



**A FRAMEWORK FOR THE IMPLEMENTATION OF ETHICAL PROCUREMENT
PRACTICES IN THE SOUTH AFRICAN PUBLIC SECTOR
[THE CASE OF CITY OF TSHWANE MUNICIPALITY]**

By:

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Declaration of own work and copyright

I, GODFREY MASINDI, declare that this research report is my own work. It is submitted in partial fulfillment of the requirements for the degree of Master of Business Administration at Graduate School of Business Leadership, University of South Africa. It has not been submitted before for any degree or examination in any other University. All references and sources of information have been accurately reported.

A handwritten signature in black ink, appearing to read 'Godfrey Masindi', is written over a horizontal dotted line.

GODFREY MASINDI

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Dedications

I dedicate this to all South African Public Sector Supply Chain Management Practitioners, who are responsible of implementing Supply Chain Policies and any other procurement guiding prescripts in their workplace.

In addition, I dedicate this to my son, Pfariso Masindi who is following my footstep in Supply Chain Management & Logistics professional. This is to inspire you, son, to continue working hard and achieve your dreams.

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Abstract

The study focuses on the implementation of ethical procurement practices in the South African public sector, specifically examining the case of the City of Tshwane Municipality. The background of the study shows that governments use procurement as a major economic activity that contributes significantly to the global economy's Gross Domestic Product (GDP). However, it highlights the susceptibility of public procurement to corruption, emphasizing the need for ethical frameworks to curb unethical practices. The research problem stems from the City of Tshwane Municipality's history of negative press due to illegal procurement practices, resulting in unfavorable audit outcomes, declining service quality, and financial concerns. The study aimed to address this issue by proposing a framework for ethical procurement practices, focusing on enhancing transparency, accountability, and trust within the public sector. To answer the research question of how the City of Tshwane can improve ethical procurement practices, the study adopted the qualitative approach where n=10 in-depth semi-structured interviews were conducted amongst staff in different sections of the municipality's procurement department. Thematic analysis was used in data analysis. The key identified themes were corrupt procurement practices, manifestation of nepotism and factors for ethical procurement implementation and these formed the basis for analysis and reporting. Conclusions drawn from the study highlight systemic factors significantly contributing to corrupt procurement practices, including lack of transparency, personal interests overriding integrity, and inadequate oversight. Fraudulent activities such as bid rigging and inflated pricing were identified, along with the impact of nepotism on supplier selection. The study emphasizes the importance of transparency, ethical training, strict oversight, a culture of accountability, and due diligence in fostering ethical conduct. Based on the findings, recommendations were made to refine policies, implement training initiatives, allocate resources for scrutiny, and promote a cultural shift towards transparency and ethical behavior within the organization. Future research is suggested to explore whether an integration of technological solutions (such as blockchain or AI) in procurement processes can be introduced to enhance transparency and help stem fraudulent activities.

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List of Acronyms

GDP	Gross Domestic Product
MFMA	Municipal Finance Management Act
OECD	Organization for Economic Co-operation and Development
PFMA	Public Finance Management Act
UNDOC	United Nations Office on Drugs and Crimes

CHAPTER 1

1.1 Introduction

The purpose of this study is to develop a comprehensive framework for the effective implementation of ethical procurement practices within the South African public sector, with a specific focus on the City of Tshwane Municipality, by offering a holistic examination of this critical subject. The challenges related to the lack of ethical procurement practices in the public sectors around the world are multifaceted and have significant implications for governance, economic development, and social justice (Williams-Elegbe, 2019). Corruption and fraud stand out as pressing issues in public sector procurement, diverting public funds, and compromising the quality of public services and infrastructure. Unethical practices also lead to unequal access to opportunities, favouring suppliers based on political connections rather than merit, which hampers economic growth and innovation (Harland, Telgen, Callender, Grimm and Patrucco, 2019:20). Furthermore, inefficient, and non-transparent procurement processes result in wastage of valuable resources, diverting funds from essential services and projects. Weak enforcement of procurement regulations and a lack of transparency allow unethical practices to persist, undermining efforts to promote ethical procurement.

