

# **AN ASSESSMENT OF THE IMPEDIMENTS TO THE IMPLEMENTATION OF CODE OF CONDUCT IN ANGLOPHONE WEST AFRICAN COUNTRIES: THE IMPORTANCE OF LEADERSHIP**

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## **ABSTRACT**

*This article reports on a focus group study of senior and middle-level public managers' perceptions about barriers to the implementation of code of conduct in the public sector in five Anglophone West African countries. The article adopts a qualitative research strategy using focus group interviews for 35 serving senior, middle and junior level managers drawn from the five Anglophone West African Countries of Ghana (8), Nigeria (9), Gambia (7), Liberia (6) and Sierra Leone (5). The study reveals that all the countries are making frantic efforts at improving the ethical conduct of public sector managers through the introduction of various reforms measures including code of conduct as key components. However, the practical application of the code of conduct in public administration remains limited. The reasons for this state of affairs include among others deficiencies in code implementation, lack of exemplary leadership, ineffective reward and punishment system and unsupportive public service organisational culture. Among others, a strong leadership, rigorous application of a reward and punishment system and supporting organizational culture were the noteworthy remedial actions suggested by discussants.*

## **INTRODUCTION**

This article on the basis of a five-country group interviews examined public managers' perceptions about the implementation and practical benefits and constraints to code of conduct in the public sector in five Anglophone West African countries. The article is divided into five sections: the first section provides an introduction comprising a background, problem analysis and a literature review on code of conduct; the second section describes the study method for data collection and the data analysis procedure; the third section presents the findings from the study; the fourth section summarizes the findings and the fifth section gives the conclusion and policy implications of the study.

## **BACKGROUND AND PROBLEM ANALYSIS**

Upholding the principles and standards of right conduct by public office holders at all levels of government is an important aspect of public service ethics. An essential requirement in this regard is that public servants are required to respect the rule of law and the dignity of citizens in carrying out their official duties. In this connection, various countries in Sub-Saharan Africa have initiated several reforms aimed at rejuvenating their public administration systems. An important element in the reform packages is the rejuvenation and institutionalization of codes of conduct by various countries. In the West Africa sub-region, code of conduct and other institutional arrangements have been put in place to provide overall guidance and ensure integrity and responsible behavior in the respective public services. A significant effort by the

five Anglophone West African countries is the incorporation of codes of conduct in their constitutions. In Nigeria, the Code of Conduct Bureau is enshrined in the 1999 Constitution with the aim to establish and maintain a high standard of morality in conducting government business. The code includes issues such as avoidance of conflict-of-interest to prevent public officers from using their position for personal gain. The Code of Conduct Tribunal was also established to treat cases of infringement or noncompliance brought to it by the Code of Conduct Bureau. Ghana's 1992 Fourth Republican Constitution also contains numerous legal provisions to combat corruption, including Chapter 18 on the Commission on Human Rights and Administrative Justice and Chapter 24, which is devoted to the Code of Conduct for Public Officers. The code prescribes the guidelines for ethical behaviour for all public servants, including the avoidance of conflicts of interest. Article 286(5) specifically identifies the main target group to provide leadership in ethical behaviour, ranging from the President of the Republic down to the Heads of ministry or government departments, chairmen, managing directors and general managers of public corporations or enterprises in which the state has a controlling interest. The Office of the Head of Civil Service in accordance with the constitutional provisions regarding responsible behavior published the Code of Conduct for the Ghana Civil Service in 1999.

The Gambia also has a variety of similar instruments to assist in upholding ethics and integrity in public administration. In particular, Chapter XXI of The Gambia Constitution provides for a Code of Conduct for Public Officers including declaration of assets on assuming office and two years thereafter and on leaving office. Other legal and policy instruments instituted to primarily regulate the conduct of those public official include: (i) The Gambia Civil Service Code of Conduct whose main purpose is to guide the civil servants in order that they avoid conduct which may undermine the integrity and effective rendering of services for which they are employed; (ii) The Public Service Commission (PSC) Regulations was inaugurated in 1994 to provide for operations of the PSC and the conduct of public servants; and (iii) Gambia Public Procurement Act, 2001 sets out the basic principles and procedures to be applied in the public procurement of goods, works and services.

Post-war Liberia and Sierra Leone are no exceptions to the wave of public sector reforms which include the implementation of a code of conduct policies. Public servants are officially briefed about the ethical standards by which they are bound during their pre-recruitment and upon assumption of duty. Similarly, appropriate civil service laws have been promulgated to guide the conduct of public servants. A significant number of senior public managers are also being trained to acquire new skills to enhance their understanding, interpretation and application of codes.

It needs to be emphasized that the effective implementation of codes that secure genuine responsible behaviour by public officials is as important as putting in place the code of conduct itself. However, indications are that most countries in Anglophone West Africa are lagging behind in the implementation of significant components of their codes of conduct. What can be said is that most of the countries in the West African sub-region have overarching deficit in the implementation of codes. Essentially, the legal and institutional infrastructures have been put in place but the implementation remains a huge challenge. This situation has resulted in a limited awareness of proper codes of

conduct culminating in the preponderance of unethical and corrupt behavior throughout the public services.

This article sets out to make a qualitative inquiry into the root causes of the factors constraining the implementation of code of conduct in Anglophone West Africa. The study is organized around the following two related questions:

- What are the factors impeding the effective implementation of code of conduct in Anglophone West African countries; and,
- What needs to be done to enhance the practice of ethical behavior among public officials?

