

NATIONAL LIBRARY OF SOUTH AFRICA

CODE OF CONDUCT



Effective from	01 May 2020
Date revised	20 April 2012
Policy owner/s	Office of the National Librarian and CEO and Human Resources Management Department
Target audience	All National Library of South Africa (NLSA) Employees

Should be read in conjunction with:

Legislation	<p>National Library of South Africa Act 92 of 1998 (as amended)</p> <p>Basic Conditions of Employment Act 75 of 1997 (as amended)</p> <p>Constitution of the Republic of South Africa Act 108 of 1996 (as amended)</p> <p>Employment Equity Act 55 of 1998 (as amended)</p> <p>Labour Relations Act 66 of 1995 (as amended)</p> <p>Promotion of Equality and Prevention of Unfair Discrimination Act 52 of 2000 (as amended)</p> <p>Public Finance Management Act 1 of 1999 (as amended)</p> <p>King IV Report on Governance for South Africa 2016</p> <p>Protection of Personal Information Act 4 of 2013 (POPI)</p> <p>Promotion of Access to Information Act 2 of 2000 (PAIA)</p>
Policies and Frameworks	All NLSA Policies
Procedures	NLSA Conditions of Employment, Contract of Employment
Standards	

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1. Purpose

The purpose with this Code is to guide and assist all of us in applying the principles of Conduct consistent with the vision and values of the NLSA.

This code affirms our commitment, and the commitment of the Accounting Authority (the Board), to the ethical conduct of the NLSA as an agency of the Department of Sports, Arts and Culture and as individuals.

2. Objectives

This Code of Conduct set forth the professional spirit and integrities with which the National Library of South Africa wishes to conduct its personal and business interactions with all stakeholders. The purpose of this Code of Conduct is to clearly define the principles and guidelines for an ethical conduct on the business of the NLSA, and our commitments regarding our conduct, as an entity and as individuals.

3. Definitions

Term	Definition
Code	Code of Conduct
Employees	For the purpose of this Code, employees include the employees of the NLSA as defined in Section 213 of the Labour Relations Act and Section 1 of the Basic Conditions of Employment Act, and includes management, members of the Board of Directors, and any party acting on behalf of the NLSA i.e. a person appointed in the employ of the NLSA as a permanent or temporary employee or consultant.
Board,	Refers to the Accounting Authority appointed in terms of Section 55 of the PFMA. Where the term "Board" is used, this shall hold the same status as the term "Accounting Authority" and vice versa.
Executive Authority	Refers to the cabinet member appointed as Minister of the Department of Sports, Arts and Culture.
He / She	Words importing any one gender includes the other gender. The singular includes the plural and vice versa.
King Report	Means the King IV Report on Governance for South Africa as issued in 2016, (or any relevant and legally enforceable subsequent report on governance applicable to the NLSA).

4. Abbreviations and Acronyms

Abbreviation/Acronym	
CEO	Chief Executive Officer
NLSA	National Library of South Africa

5. Scope

The Code includes the necessary elements that contributes to the ethical and professional daily performance of the activities of all employees, suppliers and customers, including Management and the Board of Directors, whom all shall conduct themselves in accordance with the Code.

All employees, representatives and volunteers shall review and adhere to the guidelines described in this Code and the related policies, as well as comply with all applicable laws. Failure to do so may result in civil or criminal liability or disciplinary actions commensurate with the seriousness of the case.

6. Strategic Impact

Commensurate with the vision of the National Library of South Africa (NLSA), this Code of Conduct promotes the vision, mission and values of the NLSA in that it ascribes to the principles of integrity, excellence, innovation, collaboration and accountability.

7. Statement by the National Librarian and CEO on the Code of Conduct

For the past 200 years and more of the existence of the NLSA, the fundamentals that continue to ensure the sustainable existence of the NLSA is our guard for integrity and accountability. The ethical conduct of every individual in the affairs of the NLSA, and that of our own, is paramount to the success of the organisation. Our success is defined by the legacy we seek to pass-on to posterity. As a heritage institution, we exist to make available a complete South African documentary heritage fostering a reading nation towards an informed citizenry. Our mission articulates clearly the importance of conducting all of our affairs in an ethical manner in order to build an informed nation.