In Africa, the challenges related to the lack of ethical procurement practices are compounded by historical legacies of economic inequality, as seen in the aftermath of the apartheid era. Unethical procurement practices can exacerbate these inequalities, often benefiting a privileged few at the expense of marginalized communities (Shava and Mazenda, 2021). Additionally, regions in Africa may lack the capacity and expertise needed to implement effective procurement systems, leading to inefficiencies and susceptibility to unethical practices. The lack of involvement of civil society and the public in the procurement process can lead to unaccountable decision-making, making it easier for unethical practices to go unnoticed and unchecked. Cultural norms and acceptance of certain unethical practices can be particularly challenging to address in Africa, as

changing long-standing practices may face resistance and require significant cultural shifts.

The South African government, as mandated by the Public Service Act 103 of 1994, Section 3 (i), is entrusted with the responsibility to expedite service delivery to its residents (Public Service Act, 1994) (Shava and Mazenda, 2021). In South Africa, the Public Finance Management Act (PFMA) and the Municipal Finance Management Act (MFMA) serve as guiding principles for procurement procedures aimed at achieving efficient service delivery. The government has implemented various legislative measures concerning procurement to fulfil its primary objective of service delivery, striving to regulate and direct the actions of government officials and public organizations. It's worth noting that South Africa's public procurement procedures were comprehensively established in the early 2000s, but these guidelines have faced criticism for not consistently supporting service delivery acceleration (Tangri and Southall, 2008). This sets the stage for our examination of the complex landscape of public procurement practices in South Africa.

In the South African public sector, providing essential services through various procurement procedures is a paramount government obligation (Williams-Elegbe, 2019). The government employs a range of legislative measures, stemming from the Constitution's Section 217, Regulations, Practice and Instruction notes, and circulars, guiding on various methods to acquire diverse products, services, and works, all aimed at fulfilling its duty to the public. The decision-making process during procurement is systematically governed by a set of policies and guidelines, encapsulated in the statement that, "guides public procurement usually cover the drafting of acceptable terms of reference; the way that a request for a proposal should be advertised for suppliers and contractors, the grounds on which they choose suppliers, and the way in which they measure and enforce the requirements of the standards stipulated for performance. The usual aims of such systems will be to take advantage of competition between suppliers and to reduce the risk of corruption" (Harland, Telgen, Callender, Grimm, and Patrucco, 2019:20). However, despite the presence of legal safeguards, corruption in public procurement is on the rise, putting the issue of public procurement integrity at the forefront (Shava et al., 2021).

City of Tshwane Municipality, like many other entities within the South African public sector, has confronted a pressing issue concerning unethical procurement practices. The adopted audit reports have revealed a disconcerting trend of procurement process overrides and widespread abuse within the system, undermining its integrity. The resulting control deficiencies have had a detrimental impact on service delivery, with a recurring pattern of impropriety and documentation gaps that hinder accountability. This unethical behaviour has fostered a troubling alliance between officials and contractors, strategically collaborating to divert procurement proceeds away from their intended purpose, thereby compromising set policies and administrative guidelines. Consequently, this practice has translated into subpar services for citizens, leading to widespread dissatisfaction and protests among South African consumers of municipal services. In light of these challenges, the urgent need for a comprehensive framework to implement ethical procurement practices within the City of Tshwane Municipality becomes evident, aiming to rectify these issues and restore public trust in the sector's integrity. Therefore, this study sought to develop a comprehensive framework for the effective implementation of ethical procurement practices within the South African public sector, with a specific focus on the City of Tshwane Municipality, offering a holistic examination of this critical subject.

1.2 Research Background

Procurement is one of the primary actions of the government that assists in carrying out its duties. It entails the buying of products, services, and works. According to Ethiopian Proclamation No.649/2009; "Procurement means obtaining goods, works, consultancy or other services through purchasing, hiring or obtaining by any other contractual means; and public procurement mean procurement by a public body using public fund." Procurement officers are expected to make purchases from the company that provides the best value for the money since public procurement is funded by public funds and serves the interests of the general public (Shava et al., 2021).

Governments use procurement as a major economic activity that contributes significantly to the global economy's Gross Domestic Product (GDP), which is thought to account for

between 10% and 15% of global GDP on average (Abul Hassan, Ismail and Abdul Mutalib, 2021). As a result, having a strong procurement system helps states avoid financial mismanagement and waste (Adjei-Bamfo, Maloreh-Nyamekye, and Ahenkan, 2019). The establishment of a regulatory body and comprehensive, transparent legal and institutional framework in procurement activities is seen by organizations across the globe as one of the most crucial activities that ensures transparency and accountability in the use of public funds (Basheka, 2021).