The objectives of the study are to:

- Make an empirical inquiry into the practice of code of conduct;
- Document the challenges facing the implementation of code of conduct based on the views of public servants; and,
- Provide suggestions that would help improve the status of the code regimes.

## **LITERATURE OVERVIEW ON THE CONCEPTS OF ‘CODES OF CONDUCT’ AND ‘CODES OF ETHICS’**

Code of conduct is usually used interchangeably with code of ethics in every day parlance. However, the two terms are different and mean different things. While code of conduct is usually specific, code of ethics is more general. Codes of conduct identify specific acts that must be either adhered to (prescription), or avoided (proscription) (Fisher and Lovell, 2006). According to them, codes of conduct tend to be instructions, sets of rules or principles concerning behaviour. Codes of conduct tend to be reasonably prescriptive and proscriptive concerning particular aspects of employee behaviour.

Codes of ethics unlike codes of conduct are reasonably general in their tenor, encouraging groups and individual employees to display and espouse particular characteristics such as loyalty, selflessness, honesty, objectivity, probity and integrity (Fisher and Lovell, 2006). According to Guy (1990 cited in Ngulube, 2000) ethics are about honesty, accountability, pursuit of excellence, loyalty, integrity and responsible citizenship. Fisher and Lovell (2006) asserts that codes of ethics do not on the whole address specific types of decisions; rather they encourage the application of what might be 'virtues'. They seek to institute principles of right behaviour that may serve as guides for individuals and groups (Pojman 1995:2 cited in Ngulube, 2000).

The conception of code of conduct provided by IFA (2007) is quite instructive: “principles, values, standards, or rules of behavior that guide the decisions, procedures and systems of an organization in a way that: contributes to the welfare of its key stakeholders; and respects the rights of all constituents affected by its operations”. Fisher and Lovell (2006), aver that where all possible scenarios that employees might face can be predicted with a high degree of confidence, as well as all the circumstances relating to those scenarios, then a specific code of conduct might be possible, because ethical judgment becomes redundant. However, in instances where the likely scenarios that an employee might face cannot be predicted in the requisite detail, then reference to general qualities and principles will be preferred; that is, codes of ethics become more appropriate. In this article, the meanings and usage of the two terms are not restricted in

the sense that they all seek to stimulate good conduct and promote organizational efficiency.

### **Purposes, benefits and behavioural conformance to code of conduct**

The public sector like its counterparts the private and third sectors are faced with challenges of behavioural conformance. However, unlike the private sector, research into public sector code of conduct is limited. Liddle et al, (2009) have intimated that although interest in research on codes of ethics has increased since the early 1980s, the emphasis has been on the private sector codes and that, studies on public sector codes appear to be limited. Svensson and Wood (2004:178) have argued that:

*....there appears not to have been any in-depth examination of the contents of the codes of ethics and the related organizational ethics artefacts in public sector organizations.*

Probably the reason assigned by Svensson and Wood (2004) – that the intense public scrutiny on the public sector renders the role of codes somehow irrelevant – is responsible for this. They are quick to add that with the advent of the new public management reforms, more is required in terms of codes to provide a guide to the public sector. But the use of code of conduct to regulate employee behaviour has a long history (Brytting, 1997 cited by Fisher and Lovell, 2006). Codes of conduct have been an important means for eliciting appropriate behaviour from employees. Thus, code of conduct is useful for instilling discipline in organisations. Woode (2000) notes that codes help to make clear what an organisation intends and expects of its employees; in this sense, a code of conduct is purposefully designed to guide the judgment and conscience of people as they make specific decisions. Ngulube (2000) argues that code of ethics protects the image of the profession as well as that of the individual members.

Aydinlik et al (2008) intimate that there is a suggestion that organizations implement codes because they perceive them to have some value and are important to the organization. This perception is expected to exude some commitment to them. Svensson and Wood (2004) also posit that code of ethics is usually implemented because it is a tangible artefact that can be seen and acted on by all. Aydinlik et al (2008) argue however that a code by itself is not enough to ensure that the employees of organizations will actually manifest ethical behavior and that it requires supporting infrastructure if it must ensure that the ethos of the code is entrenched in organisation's life. This view has been made earlier by Sims (1991 cited in Svensson and Wood 2004).

A code of conduct is said not to be a substitute for any contractual agreements or disciplinary and grievance procedures. Rather, its purpose is to enable employees to manage their own behaviour and to challenge other people's behaviour at an informal stage. This, in the longer term is intended to bring about a decrease in indiscipline and grievance issues as they are dealt with effectively before they become part of any formal process. Take for example, in Australia, The State Service Commission of Australia (2005) identifies two key purposes of the code of conduct, namely: a guide to public servants on the standards of behaviour required of them; and the provision of a basis for more detailed standards which some departments need in order to meet their particular circumstances.

What is apparent is that an appreciation of the purpose and benefit of code of conduct needs to be related to the way it shapes general behaviour in an organization. Thus the purpose(s) of code of conduct should be seen in terms of its role in the life of the group of people, individuals and organisation adopting it (Fisher and Lovell (2006). Fisher and Lovell (2006) identified eight roles for code of conduct in the corporate life of organisation which include: damage limitation, guidance, discipline and appeal, information, proclamation, negotiation and stifling. Ngulube (2000) on his part outlines five purposes of code of ethics: instills discipline in the profession and ensures professionalism and integrity of its members; educates new members of the profession and constantly reminds the old ones of the 'dos and don'ts' of the profession; provides a measure of consistency in dealing with issues; maintains public trust in the profession; and serves as a quality control mechanism for the profession's services.