Our organisation must remain firm in the application of high standards of ethical principles and values in our business relations and processes. In order to give practical effect to the relevant constitutional provisions relating to the public service. We must embrace the principles of the Batho-Pele ethos at all points of contact in the interest of the South African people. These principles and values must continue to be a foundation upon which the NLSA builds to preserve a complete collection of documentary heritage.

The purpose with this Code is to guide and assist all of us in applying the principles of conduct consistent with

the vision, mission and values of the NLSA. This Code affirms our commitment, and the commitment of the Accounting Authority (the Board), to the ethical conduct of the NLSA as an agency of the Department of Sports, Arts and Culture and as individuals.

All NLSA employees are expected to comply in every respect with the Conditions of Employment in force and any related regulations, orders, policies and practices and to refrain from any conduct which would give just cause for discipline. In particular, employees should:

- 7.1 Attend work regularly and punctually.
- 7.2 Conform to the reasonable dress and uniform requirements of the NLSA.
- 7.3 Perform their tasks and job responsibilities diligently, carefully and to the best of their ability.
- 7.4 Obey all lawful and reasonable instructions given by a person having the authority to do so.
- 7.5 Conduct themselves with honesty and integrity.
- 7.6 Request permission in advance for any leave of absence whenever possible.
- 7.7 Refrain from being absent from duty without leave or permission, except on good cause.
- 7.8 Refrain from accepting any other employment commonly referred to as "moonlight" outside of normal working hours, shift work or rotation work without the prior permission of the CEO.
- 7.9 Refrain from rude, abusive, insolent, provocative, intimidator or aggressive behaviour to a fellow employee or member of the public.
- 7.10 Refrain from wilful or negligent behaviour, which may result in the damage of property.
- 7.11 Refrain from participating, either individually or with others, in any form of action, which will have the effect of disrupting the operations of the employer, other than actions contemplated by the Labour Relations Act.
- 7.12 Refrain from wrongfully disclosing privileged information; and
- 7.13 Refrain from consuming alcohol or using intoxicating drugs whilst on duty.

To give effect to the above, the Management, employees and registered Unions representing employees of the NLSA must commit to the promotion of high standards of professional Conduct and comply with the Code. Although the Code of Conduct is not an exhaustive set of rules regulating standards of conduct. I therefore, have no doubt that in carrying out their duties, employees of the NLSA are required to conform to the basic values and principles to assist with the realisation of the NLSA's vision and mission in a manner that complies with the NLSA's core values as outlined below.

Our Vision

A world class African National Library and Information hub



Our Mission

We build, record, preserve, conserve and make available a complete documentary heritage fostering a reading nation towards an informed citizenry.

Our Values

The vision and mission of the NLSA defines the future we aspire to by doing that which we have set course for ourselves. We are therefore unified in our conduct by the values we have set for ourselves.

These values are:

Integrity: We uphold the virtues of integrity in the affairs of the organisation.

Excellence: We promote a culture of excellence in all that we do.

Innovation: We remain committed to creativity and innovation.

Collaboration: We work with likeminded organisations.

Accountability: We are an ethical and transparent organisation. We remain accountable to the Executive Authority (Minister) while being conscious of serving our end users.

8. Policy Principles and Practices

8.1 Compliance with the Code of Conduct, Policies, Laws, Rules and Regulations

To act with all due professional behaviour when conducting business affairs.

- 8.1.1 Employees of the NLSA are expected to meet the highest standard of ethical behaviour, both inside and outside of the organisation.
- 8.1.2 Employees must know and abide by this Code of Conduct and the policies and procedures established by the NLSA.
- 8.1.3 Employees must comply with all applicable laws, rules, and regulations of the Republic of South Africa and other jurisdictions to which the NLSA may extend its operations.
- 8.1.4 Employees, including Management and members of the Board of Directors of the NLSA, and any party acting on behalf of the NLSA, must refrain at all times from involving the NLSA in illegal misconduct, including unjustified litigations.
- 8.1.5 Employees, including Management and members of the Board of Directors of the NLSA, and any party acting on behalf of the NLSA, must strictly observe contractual agreements between the NLSA and other parties, in full compliance with all stipulations thereof.

