No clear measures for promoting ethical conduct.
 - (c) No adherence measures.
 - (d) Not sure.
13. What structures and processes exist to apply the professional code of ethics?
- (a) There are no structures in place.
 - (b) We are still working on such initiatives.
 - (c) Not sure.
 - (d) There are personnel assigned to carry that mandate.
14. What strategic measures can be applied to entrench ethical behaviour in the public school system?
- (a) Workshops on the Code of Ethics are organised on a regular basis.
 - (b) Workload related to other departmental programmes makes it difficult to implement strategies.
 - (c) Don't know.
 - (d) More time is consumed by the core functions related to teaching and learning.
15. What role is played by teacher Unions in the promotion of ethical behaviour?
- (a) It is hard to tell.
 - (b) Their role is too minimal to be noticed by other officials.
 - (c) Unions play a double standard.
 - (d) I have mixed feelings about the role of teacher Unions.
16. Is there any ethical document in the Circuit Offices / District Office?

(a) Yes

(b) No

(c) Not sure.

Please make general comments about ethical behaviour in the uMhlathuze Local Municipality and recommend strategies to entrench public service ethics within the district.

-

Please feel free to make your recommendations about ethical behaviour in uMhlathuze Local Municipality and the attitude of school-based and office-based educators towards the Integrated Quality Management Systems.

17. What is it that is done by all stakeholders including departmental officials, School Management Teams and School Governing Bodies to promote professionalism in the public school system?-----

18. Are there some clashes in the implementation of policies and measures in striving to promote ethical conduct?-----

19. Is there any evidence that policies and measures are working effectively and efficiently in promoting ethical behaviour? What is the level of input that is applied by the institutional initiatives such as school policies and departmental guidelines in enforcing and strengthening ethical conduct in public schools?-----

20. Are Unions talking about the Professional Code of Ethics in their conferences, meetings, workshops, seminars and newsletters or circulars, if, so how often?-----

APPENDIX J: IT WAS COMPLETED BY OFFICE-BASED EDUCATORS

Questionnaires to be answered by office-based educators

Choose the most suitable answer /s by making a tick.

Questionnaires on Public Service Ethics.

1. What current measure of ethical standards exists in promoting professionalism within the public school system?

(a) Not sure.

(b) They are there but are not always presented to school-based and office-based educators.

(c) There are no measures.

(d) Still to be decided on by departmental officials.

2. How effective are policies and institutional measures in promoting professional development?

(a) Partly effective.

(b) hundred per cent effective.

(c) Not Sure.

(d) Not effective at all.

3. What is the linkage between institutional and policy measures for promoting ethical conduct?

(a) No Linkage at all.

(b) Complete linkage.

(c) Not sure.

(d) To be linked in future.

4. To what extent are the existing and organisational structures and processes applying the Code of Ethics in fostering ethical behaviour?

(a) There are no organisational structures.

(b) Partly apply the Code of Ethics.

(c) Not sure.

(d) Public school still working towards that application.

5. What is the role of Unions in understanding and entrenching ethical behaviour?

(a) Members are talking about public service ethics in meetings and workshops.

(b) No role at all.

(c) Not sure.

(d) Unions are working towards their roles.

6. Does the employment policy include the Code of Professional Ethics?

(a) Yes.

(b) No.

(c) Not sure.

(d) No Code of Professional Ethics.

7. How often do you talk about codes of ethics in the uThungulu District?

(a) Once per week

(b) Monthly

(c) More than once per week

(d) More than once per month

(e) Other

8. How often do you conduct workshops on the Code of Ethics within the district?

(a) Once per term

(b) Once per semester

(c) More than once per year .

9. Do you have cases of unethical conduct in the district?

(a) Yes

(b) No

(c) Not sure

10. Is the issue of the Code of Conduct taken seriously within the district?

(a) Yes

(b) No

(c) Not sure

11. How effective are policies and institutional measures for promoting professional development?

(a) A hundred per cent effective.

(b) Average.

(c) Not sure

12. What measures exist and how effective are they to maintain and promote ethical standards?

(a) Those that are prescribed by the departmental policy and they are highly effective.

(b) No clear measures for promoting ethical conduct.

(c) No adherence measures.

(d) Not sure.

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(a) There are no structures in place.

(b) We are still working on such initiatives.

(c) Not sure.

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(a) Workshops on the Code of Ethics are organised on a regular basis.

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(a) It is hard to tell.

(b) Their role is too minimal to be noticed by other officials.

(c) Unions play a double standard.

(d) I have mixed feelings about the role of teacher Unions.

16. Is there any ethical document in the Circuit Offices / District Office?

(a) Yes

(b) No

(c) Not sure.

Please make general comments about ethical behaviour in the UMhlatuze Local Municipality and recommend strategies to understand and entrench ethical behaviour within the district.

Please feel free to make your recommendations about ethical behaviour in the uMhlatuze Local Municipality and the attitude of school-based and office-based educators concerning the Integrated Quality Management Systems.

17. What is it that is done by all stakeholders including departmental officials, School Management Teams and School Governing Bodies to promote professionalism in the public school system? -----

18. Are there some clashes in the implementation of policies and measures in striving to promote ethical conduct?-----

19. Is there any evidence that policies and measures are working effectively and efficiently in promoting ethical behaviour? What is the level of input that is applied by the institutional initiatives such as school policies and departmental guidelines in enforcing and strengthening ethical conduct in public schools?-----

20. Are Unions talking about the Professional Code of Ethics in their conferences, meetings, workshops, seminars and newsletters or circulars, if, so how often?-----