The empirical literature linking codes of conduct and employees' behaviour and conformance is not very strong. Mathews (1988) was able to identify only a weak link between the existence of ethical codes and corporate behaviour. This viewpoint was taken up by Cassell, et al (1997: 1078 cited in Fisher and Lovell, 2006:384) who argued that:

*An important, if implicit, assumption of many writings on corporate codes is that such codes do have a 'real' effect upon behaviour. This tends to be something that is taken for granted, but it is not empirically validated by subsequent investigation ... recipients of the code: those who are required to make sense of it, and respond to it, often as one more instance of managerially-inspired change, amidst a plethora of pre-existing formal and informal control processes within which the impact of the code must be located. As with any example of formal organisational control, the actual, as opposed to the intended, effect may be subject to processes that entail negotiation and bargaining.*

### **Principles and framing of code of conduct**

Public sector code of conduct has often been built around some key principles. In the case of Australia, for example, the State Service Commission of Australia (2005) outlined three key principles; they included: public servants should fulfill their lawful obligations to the Government with professionalism and integrity; public servants should perform their official duties honestly, faithfully and efficiently, respecting the rights of the public and their colleagues; and public servants should not bring the Public Service into disrepute through their private activities. Also, the Nolan Committee of UK in 1995 identified seven such principles for public life which are: selflessness, integrity, objectivity, accountability, openness, honesty and leadership (Lawton, 1998).

Ghana's revised code of conduct for the Ghana Civil Service also identifies six key principles which should guide public servants. These are selflessness, integrity, justice and fairness, accountability, transparency and leadership (the Office of the Head of the Civil Service, 1999).

On the relevance of principles to framing codes of conduct, Fisher and Lovell (2006), assert that there are a number of principles that are common to most codes of conduct. They identify these as: integrity, loyalty, no harm and risk management, respect for

individuals' employees, respect for the law, trust, and relationship with stakeholders, developing communities, goals and achievement, return to stakeholders, environmental sustainability, political activity and contributions, personal advantage and commitment to external standards or assurance. A study of the content of codes by Farrell et al (2002:152) revealed that generally, three formats of codes were identified: regulatory documents with specific advice to addressees on behaviours, often with a system of sanctions; second, short, widely phrased creeds often stating aims, objectives and values, with no specific guidance content and often encompassed in a larger document; third, elaborate codes covering social responsibility to many stakeholders and a wide range of topics.

However, it is important to note that codes of conduct do not in themselves invoke compliance. Verschoor (2002, Cited in Peppas and Yu, 2009) asserts that even with a code of ethics, ethical behavior is not necessarily assured. They contend that although considerable light has been shed on codes of ethics and their effects, there are nonetheless, considerable inconsistencies in the findings. In this connection, Cassell et al (1997 cited in Fisher and Lovell, 2006) pointed out that conformance with code of conduct is influenced by three factors. These factors are the extent of internalization of the codes, effects of non-compliance, and group identity pressures. Commenting further, Cassell et al (1997 cited in Fisher and Lovell, 2006) assert that the nature, content and processes by which codes were designed, developed and implemented will determine the influence of the codes on members of an organisation. In this sense, organisational control mechanisms and individual perceptual and self-control processes are equally critical factors determining the influence of codes upon individual behaviour.

## **RESEARCH METHOD AND DATA COLLECTION PROCEDURE**

A series of five-country focus group interviews conducted in March 2008 at the Ghana Institute of Management and Public Administration (GIMPA) in Accra was used to:

- examine perceptions about the implementation of code of conduct within the public sector in five English speaking West African countries;
- examine opinions on the benefits, progress and impact of code of conduct on the behaviour, relationship and attitude of public officials; and
- examine the range of factors that constrain the practice and management of ethical matters within African public sector organisations.

### **Focus groups**

Focus groups are interviews of small groups of targeted individuals on specific issues. This qualitative research strategy has been used widely in social science research to probe important aspects of perception and behavior (Creswell, 2004). The focus group method is appropriate for this study's objectives for several reasons. First, although concerns about poor ethical management for public services is common in West Africa, this is not based on any empirically based research; a research method that provides basic information from those who either witnessed, experienced or were direct beneficiaries or victims of both ethical and unethical behaviour was needed. Second, the focus group method allowed for dynamic brainstorming among participants about

potential benefits and barriers to implementing code of conduct. It also provided opportunity for the interviewees to express their opinions about the effects of integrating code of conduct into the public services on work attitudes, behaviour and conduct of public servants. As argued by Creswell (2004), group interview is useful in situations where the researcher wishes to encourage research participants to explore issues of importance to which the researcher has little knowledge about. The group interview technique was very useful for the study because it provided the participants the needed environment to express their thoughts and ideas and to interact with other people of similar social, economic and professional backgrounds. The group interaction was very beneficial; in fact, participants actually brought some new insights into the discussion and pointed out some questions that were noted for further research. Overall, the group interview setting represented a closer approximation to "real-life" processes than one-on-one interviews because opinions were generally formed in a social context (Creswell, 2004).

*Venue:* The five-country focus group interviews were conducted at the Ghana Institute of Management and Public Administration campus, Greenhill, Accra, Ghana.

