

APPENDIX III

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CONFERENCE STATEMENT

Corruption in the public sector involves theft from the government, extortion of the public, and the abuse of power for illegal gain. It threatens all our efforts to improve life for the majority of our people, to reconstruct and develop our economy and communities. While we acknowledge the progress we have made and the efforts of many public servants, we also recognise that we have a long way to go to establish clean, accountable and transparent government.

As politicians and public servants from all spheres of government, we rededicate ourselves to serving the public and the national interest. The Code of Conduct for the Public Service provides the basic guide for our work and our relationships to the public. We can no longer tolerate dishonesty in our work or our colleagues.

The public must take responsibility for helping to end corruption. We need to ensure that every South African knows what to expect from the public sector, how to report corruption and extortion, and that they will be safe from victimisation. And we must ensure that the criminal justice system follows up swiftly and efficiently on all reported cases.

We will take the process started by this conference to ensure that the public and the public service develop a clear understanding and consensus on what corruption is.

We need to draw clear lines to define corruption, which takes many forms and on that basis establish a holistic approach.

Since corruption has deep roots in our society, we must accept that while some short-term measures can have a significant effect, ending corruption forms part of the long-term and laborious process of transformation of government and society as a whole. We commit ourselves to develop a comprehensive strategy that places immediate effective measures in the context of a longer and broader perspective. Our strategy must combine prevention with ruthless action against transgressions.

*The drafting of this statement was coordinated by Mr John Ernstzen, Deputy Chairperson of the Public Service Commission.

TOWARD AN ETHOS OF PUBLIC SERVICE, DISCIPLINE AND ACCOUNTABILITY

We need to maintain and strengthen the ethos of most public servants - that the public good is more important than their private gain. All those who receive a wage from the state will be required to recommit themselves to upholding a code of conduct. Sectors that do not have a Code will need to develop one for the 1999 Summit.

The *Batho Pele* campaign must ensure that every official at national, provincial or local level is committed to public service and that all South Africans know what they can expect from government in every sphere and how to report corruption. GCIS will develop a communication campaign to reach all our people, in all areas of our country.

We shall prioritise capacity building so that every public servant knows how to maintain anti-corruption systems and recognise and report corruption in the workplace.

We will carry out more detailed work to identify groups at risk, who face particular temptations to commit corruption, and provide them with support. Above all, we need to ensure that they have a working environment that supports the ethos of public service and integrity, with high morale, and that consistent oversight assists in removing temptation.

We call on our partners in communities and in particular on the public service unions to assist in strengthening the ethos of public service and in developing a working environment that prevents corruption and ensures service to the public.

QUALITY OF MANAGEMENT

All public service managers shall be held accountable if corruption occurs, and they are expected to address the prevention of corruption as part of their core responsibilities. Public service managers, at least from deputy director up, must report their assets in asset registers held by the relevant legislature.

We shall arm our managers to deal with corruption more effectively. The new Codes for Discipline and Incapacity must ensure that the public service can deal efficiently and effectively, but fairly, with cases of misconduct and inability to carry out duties. We must uproot the inherited system, which provided excessive protection for some public servants irrespective of their work. We need to find a better balance between the rights of the individual employee and the needs of the public.

The public service unions have all expressed support in principle for a more efficient disciplinary system. We will work closely with them to make this new system a reality.

The new Public Service Regulations lay the basis for more effective performance management at all levels. We are also asking senior managers to accept performance agreements that will determine their salary increments. All performance management systems must encourage managers to fight corruption and misconduct.

We need to ensure consistent and clear rules of conduct and control mechanisms, so that public service managers know exactly what they have to do. We must audit all our rules regularly, including treasury regulations, tender procedures and personnel management systems, to ensure that they are consistent and deal effectively with problems as they begin to emerge.

Finally, reconstruction and development requires a new focus on project management, and we need to ensure adequate skills to control corruption around new initiatives.

FINANCIAL AND MANAGEMENT CONTROLS

Most departments have made great progress in reviewing and improving their financial and management controls. Nonetheless, given the inadequate systems we inherited in most areas, we need to redouble our efforts.

We need to develop simpler and more effective treasury and procurement measures that prevent and pinpoint corruption and ensure value for money, without building excessive inflexibility into the system. New systems must ensure an appropriate focus on outputs and outcomes, rather than emphasising detailed procedures that ultimately do not meet the national interest of improving service delivery while controlling corruption. The relevant national and provincial departments and the municipalities must immediately review their regulations to achieve these ends.

National and provincial departments and municipalities must develop internal audit systems and bring in better financial management skills at a high level. In addition, we need to ensure that every public servant who handles public money has adequate training and control systems in place. Audit reports of municipalities shall be tabled in provincial parliaments. All employees must be made familiar with the control measures that apply to their work.

ANTI-CORRUPTION AGENCIES

The criminal justice system must develop a list of priority cases of fraud and corruption in the public service, and increase its efforts to deal with them rapidly and severely.

Government must improve the capacity and efficiency of investigation and prosecution of corruption. Anti-corruption agencies should publish clear guidelines on the nature of corruption, ways to report transgressions, and how the agencies will deal with reports of corruption expeditiously and rigorously. The agencies should report to the public on progress in these areas.

The Justice Department should explore the creation of a special court to deal with cases of corruption more rapidly and expertly.

Protection for whistleblowers will be strengthened and publicised.

THE WAY FORWARD

- A working group that represents the stakeholders in attendance will oversee the implementation of the resolutions and this declaration, and work together to ensure the success of the forthcoming Summit in developing an effective programme for combating corruption.
- The interface between the public service and private sector is where much corruption occurs. The private sector must form part of the solution, not be part of the problem, in the reform of public sector procurement and other measures to combat corruption. Key private institutions, such as banks and the accounting profession, must end all involvement in corruption and commit themselves to combating it in future. An inter-ministerial team should take these processes forward for the Summit.
- The departments that constitute the Criminal Justice System will come up with practical proposals for improving coordination and ensuring more rapid and effective handling of corruption cases for the Summit.
- All areas not covered should be evaluated for medium or long-term implementation as part of a consolidated conference programme of action.