Public procurement is however one of the government processes that is most susceptible to misconduct. The "volume of transactions and the financial interests at stake," "the complexity of the process, the close interaction between public officials and businesses, and the multitude of stakeholders" are some of the factors contributing to this. Abuse of the budgetary process "has become the gateway to fortune" in some nations. According to the United Nations Office on Drugs and Crime, corruption in public procurement can be an issue in both established and developing nations, though some types of corruption are more common in particular nations (Okafor, Adebisi, Opara and Okafor, 2020). OECD (2014) noted that procurement corruption is to blame for 57% of all international bribery activities throughout the world (Dorotinsky and Pradhan, 2017).

Institutionalists assert that the fast development of trade and communication, along with the reform and revision of political and economic systems in emerging nations, has created favourable conditions for new forms of systematic corruption and an undue abuse of public power (Okafor et al., 2020).

"Public procurement accounts that 15-30% of the gross domestic products (GDP) for many countries in the world" (United Nations Office on Drugs and Crimes (UNDOC), 2013). Although studies have shown that public procurement accounts for up to 25% of GDP in developing countries and up to 15% of GDP in Organization for Economic Co-operation and Development (OECD) countries, studies have also shown that public procurement accounts for 70% of the public budget in sub-Saharan countries. Moreover, South Africa spends more than 60% of public funds on purchasing goods and services (Adjei-Bamfo, Maloreh-Nyamekye and Ahenkan, 2019). This suggests that the government spends a substantial sum of money annually on the acquisition of goods,

services, and construction projects. According to UNDOC (2013), the enormous sums involved in public procurement render it exposed to corruption.

“The Corruption Perceptions Index ranks countries and territories based on how corrupt their public sector is perceived to be” (Budsaratragoon and Jitmaneeroj, 2020:70). A country or territory’s score indicates the perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean). South Africa scored 43 points out of 100 on the 2022 Corruption Perceptions Index reported by Transparency International. Therefore, this brings the need for this study to establish a framework for procurement ethics in public sector to deal with and reduce the corruption level in the public sector.

Due to the size of the public procurement budget, it requires careful management, notably by the individuals in charge of the public procurement authorities. Throughout all phases of public procurement, procurement professionals should adhere to ethical norms. In order to deal with corruption and make public procurement a vehicle for economic growth, Bereziuk and Yaremchuk (2020) explains that ethics in public procurement are crucial. According to Lars, Sofia, Nojan, William, and Karl (2018), ethics are the fundamental rules of proper conduct in relation to a particular activity, profession, or individual.

Rana and Solaiman (2022) go on to clarify that the idea of public procurement ethics, which extends beyond bribery and gifts offered by suppliers to public procurement bodies, includes supplier acts related to their sourcing strategy. Getnet (2014) argued that public procurement is an essential tool for accomplishing social, environmental, and financial objectives. As it is one of the major tools for attaining development goals like eliminating poverty and providing health, infrastructure, education, and other services, it greatly contributes to the most effective use of public resources in developing countries (Bereziuk et al., 2020).

Hence, utilizing fundamental ethical principles in each stage of the procurement process and using procurement as a vehicle for policymaking are both ethical principles of public procurement. Ethical standards include things like utilising uniform assessment criteria for awarding contracts, protecting sensitive information, refraining from colluding with suppliers, and creating fair and unbiased bid specifications (Getnet, 2014). The main ethical practices in public procurement activities include using procurement as a tool for

economic development (giving preference to local suppliers and products), environmental protection (giving preference to environmentally friendly products or services), and procurement used as a tool for social policy (giving preference to disadvantaged groups like women owned, disabled, and micro and small enterprise suppliers) (Rana and Solaiman, 2022). Large sums of public money are used to purchase goods and services, and lawmakers, public officials, and other decision-makers have power over public procurement, making it particularly vulnerable to corruption (Ware et al., 2018).

Implementing ethical procurement practices improves organization performance in both developed and developing nations. This could have a cascading effect on better organization success by reducing corruption and other unethical practices in the procurement process. To do so, it is essential to ensure that the process is economical and effective, according to Bauhr et al. (2020) argument that public buying has significant economic and political consequences. This calls for the players, namely the government, the purchasing organizations, the business community or suppliers, and other stakeholders, such as professional groups, academic institutions, and the general public, to have a thorough understanding of the entire buying process (Rana and Solaiman, 2022).