*Group Composition:* The groups were homogeneous in that all participants were at the time public servants pursuing a functional Master's degree in Public Sector Management aimed to train and equip public managers with the skills required for effective management of public services in sub-Saharan Africa. The cohort of interviewees included in the study were drawn from five English speaking West African countries of Ghana (8), Nigeria (9), Gambia (7), Liberia (6) and Sierra Leone (5). The group composed of 26 men and 7 women; there were 14 senior officials, 15 middle managers and 6 junior staff, ranging in age from 31 to 50 years. All participants were full-time employees in the public sector either at central, region/provincial or district levels in their respective countries.

*Procedure:* The research objectives were examined through the use of scenarios and ethical cases presented to participants in the beginning of the focus group sessions. Although majority of participants have displayed some level of knowledge of public service code of conduct, the scenario technique provided them with basic information and stimulated the discussion. As each group progressed, the participants were encouraged to look beyond the particulars of the scenarios and the research questions to a more general discussion of the objectives, progress, and problems of managing code of ethic in developing African country public services.

Each of the group discussions began with a brief introduction of public sector reforms with emphasis on ensuring responsible behaviour within the public service and how the code of conduct has been a means in achieving this objective. The session also briefed participants about focus group research and asked for their permission to record the interview discussions. The interviewer then gave participants a brief verbal definition of code of conduct. They were then asked to write down a number of ethical principles that they are very familiar with. They were assured that lack of knowledge about ethical principles would not in any way hinder their participation in the group discussion. In each group, a hypothetical scenario about unethical behaviour which appeared in a local newspaper was presented to participants. This strategy was used as a means of demonstrating a possible use of the latest concerns about ethical issues in the public

service and to stimulate discussion about what is being done to curb unethical behaviour especially corruption in general. The newspaper articles were presented to participants and read aloud by the moderator.

Next, the moderator posed the basic questions and asked participants to record their responses.

- What do you think will happen next in the scenario?
- If you were asked to serve as an independent advisor in this situation, what remedial action would you recommend to your government?

After participants finished writing their responses, the moderator asked for responses from each discussant. During this period and in subsequent discussion, questions posed by the moderator were designed to further clarify participants' comments. After each participant had an opportunity to give his or her responses to the various questions, the moderator asked participants to give example from their respective countries to illustrate their answers.

*Data Analysis:* The taped focus group discussions were transcribed into word processor files. The transcripts were reviewed by the researchers for common themes and ideas. The transcripts were analyzed by the researchers immersing themselves in the data and jointly discussed its meaning until consensus is reached. The final phase of data analysis involved generating categories, themes and units for analysis.

## **THE STUDY FINDINGS**

### **Opinions about the relevance and practice of code of conduct**

#### *Importance of code of conduct*

Answers to the question on the inauguration of code of conduct came from 35 respondents. From the responses it was quite clear that majority of respondents, (29 out of 35) were aware of the introduction of code of conduct as a way of ensuring responsible behaviour in the public service. The importance of code of conduct was without a shred of doubt. Evidence for this lay in the fact that, all the participants (100%) unanimously agreed that the code of conduct is important and, it is one of the generally accepted ways for integrating values and standard of behaviour into African public services.

#### *Creating awareness and employee education about code of conduct*

Opinion about employee awareness of code of conduct was mixed. This is because even though more than half (54%) of interviewees said mechanisms existed for employee education and orientation about the code of conduct, another significant number of about 46% (13 out of 35) expressed a contrary opinion. Evidence from the interviews suggested that much has not been done to create the required level of awareness amongst employees about the code of conduct and its essence to ensuring responsible behaviour. This perception was popular and stronger among Nigerian and Ghanaian respondents; majority of whom openly declared that awareness programmes in their respective countries were ad hoc, mostly not well intentioned and lacked focus.



### *Benefits of code of conduct to public managers*

Respondents were asked to indicate what they perceived to be the benefits for introducing code of conduct in the public service. Firstly, opinions about the benefits of code of conduct were conceived in terms of its influence upon staff behaviour, relationship and general attitude of public officials in their dealings with the public. Majority of those interviewed reported that they have observed improvement in the behaviour of their colleagues and superiors especially in relation to their attitude to customers. Secondly, there were opinions that the mere awareness of the existence of a code of conduct has had a significant psychological effect upon the conduct, attitude and behaviour of public officials. Further evidence from the responses indicated that a code of conduct is not only useful as a guide for responsible behaviour, but it is a tool for the regulation and prevention of arbitrariness and abusive behaviours. For example, it was indicated that a code was a very useful mechanism for curbing unfair treatment, red tape, favouritism and abuse of public office for private gain. In addition, code of conduct was recognized as one of the reasonable means for inculcating responsible behaviour into public management thereby improving accountability, punctuality, hard work, adherence to rules and good work culture.

### *Perceived changes resulting from code of conduct*

According to respondents, the changes that resulted from the introduction of code of conduct included improvement in: responsible behaviour; quality of interpersonal relationships; respect for authority and duty consciousness; reduction in lateness; employees impartiality; sense of urgency among civil servants; accountability and promptness of administrative action

### *Leadership and management of code of conduct*

Respondents were asked about the role and general attitude of their superiors to the implementation of code of conduct in their various organisations. Participants reported that senior public managers habitually paid lip-service to the practice of code of conduct. According to one interviewee:

*“Majority of the superior officials talk a lot about code of conduct but do very little or nothing about its practice especially in their own daily dealings with juniors and clients”.*

This opinion was popular and very strong among respondents, nearly 65% (21 out of 35) of the interviewees strongly agree that most leaders in the public service only paid lip- service to issues of standard of behaviour and that they were not committed in anyway to the effective implementation of code of conduct. This opinion was strongest among Nigerians, Sierra Leonean and Ghanaian participants.