- 8.1.6 Any person becoming aware of any violation of this Code, or learns that an action contrary to the principles of this Code of Conduct has taken place or is taking place, must immediately proceed to report such violation as guided in this Code of Conduct.

8.2. Relations with the Executive Authority and the Department of Arts and Culture

To be honest and straightforward in all business and professional relationships.

- 8.2.1 Only authorised persons shall submit reports, statements and other information as it may be required by the Department and/or the Executive Authority.
- 8.2.2 Information, statements or declarations requested must be complete, correct, timely and validated at the time of submission to support the decision making process of the NLSA and/or the Executive Authority.
- 8.2.3 Information, statements or declarations submitted must be clear, consistent, uniform, and understandable.
- 8.2.4 Employees, including Management and members of the Board of Directors of the NLSA must, within their scope of responsibility, ensure that financial, performance, and compliance records are in accordance with the generally accepted accounting principles and the internal controls guidelines of the NLSA.
- 8.2.5 The making of false statements, false accounting entries, distortion or alteration of information is strictly prohibited.

8.3. Use of Assets and Time under the Control of the NLSA

To act with integrity and professional behaviour.

- 8.3.1 It is the responsibility of every employee to prevent loss, misuse, theft, damage and sabotage of the NLSA assets.
- 8.3.2 Assets of the NLSA are to be used for their intended purpose in the furtherance of business objectives as guided by the policies and procedures of the NLSA.
- 8.3.3 Funds received by the NLSA, irrespective of the source of the funds shall be strictly used in accordance with the policies of the NLSA, unless otherwise the agreement with the donor or sponsor provides otherwise.
- 8.3.4 All employees must ensure and promote optimal use of money, must utilise each Rand amount to its fullest potential towards the achievement of business objectives.

- 8.3.5 Employees, including Management and members of the Board of Directors of the NLSA, and any party acting on behalf of the NLSA, are obligated to protect and optimise the value of the asset investment made by the NLSA, through responsible use of the organisation's assets and the observance of high standards of legal and ethical conduct in all business dealing.
- 8.3.6 An employee may not utilise the assets of the NLSA, including time paid for by the NLSA, to do other work or engage in another activity not considered related to their employment duties at the NLSA.

8.4. Relations with the Employees of the NLSA

The NLSA values their employees as important stakeholders and therefore the organisation shall:

8.4.1 Employer

- 8.4.1.1 Ensures that all employees are treated fairly, with respect, dignity, and equity.
- 8.4.1.2 Ensure that conditions that permit each individual to grow professionally and personally are created and optimised.
- 8.4.1.3 Ensure that employee records are maintained strictly in confidence, and in accordance with current legislation.

8.4.2 Employee

- 8.4.2.1 An employee shall demonstrate at all times, loyalty to the NLSA, respect towards others, diligence in execution of own responsibilities and an honest conduct in business affairs.
- 8.4.2.2 An employee shall promote and uphold the good reputation of the NLSA brand, and are expected to act at all times within the spirit of a brand ambassador.
- 8.4.2.3 An employee shall comply with all laws, regulations, policies and procedures that govern or limit their area of responsibility.
- 8.4.2.4 Employees must not make degrading comments about the NLSA, the affairs of the organisation, its employees or stakeholders, whether this is published or unpublished.
- 8.4.2.5 Employees should be aware that content and information made available by employees through social media may be observed. Employees are to use their best judgment in posting material that is neither inappropriate nor harmful to the NLSA, its employees, and/or stakeholders.
- 8.4.2.6 No employee shall seek to unjustly promote the work of another in any manner unfairly to such person.
- 8.4.2.7 Employees are prohibited from using any illegal or unethical methods to acquire the work of another person.
- 8.4.2.8 An employee of the NLSA may not use for own gain or to support another party, the work of another person without consent.

8.4.2.9 Plagiarism is strictly prohibited.

8.4.2.10 An employee may not seek to influence any process or decision by means of name dropping or unjust authority.

8.4.2.11 Personal relationships with NLSA Management, NLSA governance committee members, employees of the Executive Authority, Portfolio Committee members, employees of the government department led by the Executive Authority to which the NLSA reports to or an employee of the political party in government, may not be used to derail processes, divulge confidential information, disrespect the authority of others, accrue unjust benefit, avoid the application of Policies and Procedures of the NLSA or to gain illegal representation, including any other motive of similar or related taste.