AlNuaimi and Khan (2019) place more stress on the value of training and ethical procurement practices in accomplishing the duty to provide products, works, and services to satisfy a range of citizen needs in developing countries. Public procurement legislation is one of the most crucial elements in conducting an efficient public procurement audit (Bereziuk et al., 2020). The significance of procurement ethics is emphasized by Sarawa and Mas (2020) as being crucial for the development of long-term partnerships and the formation of supplier goodwill. They contend that claiming expert standing for procurement without considering its ethical implications is untenable. Shava and Mazenda (2021) noted that an ethical based and efficient procurement process can be constructed on the corporate, functional, and regulatory legal structure for the advantage of all parties in procurement activities, are another source of support for this.

Against this, there have been growing worries about how ethical practices in procurement align with the procurement process. Public procurement is one of the most severe and

frequent areas for unethical procurement practices because it is essential to the implementation of government services and frequently includes large sums of money (Sönnichsen and Clement, 2020). Thus, it is essential to emphasize the use of ethical practices in public procurement in order to guarantee the performance of government services.

There are fewer empirical studies which investigate ethical procurement practices in South Africa Public Sector especially focusing on City of Tshwane Municipality. It is therefore hoped that this study will provide some guidance for improving ethical procurement practices, as well as contribute to the body of knowledge.

1.3 Problem Statement

Over the past several years, the City of Tshwane Municipality has been plagued with negative press as a result of illegal procurement practices resulting in unfavorable audit results. The quality of service has worsened, and the City's financial position remains questionable. Ethical procurement practices are vital for ensuring the efficient use of public resources, enhancing service delivery to the public, and maintaining transparency and accountability in the South African public sector. However, the South African public sector faces a significant challenge in promoting and implementing ethical procurement practices, leading to a range of issues, including corruption, inefficiencies, and a decline in public trust. In South Africa, the prevalence of non-compliance, lack of accountability, and transparency in public procurement has resulted in rampant unethical practices, including corruption, bribery, fraud, and nepotism. These unethical behaviours have a detrimental impact on the quality of services provided to the public. Specific issues identified in the City of Tshwane include non-disclosure by suppliers, the misuse of preferential point systems and thresholds, the acceptance of fewer than three quotations, inadequate contract management, corruption, and the awarding of bids to employees and their families. An adopted audit report from Tshwane in 2021 underscores the severity of the problem, revealing control deficiencies that negatively impact service delivery and a consistent pattern of override and abuse of the procurement processes (Tshwane, 2021).

Existing literature (Anane, Adoma and Awuah, 2019; Shava and Mazenda, 2021; Abioro, 2021) identifies unethical procurement practices as a major issue in South Africa, necessitating a comprehensive study to address the problem. Frequent protests by South African consumers of municipal services due to dissatisfaction with service delivery underscore the urgency of addressing unethical procurement practices. It is essential to note that, to date, no comprehensive research has been conducted to address the issues of ethical procurement practices in the South African public sector, particularly in the City of Tshwane Municipality. This lack of prior research indicates a critical gap in knowledge and practical solutions. Therefore, this study aims to fill this gap by providing evidence-based recommendations and a framework for ethical procurement practices. This study sought to develop a framework for implementing ethical procurement practices in the South African public sector, with a particular focus on City of Tshwane.

1.4 Aim of the study

This study aimed to discuss the issue of ethical considerations and public sector procurement. Corruption Watch claims that there is a significant amount of corruption in the public sector procurement, especially municipalities, and that this causes public sector confidence in South Africa to gradually decline. Lack of integrity in the procurement process, ineffective supplier competition, and collusion among suppliers sometimes hinder the efficient operation of public procurement. Integrity is described by the OECD (2009) as "the use of finances, resources, assets and authority, according to the intended official purposes, to be employed in line with public interest". According to Adjei-Bamfo et al. (2019), integrity also entails "having a feeling of honesty and or in reference to the motives for one's acts," and that the opposite of integrity is corruption.

1.5 Research Question

The research was guided by this research question:

How can the City of Tshwane Municipality improve ethical procurement practices?