### *Obstacles to effective practice of code of conduct in the public service*

The interviewees identified the following as responsible for the poor implementation of the code of conduct in their various countries. General weakness in leadership, the syndrome of leniency, lack of knowledge, ignorance about the code; weak enforcement; outdated and old codes, difficulty of comprehending and applying the language of codes; codes were too idealistic and did not address daily moral issues confronting public servants; ineffective reward and punishment system; poor public service

organisational culture; weak supervision and monitoring and undue societal pressure on bureaucrats.

*Suggested ways to improve the practice of code of conduct*

Remedial actions proposed by respondents to improve effective practices of code of conduct included: leadership by example; education of employees and the public on the code; rewriting and simplifying the code into readable units; making the code accessible to all; and rigorously applying the reward and punishment system.

**Comments on code of conduct and ranking of public service principles**

This section catalogued the most prevalent comments made by interviewees on code of conduct. Of the 35 respondents who said they were aware of code of conduct, 65% made some comments. Using content analysis 11 codes were developed to categorize the answers. In total 57 comments were assigned codes; this was because each interviewee could make more than one comment. Of the 57 comments 13 were positive in nature and 44 negative. Table 1 shows summary of the comments made by respondents.

**Table 1** *Most prevalent comments on code of conduct*

Comments	No. of responses	% of Respondents(a)
Majority of public employees are ignorant of the code of conduct	18	54.5%
Lack of adequate and regular education of employees about code of conduct affected its practice	15	45.4%
Senior managers never practice what the code of conduct says	15	45.4%
Code of conduct is just on paper not being practiced	11	33.3%
Code of conduct has brought about very little or no change into the behaviour of public servants	8	24.2%
Too many inconsistencies and impartiality in administering code of conduct have made it unsuccessful	7	21.2%
Copies of the codes are not made available to staff	7	21.2%
The language of the code of conduct is too difficult to comprehend	6	18.2%
Code of conduct is obsolete	4	12.1%
The administrative culture does not encourage good behaviour	3	9.1%

*(a) The cumulative percentages add up to more than 100% as interviewees made more than one comment*

The positive comments were associated with the relevance and impact of code of conduct on improving employee attitude to work and relationships. There were also respondents who said code of conduct encouraged ‘some sense of responsible behaviour’, and helped to improve relationship between the public or citizens and civil servants. Other comments included:

- ‘It contributed to the relative change in employee attitude to work’.
- ‘It is responsible for the reduction in lateness and absenteeism’.
- ‘Code of conduct is good but it is not being used properly’.
- ‘Code of conduct is good but not effective because of lack of supervision to ensure compliance’.
- ‘Code of conducts only has minor impact due to the lack of commitment from senior officers’.

## Ranking of public service principles

In order to ascertain respondents' perception of the value of ethical principles, the study went to adapt and include in the interview guide seven set of principles recommended as a guide for public servants in the UK in 1995 (see the Nolan Committee Report, 1995). Interviewees were therefore asked to rank the seven key principles for public servants in order of importance. Table 2 summarizes the results.

**Table 2: Ranking of seven key ethical principles for public service management**

Public service Principle	Ranking in percentage (% N)						Total
	1 <sup>st</sup> Position	2 <sup>nd</sup> Position	3 <sup>rd</sup> Position	4 <sup>th</sup> Position	5 <sup>th</sup> Position	6 <sup>th</sup> Position	
Leadership	17	11	3	0	0	0	31
Integrity	4	11	8	3	5	0	30
Objectivity	0	0	5	2	2	0	9
Accountability	2	5	0	3	13	2	25
Transparency	0	0	1	6	3	6	16
Honesty	0	4	13	6	0	4	27
Selflessness	3	2	0	2	15	11	33
<b>Total</b>	26	33	30	22	38	23	

A principle as used in this research study refers to a guide to action which is built upon some generally accepted values. A code of conduct, therefore, is a set of generally accepted principles fashioned to guide action.

In Table 2 above, we find that: leadership featured in the 1<sup>st</sup> position with 17 out of 35 interviewees assigning it the 1<sup>st</sup> position. The ranking suggested that majority of interviewees believed that leadership is the most important principle needed in the public sector. Integrity is in 2<sup>nd</sup> and 3<sup>rd</sup> positions respectively with 11 out of 35 respondents ranking it as the second most important principle that public managers should uphold. Objectivity is in 3<sup>rd</sup> with only 5 out of the 35 respondents giving it this position on the league table. Even though in recent times accountability has become a buzzword in public administration only 2 and 5 out of 35 interviewees ranked it in 1<sup>st</sup> and 2<sup>nd</sup> positions; but surprisingly as many as 13 interviewees ranked it in 5<sup>th</sup> position. Like the principle of accountability, transparency has gained prominence in administrative reform programmes, but only 6 respondents ranked it in 4<sup>th</sup> and 6<sup>th</sup> positions respectively. Honesty is in 3<sup>rd</sup> and 4<sup>th</sup> positions; while nearly 15 and 11 out of 35 interviewees ranked selflessness in 5<sup>th</sup> and 6<sup>th</sup> positions respectively.

