

PART I – CODE OF CONDUCT

(Section 15(1)(a)(i))

Preamble

1. (1) The Government of Lesotho acknowledges that the ends sought by the public service of Lesotho are the development of the country and well being of its citizens, and that these ends can be achieved through diligence, perseverance and dedication of a disciplined corps of public officers who are instrumental in carrying out government policies. Each public officer in accepting an appointment to the public service of Lesotho accepts personal responsibility for developing and exhibiting a strong work ethic and affirms his or her commitment to combating negative work habits in the public service of Lesotho.

(2) This Code of Conduct (hereinafter referred to as “Code”) is made in the conviction that employment in the public service places a public officer under a moral obligation to work conscientiously to earn his or her living and look upon his or her work as a contribution to making the economy of Lesotho strong and healthy.

(3) This Code shall be viewed primarily as a guide to public officers in their relationships and dealings with their employer and the general public.

(4) The Code provides a guidance on the standards of behavior required of public officers.

(5) Public officers are therefore urged to adhere to this Code in order to create a conducive working environment for the betterment of the society as a whole.

Interpretation

2. This Code supplements and should therefore be read as one with the Public Service Act 2005 and the regulations made under it.

Conduct of public officers

3. (1) A public officer shall –

- (a) at all times have absolute and undivided loyalty to the Constitution and the lawfully constituted Government;
- (b) support and maintain the Government of Lesotho according to the Constitution and other laws of Lesotho;
- (c) serve the people of Lesotho with respect and promote their welfare and lawful interests;
- (d) strive to excel in all his or her endeavors by being an example to others;
- (e) perform all duties and exercise all powers that have been assigned by a proper authority to his or her office, or that are appropriate at the material time to the grade, designation or classification of that office, diligently and impartially and to the best of his or her ability;
- (f) in relation to his or her official duties, account for and make prompt or true return of, any money or property for which he or she is responsible;
- (g) place all of his or her time at the disposal of Government;
- (h) when required in the course of his or her duty to perform a service of which, if performed otherwise than in the public service, a charge would lawfully be payable he or she shall report the fact to the Minister, who shall, with the approval of the Minister responsible for finance decide what amount should be charged or paid for that service, and the amount shall be paid into the Consolidated Fund or into such other fund as may be determined by the Minister in Consultation with the Minister responsible for finance;

- (i) disclose to proper authority any misconduct, the commission of which he or she knows or ought to have known;
- (j) disclose to proper authority his or her direct or indirect financial interest (including loans and shares) in any undertaking;
- (k) show courtesy and decency in his or her communication about any person or matter that is under consideration or forms the subject of comment or response;
- (l) refrain from use of insulting or intimidating words to the authority, fellow public officer or members of the public or from showing disrespect to any of them;
- (m) wear official identity tags at all times during office hours;
- (n) when on official duty, dress and behave in a manner that enhances the reputation of the public service;
- (o) accept the responsibility to avail himself or herself of ongoing training and self development throughout his or her career.

(2) A public officer shall not-

- (a) become pecuniary embarrassed from any cause, and shall not be subjected to any disciplinary action if he shows that, his or her pecuniary embarrassment has not been occasioned by imprudence or reprehensible cause and that the faithful performance of his or her duty has not been affected;
- (b) absent himself or herself from his or her official duties during office hours without leave nor be late for duty without a valid excuse, the validity of which shall be determined by the immediate supervisor or head of department;

- (c) without the approval of the Minister, undertake remunerative or unpaid work outside his or her official duties or use office equipment or other resources for such work;
- (d) use official property, premises and time for personal and private purposes unless authorised to do so;
- (e) unless authorised by law or the terms of appointment or by the Minister, accept any fee, reward or remuneration of any kind beyond his or her emoluments for the performance of any service of the Government;
- (f) by any act or omission willfully fail to comply with, or willfully disregard, any provision of a law or any lawful instruction given by any proper authority;
- (g) knowingly make any false, misleading or inaccurate statement, either orally or in any official document or book, or sign any such document, or destroy any document or book whether electronically stored or otherwise or alter or erase any entry with intent to deceive;
- (h) whether before or after becoming a public officer, willfully supply incorrect or misleading information in connection with his or her personal details;
- (i) directly or indirectly reveal or use for private purposes, any information coming to his knowledge or acquired by him or her either in the course of his or her duties or in his or her capacity as a public officer, otherwise than in proper discharge of his or her duties or as authorised by law or a competent authority;
- (j) comply with an instruction which is unlawful, improper, unethical or in breach of the Constitution or inconsistent with the Public Service Act or any other law or which may involve a possible maladministration and in such

circumstances, the public officer shall report the matter in writing to an officer senior to the one giving the instruction;

- (k) maliciously or destructively criticise the work or conduct of another public officer;
- (l) be an active member of a political party nor speak in public on any political party or matter or take an active part in the support of any candidate in an election, and do anything by word or deed which is calculated to further the party political interests of any political party;
- (m) use illegal drugs and substances or abuse any other intoxicating substances, and shall not be found drunk at the workplace. Habitual drunkenness or addiction to drugs shall be viewed as damaging to the interest and the image of the public service;
- (n) commit a criminal offence involving dishonesty, misappropriation of public funds or cause damage to public property or bring public service into disrepute;
- (o) give or receive valuable presents whether in the form of money, goods or other personal benefits for services rendered except to the extent that he or she is specially permitted to do so by the head of department;
- (p) exploit his or her relationship with another officer or persons to gain advantage of him or her sexual or confer undue favour on him or her, for sexual acts or malpractices anywhere;
- (q) during working hours, engage in behaviour or conduct that disrupts or interferes with the work of other public officers;
- (r) write or circulate anonymous or vexatious letters or statements with malicious intent;

- (s) engage in, or encourage the practice of -
 - (i) habitual lateness to work and meetings;
 - (ii) irregular attendance to work;
 - (iii) using weather, poor transportation and domestic problems as an excuse for lateness and irregular attendance;
 - (iv) sleeping during scheduled working hours;
 - (v) trading, selling or transacting private financial business on work premises;
 - (vi) engaging in long private conversation with colleagues and eating in office during official working hours, and
 - (vii) disregarding deadlines and target dates agreed upon with his or her immediate Supervisor, and using delay tactics and red tape as an excuse for non responsiveness.

- (3) Nothing in this section shall be construed as preventing a public officer from becoming a member or shareholder of a company or society of persons registered under any law;

Health and welfare

- 4. (1) Smoking in Government premises is prohibited. Public officers shall only smoke in those areas that may be designated as smoking areas.

(2) A public officer shall not maliciously expose other public officers, colleagues and members of the public to infectious diseases or danger at the workplace.

Sanctions

- 5. A public officer who fails to comply with a standard of conduct in this Code shall be subjected to disciplinary action in accordance with the provisions of a Disciplinary Code made in Part III.