1.6 Research Objectives

The research was guided by the following research objectives:

- To investigate systemic factors that contributes to corrupt procurement practices within the City of Tshwane Municipality, South African public sector.
- To assess the extent of fraud within procurement processes in the City of Tshwane Municipality and analyze the methods employed in such fraudulent activities.
- To examine the manifestation and ascertain the impact of nepotism in procurement practices within the City of Tshwane Municipality.
- To identify and analyze critical factors necessary for the successful implementation of ethical procurement practices in the context of the City of Tshwane Municipality, focusing on key elements that foster ethical conduct.

1.7 Significance of research

The significance of this research extends across several crucial domains, shaping its importance and impact. Primarily, it tackles pervasive ethical deficiencies within procurement practices, confronting issues like corruption, fraud, and nepotism head-on. By doing so, this study aims not just to highlight these problems but to propose a comprehensive framework for ethical procurement. This pursuit holds immense promise in fostering transparency, accountability, and trust within the public sector a foundation crucial for efficient service delivery. The following are the areas of significance of the study:

Addressing Ethical Deficiencies: The study targeted the rampant unethical practices within procurement process, including corruption, fraud, and nepotism. By identifying these issues, it aims to propose a framework for ethical procurement. This has direct implications for enhancing transparency, accountability, and trust in the public sector, crucial for efficient service delivery.

Improving Service Delivery: The study's focus on ethical procurement practices directly correlates with improved service delivery. By rectifying unethical behaviors, it seeks to enhance the quality of services provided to citizens. This can lead to increased satisfaction among consumers of municipal services and potentially reduce protests arising from dissatisfaction.

Filling a Knowledge Gap: The research aimed to fill a critical gap in knowledge. Despite acknowledging the prevalence of unethical procurement practices in South Africa, there is a lack of comprehensive research, particularly in the City of Tshwane Municipality. This study attempts to fill that gap by providing evidence-based recommendations and a framework for ethical procurement practices.

Contribution to Governance: Ethical procurement practices are pivotal for good governance. Establishing a framework for ethical procurement in the public sector can set a precedent for other municipalities and government bodies in South Africa. It could serve as a model for fostering transparency and integrity in procurement practices nationwide.

1.8 Abbreviated Literature Review

This section provides definitions of the study key terms and a detailed discussion of the literature review is covered in Chapter 2.

1.8.1 Definitions of key constructs

1.8.1.1 Ethics

Ethics is encapsulated as the structured examination of values and processes employed in the differentiation of good from evil, and right from wrong (William and Frances, 2017). The centrality of ethics to this study is predicated on its pivotal role as the bedrock for appraising the equity and transparency of procurement-related decisions (Sarawa and Mas, 2020). To realize objectives of the study, a comprehensive investigation into the application (or potential violation) of ethical principles within City of Tshwane's procurement processes is imperative.

1.8.1.2 Public Procurement

Public procurement, as stipulated in the research context, denotes the multifaceted process through which governmental entities acquire goods, services, and projects (Hughes, Morrison and Ruwanpura, 2019). Its prominence within this study emanates from its status as the keystone operational domain where corrupt practices can potentially transpire (Harland et al., 2019). By scrutinizing the intricacies of public procurement within the City of Tshwane Municipality, an endeavor is made to discern systemic factors that either foster or hinder corrupt practices. A thorough comprehension of the intricacies of the procurement process is essential for gauging variations in these factors across diverse departments and organizational echelons.

1.8.1.3 Ethical Issues

Ethical issues encompass a spectrum of malpractices within the sphere of public procurement, including favouritism, biased specifications, and overpricing (Hamdan and Othman, 2008). These ethical dilemmas are inextricably linked to the study objectives, given that they represent tangible manifestations of unethical conduct and potential corruption (Williams-Elegbe, 2019). Through the identification and analysis of these ethical quandaries, there is a poised effort to gauge the extent of fraudulent activities within the procurement processes, as well as evaluate the repercussions of nepotism on the impartiality and transparency of procurement decisions across various departments and hierarchical levels (Abioro, 2021).

The overarching significance of these concepts lies in their capacity to illuminate the underlying factors that contribute to the prevalence of corrupt procurement practices within the City of Tshwane Municipality. The study aspired to unravel the systemic issues, variations, and mechanisms that facilitate fraud and nepotism within procurement processes, ultimately striving to foster ethical procurement practices. A thorough comprehension of ethics, public procurement, and ethical issues is indispensable for achieving these objectives, as they provide the analytical framework for assessing, scrutinizing, and mitigating the challenges and risks inherent in the realm of procurement.