## OPINION ABOUT FACTORS CONSTRAINING THE IMPLEMENTATION OF CODE OF CONDUCT

The research identified a dozen factors behind the ineffective implementation of code of conduct within Anglophone West African public administrations. They included:

- inadequate education of public employees;
- too many inconsistencies and impartiality in administering code of conduct;
- unavailability of copies of codes of conduct to staff;
- senior managers' clandestine and subversive behaviours and refusal to practice what the code of conduct says;
- difficulty in comprehending the language of the code of conduct;
- lack of exemplary leadership; poor supervision and monitoring;

- prevalence of a syndrome of leniency;
- ineffective application of the reward and punishment system; and
- undue societal pressure on bureaucrats coupled with an unsupportive public service organisation culture.

The aforementioned factors are discussed in the next subsections.

#### *Inadequate education and orientation of employees*

The main factor identified by the study when it came to implementation difficulties was a general lack of education and orientation of public sector employees, specifically, junior and auxiliary staff about the public service code. Consequently, majority of employees including the general public were virtually ignorant of the code of conduct and consequently its relevance as guide to behaviour. The factors underlying the inadequate education were complex. In some of the countries, it was attributed to centralization of reform programmes; other perceived it as due to poor leadership, lack of resources and lack of commitment on the part of senior public managers. A number of respondents also pointed accusing fingers at lack of political will, with a strong perception that failure of government to provide the needed financial resources affected educational programmes and the reworking of the obsolete and unworkable codes that most of the public organisations have. It was also said that even where efforts to create awareness amongst employees were made, this was thwarted because the language of the code of conduct was too difficult to comprehend.

#### *Inconsistencies and impartiality in administering code of conduct*

Inconsistencies and impartiality in the administration of public service codes loomed large as a reason for implementation difficulties, with respondents from the countries mentioning it – either in relation to recruitment of new staff or in the administration of reward and punishment regime, and competition for a position or promotion involving other employers – as a factor behind the problems. Concerns over impartiality in implementing codes were raised in relation to favours given by officials to their kinsmen, girlfriends or female employees. For example, over a third of respondents said the key factor behind the difficulties in practicing public service code was due largely to the influence of tribal considerations and undue pressure from political big-shots for fear of the consequence of having a diminished status in wider society if they fail to assist their people. In Nigeria, Ghana and Liberia, it was said that tribalism and lack of meritocracy were factors underlying the implementation problems.

#### *Unavailability of copies of codes of conduct to staff*

On the difficulties of availability and access to copies of the code, respondents argued that connected to the problem of unavailability was the fact that the civil and public services and their respective ministries and departments were only able to provide employees with limited number of copies of the code. While some respondents attributed this to lack of resources, others argued that the resource problem was man-made due largely to wrongful prioritization and mismanagement of scarce resource meant for publicizing the public service code. The lack of the resources therefore, was frequently mentioned as a particular problem in relation to employee orientation about public service code and the availability of copies of the code, with interviewees reporting it as a major roadblock to effective implementation of the code.

### *Lack of exemplary and committed leadership*

The lack of exemplary and committed leadership was mentioned as a major obstacle to the practice of the public service code. Interviewees were of the view that the issue of responsible behaviour was about one's actions in relation to clients in the course of rendering service. Connected to the problem was the way senior public servants practice the code of conduct in the course of their work. According to some respondents, what their bosses do is very important because that has great influence on them. But senior officials have not displayed exemplary leadership to the practice of the code of conduct. In addition, the commitment of bureaucratic leadership is nothing to talk about. Political commitment is a key element for effective and successful practice of a code of ethics. Indications from the responses were that although every government verbally support the inauguration of public service code nobody seemed to bother about its successful institutionalization into public administration culture. According to the findings, most governments have over the years been providing only lip-support to reform issues pertaining to ethical reorientation without the corresponding political support and commitment. Related factors identified as contributing to this situation is the makeshift approach to management in the public sector coupled with poor supervision and monitoring; and, the prevalence of a syndrome of leniency. As respondents indicated, ethical reform was part of bureaucratic reform in all African countries but they only percolated two or three levels down the administration system not reaching the relevant officials at important levels who needed the information. This problem, according to some interviewees became compounded because of over-politicisation of the ethical reform issue.

### *Ineffective and non-functioning of reward and punishment system*

Respondents attributed the problems of ethical management in public services to ineffective punishment and reward system. According to them, given that code of conduct is a set of principles to guide the action of public employees, its success should be closely linked to an effective reward system that acknowledges those who would uphold the principles in very trying situations and that which reprimand officials who deviate or compromise the principles. The findings suggested that despite the fact that public service reforms advocated institutionalisation of the reward and punishment system, it has not taken root in the administrative culture of most public organisations.

Evidence from the findings showed a linkage between the problem and the public service organisation culture which was described as unsupportive of a vibrant ethical regime. It was reported during the interview that the senior public servants (Deputy Ministers, Chief Directors and senior executives) of the service were seen almost not taking any disciplinary actions against public officials who, for example, are habitually late to work or absent without any reason. It was also reported that in situations where some officials dared to initiate actions against lateness, absenteeism and staff misconduct they invariably suffer later because of pressure and intimidating actions from higher authorities within the organisation itself or from political figures.

## **Brief commentary on the findings**

The results suggest that it is very hard for even practitioners to agree on which public management principles are important and to what extent. It also shed light on the difficulty of developing a set of principles to regulate the actions of public service

managers. With regard to the difficulty that the respondents have in ranking the principles, it must be admitted that ethical standards are difficult to classify and define, and that ethical frameworks have developed as a result of government policy, legislative requirements and financial and administrative codes, guidelines and conventions (Wanna et al., 1992 cited in Lawton, 1998).