8.4.2.12 Employees should protect the right to privacy and dignity of all library staff and users and show respect for the confidentiality of the library-client relationship.

8.5. Management

8.5.1 An employee in a supervisory role, including those charged with managing or supervising others, shall act with justice and equity, protecting the common interests of the employees and that of the NLSA.

8.5.2 An employee in a supervisory role, including those charged with managing or supervising others shall act within the confines of the laws, regulations, policies and internal procedures/guidelines applicable to the NLSA.

8.5.3 An employee in a supervisory role, shall promote at all times, an environment of respect and trust that fosters communication, motivation, learning and knowledge sharing.

8.5.4 An employee in a supervisory role, must transmit accurately the operational and strategic priorities of the NLSA in a manner that cultivates professionalism and enthusiasm towards the objectives of the NLSA.

8.6. Discrimination and Harassment

8.6.1 All individuals shall be offered equal opportunities in regards to hiring, compensation, training, development and promotion.

8.6.2 No individual shall be discriminated against on the basis of gender, age, religion, race, physical abilities, political preference, social class, or sexual orientation.

8.6.3 Discrimination recognised by the constitution of Republic of South Africa is permitted, however this shall not be abused or unjustly invoked.

8.6.4 Harassment or bullying in any of their manifestations is strictly prohibited.

- 8.6.5 All employees including Management and members of the Board of Directors of the NLSA, and any party acting on behalf of the NLSA must report all incident of discrimination, bullying, or retaliation regardless of the identity or the position of the offending individual.
- 8.6.6 Any form of employment of minors is strictly prohibited, pursuant to applicable policies and in accordance with national laws and regulations.

8.7. Fair and Honest Treatment of Library Users and Suppliers of Goods and Services

Library users are strategic clients whose information needs we support, and therefore:

- 8.7.1 Employees shall act with highest standards of trust and honesty in all dealings with library users.
- 8.7.2 Employees must respect and cater for the information needs, languages, appearances and physical abilities and disabilities of all library users in a manner consistent with the laws of the country and policies of the NLSA, including generally accepted customer service standards.
- 8.7.3 Employees must practise business activities in a manner consistent with the spirit of the laws and policies governing the NLSA and the principles of Batho Pele when rendering library and information services to the public.
- 8.7.4 Employees must ensure that, upon request, the right information in the right format is provided so that public interest and public good is not compromised.
- 8.7.5 Employees must deal with Library users fairly and honestly in each and every transaction.
- 8.7.6 Employees must facilitate and allow for free and equal access to all sources of information. Unjust or unlawful censorship should not be exercised.
- 8.7.7 Employees must provide corresponding library services and products at the highest level of quality and perform all agreed commitments.
- 8.7.8 Any employee who conducts business under terms different to those prescribed by the NLSA shall be in violation of this Code and the NLSA reserves the right to apply disciplinary actions as it deems appropriate.

8.8. Suppliers of Goods and Services

Suppliers of goods and services to the NLSA are priority partners in the supply chain management establishment; the NLSA promotes compliance with this Code in the supply chain process.

- 8.8.1 An employee who participates in the identification and selection of suppliers, including acceptance of goods and services and payment thereof, shall conduct themselves honestly and fairly while promoting competition in the process.
- 8.8.2 An employee shall not collude with suppliers in any form, including and not limited to; pricing, quantities of goods supplied, quality of services rendered, quality of goods supplied, and payment arrangement, in a manner that disadvantage the NLSA or another party with interest to the transaction.



- 8.8.3 An employee shall not directly or indirectly seek or accept any benefit from existing or prospective suppliers.
- 8.8.4 An employee must not engage in procurement practises that could be or appear to be extortion or manipulation of suppliers.
- 8.8.5 An employee must refrain from advocating for a supplier's business, products or position in dealings with the NLSA.
- 8.8.6 An employee having interest in a supplier, which conflict with any dealing, decisions, process or judgment to which the said supplier participate, shall immediately declare the conflict upon detection and recuse self from any position of control or influence in relation to the dealing, decisions, process or judgment.
- 8.8.7 An employee must not make false claims or misleading statement or insinuations about the products and services of the NLSA or that of suppliers of goods and services.
- 8.8.8 An employee entering into contracts or agreements must request legal services or enter all contracts and agreements in compliance with this Code of Conduct and Policies of the NLSA.