1.8.1.4 Stakeholder Theory and Ethical Procurement

According to Crane and Natten (2019) stakeholder theory is a normative theory that contends businesses have moral obligations to all their stakeholders, including clients, staff members, vendors, shareholders, and the general public. Stakeholder theory argues that businesses should take a proactive approach to identifying and managing the social and environmental risks and opportunities connected to their supply chain operations in the context of ethical procurement (Kolk & Pinkse, 2010).

Kapucu and Garayev (2019) add that stakeholder theory places a strong focus on how business operations, especially those that are outside of the firm's direct control, may have larger social and environmental effects. In support of this Linnenluecke & Griffiths (2018) argued that for instance, a business may be indirectly liable for violations of human rights or environmental damage brought on by its suppliers or subcontractors. The concept of stakeholders also takes into account the possibility that several parties involved may have conflicting or divergent interests, necessitating compromises and trade-offs (Freeman, Harrison, Wicks, Parmar, & De Colle, 2010). Lütjen & Stölzle (2020) and Maon, Lindgreen, & Swaen (2019) holds another view that stakeholder theory, has come under fire for its imprecise and confusing definition of stakeholders, which may make it challenging to put into reality. Stakeholder theory, according to some academics, does not clearly outline how to prioritize stakeholders or resolve disputes amongst them (Donaldson & Preston, 1995).

Chapter two undertakes a more comprehensive exploration of these concepts and their pertinence to the study. This segment delves into the broader spectrum of literature, elucidating the theoretical underpinnings of ethics, public procurement, and ethical issues. It also surveys extant literature and studies that confront the issue of corrupt practices in public procurement, establishing direct linkages with the study's objectives. By offering a more intricate exposition of these concepts and accentuating their significance, Chapter two effectively lays the groundwork for the empirical inquiry and analysis that ensue in the subsequent chapters.

1.9 Limitations of the study and delimitations

1.9.1 Limitations

Limited access to comprehensive data or restricted documentation might hinder the depth of analysis or lead to potential biases in the findings. Ethical issues, such as corruption and nepotism, are complex and multifaceted. Addressing these within a single study might not encompass all nuances or underlying causes, potentially leaving some aspects unexplored. Addressing cultural norms and deeply embedded practices might present challenges. Implementing an ethical procurement framework might face resistance and require significant cultural and institutional shifts. Procurement practices evolve, and new challenges may emerge over time. The study's findings might not fully encompass future developments or changes in the procurement landscape; the intention, however, is to open discussions on and awareness of the significance of these ethical challenges.

1.9.2 Delimitations

The study is only limited to the public sector and in reference to City of Tshwane Municipality. Data was collected from the management and non-management employees in the Procurement Department; and the study focused mainly on developing the framework that helps to reduce unethical procurement in public organisations.

1.10 Research approach

Qualitative research approach was adopted as the appropriate methodology for this study. This research approach involves understanding a social phenomenon from the perspective and interaction with the people involved in the study (Snyder, 2019). Qualitative research is a methodology that seeks to delve deep into the intricacies of a particular subject, in this case, ethical procurement practices in the public sector. By using this approach, the researchers aim to gain a comprehensive and nuanced understanding of the topic. One of the key strengths of qualitative research is its emphasis on human experiences and perspectives. Instead of relying solely on numerical data or statistical analysis, qualitative research places a premium on the richness of human narratives Creswell (2014). In the context of ethical procurement practices, this is invaluable. Public sector procurement is not merely a bureaucratic process; it involves a web of relationships, perceptions, and decision-making by various stakeholders and qualitative research is well-suited to capture these elements.

By engaging with individuals who are directly involved in or affected by public sector procurement, researchers can tap into their unique insights and understandings. This includes procurement officers, suppliers, government officials, and even the general public who may be indirectly influenced by procurement decisions. Their voices and perspectives are crucial for constructing a holistic picture of how ethical procurement practices are conceptualized, implemented, and perceived in the real world. Furthermore, qualitative research offers the flexibility to adapt to evolving research questions. It allows for a dynamic exploration of the subject matter, which is particularly important in a complex and multifaceted field like public sector procurement (Kiger and Varpio, 2020). As researchers delve deeper into the field, they may encounter unexpected avenues of inquiry, and qualitative methods can accommodate these shifts, enabling a more responsive and comprehensive analysis.