In the public sector, code of conduct or standards of behaviour have to emanate from the practical operation of a country's social, cultural, political and administrative systems. Code of ethics and concomitant standards of behaviour are not god-given, invariably creeds must not be imposed on public officials and the administrative system from without. Rather ethical standards of behaviour have to be seen as a constantly refreshed conventional code of practice which largely originates from within socio-political and the administration sector. If taken in this sense, then, political conventions, public value expectations, bureaucratic rules and norms, legislative requirements including formal and informal codes of conduct all would have to combine in order to produce a mixture of generally accepted ethical practices that would guide behaviour of public officials. What this assertion suggests is that, it is important for countries to locate standards of behaviour within the context of practice and in the social structure of the organisation. In addition, the introduction of code of conduct should be based on the moral foundations of the public administration which consist of principles such as honour, benevolence, and justice. One note of caution which has arisen from the study is that, interviewees believed that African countries have tended to put too much faith in only institutional arrangements and processes for the resolution of problems of bad decisions, corruption, unethical behaviour and abuse of administrative authority. This tendency has encouraged many reforming African countries to lose sight of the real purposes of those institutions and instead to focus only on perfecting rules, regulations, and control mechanisms that yield very little or no ethical outcomes.

## **CONCLUSIONS, LIMITATIONS AND POLICY IMPLICATIONS**

The findings of this study suggest that the practice of code of conduct currently have limited usefulness in public organizations because it has not been embraced by public officials at the top echelons. All categories of public managers (i.e. senior, middle level and junior staff) agreed that the reintroduction of code of conduct in public management is necessary. But practice or the application of the code in the daily life of public servants especially senior officials was absent. Furthermore, the general weakness in leadership, the syndrome of leniency and lack of knowledge about the code is constraining implementation. That aside, weak enforcement; outdated and old codes, difficulty in comprehending the codes coupled with ineffective reward and punishment systems were also identified as factors impeding implementation. Organisational culture, weak supervision and monitoring and undue societal pressure on bureaucrats were among the factors constraining the effective implementation of code of conduct in the various countries.

The findings suggest that when senior public servants especially deputy and assistant ministers give special attention to code of conduct in their daily public administrative actions, the practice of responsible behaviour would trickle down the administrative hierarchy to the lowest level, making code of conduct more useful and practicable. But as the situations stands with senior public servants paying lip-service to the code of

conduct issue, the positive effect upon the behaviour of public servant would inevitably be negligible. As a matter of fact, the emphasis put on the code of conduct and its practice in the last decade in African countries may have been laudable but the positive effects on public administrators are very minimal.

Our conclusion based on the findings is that, strong and committed leadership is needed for a successful implementation of code of conduct. We believe that the re-introduction of code of conduct into African public management may not change anything worthwhile beyond the normative objective because of ineffective management of the implementation process.

It is important to point out that the study had some limitations. The major limitation of the study is that only a small number of participants from the five countries were included. It means that generalizations across the West African region and even within the respective countries can be made with less certainty. Also, our findings are limited to public organisations with which participants work. Further, the two researchers were both the interviewers or moderators and the analysts. This is potentially a serious limitation because the researchers have biases that may influence the questions asked, as well as the process of analysis and the results.

### **Policy implications and the way forward**

Notwithstanding the limitations, the findings from the study have implication for policy and public management in West Africa and Africa in general. Firstly, in order to resolve the gaps identified with the management of the code of conduct, we believe that continuous awareness creation among employees would be the way out. Secondly, evidence from the study emphasised that the introduction of code of conduct requires a new approach to public management; this is because the current work culture and concomitant approach cannot support the practical requirements of the new codes. In this connection, continuous training, workshops, durbars, retreats, conferences and reorientation programmes should be seriously considered as an important milestone for the success of the implementation. If Anglophone West Africa and other sub-Saharan African countries are to effectively implement their codes of conduct, then public sector reform managers have a mammoth responsibility to reorient through educating their public employees. There is also the need to simplify the code into readable components. Violation of the code should attract appropriate punishment and reward obedience; and effective leadership as suggested by interviewees must reign supreme amongst the top hierarchy of public sectors managements. As suggested by respondents, the key to responsible behaviour is to ensure that bureaucrats and politicians practice what they preach.

Last but not least, code of conduct should not be introduced in isolation; it should be linked to ongoing socio-political and cultural changes taking place within African countries. If taken in this sense, then the assumption that civil servants were imbued with a sense of public duty needed to be reconsidered seriously. In particular, current political reforms, public value reorientations, reform of bureaucratic rules and norms and legal reforms would have to be deliberately reconfigured so as to have a lasting effect on the behaviour of politicians, public servants and the people.

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## REFERENCES

Aydinlik, Arzu Ulgen, Dilek Donmez, Go`ran Svensson Greg Wood and Michael Callaghan, 2008. Communicating the ethos of codes of ethics within the organization

A comparison of the largest private sector organizations in Sweden and Turkey, *Journal of Management Development*, Vol. 27 No. 7, 2008, 778-790

Britting, T, 1997. 'Moral support structures in private industry – The Swedish case', *Journal of Business Ethics*, Vol.16, 663-97

Cassell, C, Johnson, P. and Smith K., 1997. 'Opening the Black Box: Corporate Codes of ethics in their Organisational Context' *Journal of Business Ethics*, Vol. 16, pp 1077-1093

Creswell, J.W., 1998. *Qualitative Inquiry and Research Design: Choosing Among Five Traditions*, Thousand Oaks, California: Sage Publication

Farrell, J, Brian, Deirdre M. Cobbin and Helen M. Farrell, 2002. Code of ethics: their evolution, development and other controversies, *Journal of Management Development*, Vol. 21, No 2, 152 – 163

Fisher, Colin and Alan Lovell, 2006. *Business Ethics and Values, Individual, Corporate and International Perspectives*, (2<sup>nd</sup> Ed), Harlow, Prentice Hall

Guy, Mary. E., 1990. *Ethical decision making in everyday work situations*.