8.9 Conflicts of Interest

- 8.9.1 All employees of the NLSA, including members of Board of Directors and the Accounting Authority, must avoid all situations that could result in conflict between personal interests and the interests of the NLSA.
- 8.9.2 The prohibition is extended to both direct and indirect interests held by either the employee, through family members, friends or related parties.
- 8.9.3 Where events or circumstance exists that presents a conflict, the employee or member thereof, must make full disclosure of the facts and circumstances that prevail and excuse self from the decision making process or any position that influence the decision making process.
- 8.9.4 The authority which receives a Declaration of Interest must immediately take remedial steps to eliminate or reduce the conflict of interest to a reasonable low level.
- 8.9.5 An employee of the NLSA may not hold positions of employment with another entity during, and through, their period of employment with the NLSA, unless authorisation was granted by the Executive Authority or delegated authority.
- 8.9.6 Employees of the NLSA may not receive remuneration or other payments for services rendered or goods supplied, or for other purpose, from suppliers, distributors, publishers, library users, government entities, or other libraries.
- 8.9.7 All employees of the NLSA, including members of Board of Directors and the Accounting Authority, who hold personal investment in other companies or entities doing business with the NLSA must disclose such interest when it arises.

- 8.9.8 Members of the Board of Directors and the Accounting Authority who hold positions of control or influence in companies or entities doing business with the NLSA must disclose their interest to the Accounting Authority.
- 8.9.9 All information, data, knowledge, declarations and/or statements obtained by the employee as a results of her position of employment with the NLSA shall be used only to serve the business interests of the NLSA.
- 8.9.10 Employees shall at all times keep in confidence all information, data, knowledge, declarations and/or statements which are not officially published by the NLSA. Disclosure to third parties is permitted only if required by law in South Africa.
- 8.9.11 Employees are encouraged to avoid personal relationships with their subordinates or their direct reports, this includes relationships with close family members that may create a conflict of interest. Where this exists, the Board Committee responsible for conduct must approve their employment relationship with the NLSA after considering the following:
- Concerned parties are not appointed in employment relationship in which there is an interaction of processes between them while they are family members or social partners.
 - Concerned parties should not be appointed to positions where a supervisor-employee relationship will exist.
 - Appointment should not be made where one party will work in a department to which the other party holds an executive or supervisory position.
- 8.9.12 The selection and appointment of employees to a job position, including promotion, must be done by parties independent of the job candidate, i.e. without family ties or prior personal association.
- 8.9.13 Employees of the NLSA may participate in sport, civic, educational, charity, political, or religious activities provided these do not conflict with the schedule of duties they are obligated to fulfil at the NLSA.
- 8.9.14 Employees participating in sport, civic, educational, charity, political, or religious activities shall do so in their personal capacity unless otherwise authorised in writing by the National Librarian and CEO to represent the NLSA.
- 8.9.15 Any public expressions or communications made by an employee participating in sport, civic, educational, charity, political, or religious activities will be made in her personal capacity unless otherwise authorised in writing by the National Librarian and CEO to represent the NLSA.
- 8.9.16 Employees should provide and promote the highest level of service that is accurate and unbiased regardless of their own personal beliefs.

8.10 Fraud and Corruption

- 8.10.1 The NLSA's Anti-Fraud Policy and Response Plan formalises NLSA's position with regard to fraud and corruption and reinforces existing systems, policies and procedures aimed at deterring, preventing,

detecting, reacting to and participating in fraudulent or money laundering activities or circumstances that are perceived to be acts of fraud or money laundering.