1.11 Ethical considerations

An ethical clearance certificate from the UNISA SBL Ethics committee was obtained prior to data collection.

1.11.1 Informed Consent

Informed consent was obtained from all research participants, ensuring they are fully aware of the nature of the research and that their participation is voluntary.

1.11.2 Protection from Harm

Participants were not subjected to any physical or mental discomfort, and all research findings and recommendations were provided only to the organization, with participant information kept confidential.

1.11.3 Right to Privacy

Participants had the right to protect their names and personal details, and their responses were anonymized as needed to protect their privacy.

1.12 Layout of this report

The study is presented in the following chapters:

Chapter 1: Introduction

This chapter has addressed the research background, problem statement, research questions, research objective, aim of the research, and importance.

Chapter 2: Literature review

The literature review includes theoretical and conceptual frameworks for risk management, organizational management, and performance.

Chapter 3: Research Methodology

Various research methodologies connected to the qualitative approach are discussed, along with the qualitative research strategy used in this study.

Chapter 4: Analysis of Results

This chapter presents research results and discusses the obtained outcomes. The results of the study were also analyzed in the same chapter.

Chapter 5: Discussion, conclusions, recommendations, and limitations of the study; in closing, this chapter gives recommendations for further research.

1.13 Conclusion

Chapter 1 reflected upon introduction to the study of ethical procurement in the public sector focusing on City of Tshwane Municipality. The study was motivated by the fact that unethical procurement has an effect of compromising services delivery in the public sector. Hence there is a need to develop a framework that helps in implementing ethical procurement practices at City of Tshwane Municipality. An overview of the study's introduction, centering on the examination of ethical procurement within the public sector, specifically within the context of the City of Tshwane Municipality was provided. It underscores the critical challenge posed by unethical procurement practices, which jeopardize the delivery of public services. This underscores the imperative for the establishment of a framework to implement ethical procurement principles within the City of Tshwane Municipality.

CHAPTER 2

LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK OF STUDY

2.1 Introduction

The review of relevant literature on the ethical conduct of public procurement officials and supplier-related ethical concerns is the main emphasis of this section. The related literature reviewed in this section discuss the views of previous authors on public procurement as a tool for policymaking, including the use of public procurement as an economic policy tool to favor local suppliers and products and to advance those who were negatively affected by past laws where feasible and the use of public procurement as an environmental policy tool to favor environmentally friendly products. In addition, this section reviews the related literature on the study of public procurement ethical practices specifically public procurement officers' ethical practices and suppliers' attitude towards public procurement officers.

2.2 Theoretical framework

The stakeholder and social exchange theories are two frameworks that have been used to evaluate ethical procurement. The main ideas, presuppositions, and limits of these two theories, with regards to ethical procurement, is examined in this literature review.

2.2.1 Stakeholder Theory and Ethical Procurement

According to Crane and Natten (2019) stakeholder theory is normative theory that contends businesses have moral obligations to all their stakeholders, including clients, staff members, vendors, shareholders, and the general public. Stakeholder theory argues that businesses should take a proactive approach to identifying and managing the social

and environmental risks and opportunities connected to their supply chain operations in the context of ethical procurement (Kolk & Pinkse, 2010).

Kapucu and Garayev (2019) add that stakeholder theory places a strong focus on how business operations, especially those that are outside of the firm's direct control, may have larger social and environmental effects. In support of this Linnenluecke & Griffiths (2018) argued that for instance, a business may be indirectly liable for violations of human rights or environmental damage brought on by its suppliers or subcontractors. The concept of stakeholders also considers the possibility that several parties involved may have conflicting or divergent interests, necessitating compromises and trade-offs (Freeman, Harrison, Wicks, Parmar, & De Colle, 2010). Lütjen & Stölzle (2020) and Maon, Lindgreen, & Swaen (2019) hold another view namely that stakeholder theory, however, has come under fire for its imprecise and confusing definition of stakeholders, which may make it challenging to put into reality. Stakeholder theory, according to some academics, does not clearly outline how to prioritize stakeholders or resolve disputes amongst them (Donaldson & Preston, 1995).