New York: Quorum Books.

Hunt, G., 1995. *Whistle blowing in the Health Service: Accountability, Law & Professional Practice*, London: Edward Arnold

Hunt, G., 1998. *Whistle blowing in the Social Service: Public Accountability, and Professional Practice*, London: Edward Arnold

IFA, 2007. International Good Practice Guidance, *Defining and Developing an Effective Code of Conduct for Organizations*, IFA

Lawton, Alan, 1998. *Ethical Management for the Public Services*, Philadelphia, Open University Press

Liddle, Joyce, Go`ran Svensson and Greg Wood, 2009. Implementation, communication and benefits of public sector codes of ethics: A longitudinal study of Sweden, *International Journal of Public Sector Management*, Vol. 22 No. 4, 364-379

Mathews M. C., 1988. *Strategic intervention in organisations*, Sage Library of Social Research, (169) London, Sage



- McCabe, D.L, Klebe Trevino, L., Butterfield, K.D, 1996. "The influence of collegiate and corporate codes of conduct on ethics-related behavior in the workplace", *Business Ethics Quarterly*, Vol. 6 No.4, 461-76
- Mike Stevens and Stefanie Teggemann, 2003. Comparative Experience with Administrative Reform in Ghana, Tanzania <http://www1.worldbank.org/wbiep/decentralization/afrlib/tanzania.pdf> : accessed May 3 2008
- Ngulube, Patrick, 2000. Professionalism and ethics in records management in the public sector in Zimbabwe, *Records Management Journal*, Vol. 10, No. 3, 161–17
- O'Toole, Barry J., 2006. 'The Emergence of a 'New' Ethical Framework for Civil Servants', *Public Money & Management*, Volume 26, Number 1, January, 39-46 <http://www.ingentaconnect.com/content/bp;jsessionid=1p7dqcl3fmiv7.victoria>
- Office of the Head of the Service, 1999. *Code of Conduct for the Ghana Civil Service*, Accra, Ghana Publishing Corporation
- Passmore, J., 1984. 'Academic Ethics', *Journal of Applied Philosophy* Volume 1(1), 12-27
- Peppas Spero C. and Tyler T. Yu, 2009. Codes of ethics: A comparison of the attitudes of future managers in China and the USA, *Management Research News* Vol. 32 No. 4, 383-391
- Pojman, Louis. P., 1995. *Ethics*, Belmont, CA: Wadsworth.
- Svensson, Göran and Greg Wood, 2004. Codes of ethics best practice in the Swedish public sector: A PUBSEC-scale, *The International Journal of Public Sector Management* Vol. 17 No. 2, 2004, 178-195
- Verschoor, C.C., 2002. "It isn't enough to just have a code of ethics", *Strategic Finance*, Vol. 84 No. 6, 22-24.
- Warren Lancaster, 1998. The Code of Conduct: whose code, whose conduct? <http://www.jha.ac/articles/a038.htm>; accessed May 3, 2008
- Wittmer, D, Coursey, D., 1996. "Ethical work climates: comparing top private managers in public and private organizations", *Journal of Public Administration and Theory*, Vol. 6 559-72.
- Woode S. N., 2000. *Ethics in Business and Public Administration, Introductory Essays and Cases*, Accra, Asempa Publishers.

**Appendix 1: Background information**

Background		Number						Percentage (%)
		Ghana	Nigeria	Gambia	Liberia	Sierra Leone	All countries	
<b>Staff Position</b>								<b>100</b>
	Senior Level Managers	4	4	3	1	2	14	37
	Middle Level Managers	4	4	3	2	2	15	43
	Junior staff	0	1	1	3	1	6	11
<b>Gender</b>	N=						<b>35</b>	<b>100</b>
	Male	6	7	4	6	5	26	67
	Female	2	2	3	0	0	7	20
<b>Age (years)</b>								<b>100</b>
	20-30	-			-	-	-	0
	31-40	-	-	-	-	-	-	0
	41-50	8	7	3	1	2	21	60
	51 and more	-	2	4	5	3	16	34
<b>Number of years in organisation</b>								<b>100</b>
	1-5 years	1	1	1	2	2	7	20
	6-11 years	5	7	1	-	-	-	37
	12-17 years	5	4	2	-	-	-	34
	18-23 years	-	3	1	1	1		6
	24 and above	-	-	-	-	--	-	0
<b>Number of years in current position</b>								<b>100</b>
	1-5 years	2	2	3	6	5	19	54
	6-11 years	2	3	2	-	-	7	20
	12-17 years	2	2	3	-	-	7	11
	18-23 years	-	-	1	-	-	1	3
	24 and above	-	--	-	-	-	-	0
<b>Levels education</b>								
	Diploma	-	-	2	3	3	8	21
	Graduate	6	9	5	3	2	25	71
	Postgraduate	2	-	-	-	-	2	8
Percentage (%)		<b>23</b>	<b>26</b>	<b>20</b>	<b>17</b>	<b>14</b>		<b>100</b>
N		8	9	7	6	5		35

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