- 8.10.2 Employees of the NLSA must guard against participating in fraudulent or money laundering activities or circumstances that are perceived to be acts of fraud or money laundering.
- 8.10.3 Manipulation, omission or distortion of accounting records, tender records, recruitment records, performance reports or any other information for personal gain or for the undue benefit of related parties and/or third parties is strictly prohibited.
- 8.10.4 The use of resources of the NLSA and the tender process for an unlawful purpose is strictly prohibited.
- 8.10.5 Employees of the NLSA are prohibited from taking bribes, gratuities or direct/indirect contributions to their person or the business of the NLSA in return for making available an undue advantage.
- 8.10.6 The NLSA and her employees are prohibited from making payment of bribes, gratuities or direct/ indirect contributions to another party or related party for the purpose of influencing or obtaining an undue advantage.
- 8.10.7 The NLSA and her employees shall not take or receive gifts from sources listed as terrorist organisations or terrorist individuals, or gifts that are made outside legitimate commercial transactions or dealings.
- 8.10.8 Any form of corruption, including collusive behaviour, bribery, extortion, illegal dealings is prohibited and is gross misconduct.
- 8.10.9 The use of authority, influence or position to gain undue favours for oneself, the NLSA or a third party is prohibited. This includes financial favours, sexual favours and political favours.
- 8.10.10 The Anti-Corruption Law of the republic of South Africa applies to all dealings of the NLSA with own employees or with third parties, including laws of other jurisdictions where the NLSA does business.
- 8.10.11 Any allegations of corruption or fraud will be fully investigated and necessary punitive legal measures will be taken.

8.11 Performance of Duties

- 8.11.1 Employees should always act in good faith. They are required to carry out their duties in a diligent, efficient and conscientious manner. In this regard employees should:
 - 8.11.1.1 Maintain and develop an in-depth knowledge and understanding of their area of expertise and/or the professional field within which they are active.
 - 8.11.1.2 Be present at work as required and only be absent from the workplace with proper authorisation.
 - 8.11.1.3 Carry out official decisions and Policies faithfully and impartially using the information available to them.
 - 8.11.1.4 Endeavour to attain the highest possible standard of performance.
 - 8.11.1.5 Comply with all lawful and reasonable instructions.
- 8.11.2 If an employee is a member of a professional body, he or she should also adhere to the professional code of such professional bodies.

- 8.11.3 All individuals at the NLSA who have access to information owned by the NLSA are expected to know and understand the relevant access and privacy requirements, and are expected to take measures to enforce the confidentiality and security of information throughout the institution.
- 8.11.4 Employees dealing with personal information must be aware of the purposes for which the information has been collected, and only process the information for that purpose in accordance with the Protection of Personal Information Act 4 of 2013 (POPIA) and the Promotion of Access to Information Act 2 of 2000 (PAIA).
- 8.11.5 Employees may not impart, without authorisation, confidential and/or personal information (including business strategies, pending contracts, unannounced services, research results and information on Board of Directors and personnel) to any person, company or entity where such person, company or entity is not legitimately entitled to the information.

9. Liability

- 9.1 Any party contravening this Code or acts against the Code of Conduct shall be guilty of misconduct and liable in terms of Chapter IV of the National Library of South Africa Act 92 of 1998.

10. Reporting

- 10.1 Any person who becomes aware that an incident involving unethical behaviour or that violates this Code has taken place or is taking place, shall immediately report in accordance with the Grievance Policy of the NLSA or to the hotline number provided by the Public Service Commission.

11. Deviations

- 11.1 Business needs and operational requirements may require exceptions and deviations from the Code of Conduct. Justification for such requests must be submitted to, and approved by, the National Librarian and CEO in consultation with the Board.




12. Authority Levels

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|-------------------------------|----------------------------|
| 1. Formulation of the Policy: | Human Resources Management |
| 2. Policy Committee: | Management Team |
| 3. Board Sub-Committee: | HR and REMCO |
| 4. Approval of the Policy: | Board of Directors |
| 5. Execution of the Policy: | Human Resources Management |

13. Implementation and Review

Review Sequence	Document Name	Updates	Effective Date	Review Date	Author	Authorisation	Final Approval
Annual	Code of Conduct	02	01 May 2012	14 May 2020	Director: HRM	Board	Annual

14. Approval

Official	Position	Signature	Date
Ms M. Masipa	Director: HRM		14 May 2020
Ms J Shirley	Acting Executive Director: Corporate Services	J. Shirley	14 May 2020
Mr K. Madumo	National Librarian and CEO		14/05/2020
Mr T. Dlamini	Chairperson of the Board		2020/05/14