2.2.2 Social Exchange Theory and Ethical Procurement

A psychology theory called social exchange theory explains how people and groups interact in social connections using the concepts of reciprocity and mutual benefit. According to social exchange theory, suppliers and buyers participate in a social exchange relationship that entails a trade-off between economic and social advantages when it comes to ethical procurement (Liu, 2017). The social exchange theory's focus on the value of collaboration and mutual trust between providers and customers is one of its primary advantages. Both parties are required under ethical procurement to adhere to a set of financial, social and environmental norms, which may come at an additional cost or risk. According to social exchange theory, providers are more likely to uphold ethical norms if they believe the advantages exceed the costs.

According to Simpson, Taylor, and Barker (2016), social exchange theory has been challenged for its narrow focus on economic results and its inability to adequately consider social and environmental factors. Regulatory actions may be necessary because

social exchange theory may be unable to adequately explain power disparities and conflicts of interest between providers and consumers (Liu, 2017). Different theoretical stances on ethical procurement are presented by the stakeholder theory and the social exchange theory. Stakeholder theory places a strong emphasis on the wider social and environmental effects of business operations as well as the moral obligations of corporations to all of its stakeholders. The trade-offs between economic and social gains, as well as the value of collaboration and mutual trust between providers and purchasers, are at the center of social exchange theory.

2.3 Public procurement at global level

According to KPMG (2018), public procurement plays a significant role in national budgets worldwide, making it a crucial aspect of government expenditure. Managing the procurement process has become increasingly challenging, particularly on a global scale. The Chartered Institute of Procurement and Supply (2018) defines public procurement as the process by which governments engage private companies through procurement processes to obtain goods, services, and labor. This practice is essential for global economic growth, as it contributes to job creation, economic development, and increased competitiveness of domestic industries (Chartered Institute of Procurement and Supply, 2018).

However, Luu et al. (2021) highlight that public procurement faces several difficulties on a global level. Lock et al. (2021) supports this notion by identifying various challenges, including dishonesty, fraudulent activities, money laundering, lack of accountability, weak legal systems, and inadequate competition. Moreover, Abioro (2021) and Basheka (2021) both emphasize the challenges in achieving economies of scale due to the fragmented nature of the global public procurement market. They attribute this fragmentation to the persisting issue of corruption, with bid rigging, bribes, and conflicts of interest being among the manifestations of corruption in public procurement (Abioro, 2021; Basheka, 2021). Consequently, corruption leads to increased costs for taxpayers, diminished competition, and a decline in the quality of goods and services.

Transparency is a crucial element of public procurement, as highlighted by Luu et al. (2021). The lack of transparency breeds mistrust, corruption, and reduced competitiveness. To address this, the publication of procurement strategies, tender documents, and contract awards can enhance transparency. Countries possess distinct legislative frameworks for public procurement, with some lacking strong legal systems to regulate the process, thus promoting corruption and limiting competition. International standards such as the UN Convention against Corruption can provide a foundation for countries to establish effective legal systems. "Insufficient competition" is a major issue in public procurement globally, leading to inflated prices and decreased quality of goods and services (AlNuaimi and Khan, 2019). Encouraging competition through transparent and competitive tendering procedures, as well as supporting small and medium-sized businesses, can help address this problem.

Harland (2019) suggests that global procurement efficiency, openness, and competitiveness can be enhanced through e-procurement. Hughes et al. (2019) also emphasize the benefits of e-procurement at the global level, such as increased competition, lower prices, and improved information exchange. However, the adoption of e-procurement requires substantial investments in technology and capacity building.

2.3.1 Legal framework for public procurement at the world level

Sarawa and Mas' (2020) said that even though many international organizations have tried to create standards for public procurement procedures, various nations have had varying degrees of success in putting these standards into effect. This is because there are several key problems that have been brought up in connection to the global legal framework for public procurement. Sönnichsen and Clement (2020) propounded that "lack of openness in public procurement procedures is one of the primary concerns in global procurement. Public procurement is governed by rules and procedures in many nations that are weak or ineffective, which has encouraged corruption and favoritism in the awarding of contracts. Along with harming innovation and competition, this lack of openness also erodes public confidence in the procurement process".

The power disparity between buyers and suppliers has also been brought up. Due to their financial resources and negotiating strength, large firms sometimes have a major edge over smaller enterprises when submitting bids for contracts (Hughes et al., 2019). This might result in a situation where a small number of dominant big enterprises effectively block smaller ones from competing. A further obstacle was given by Shava et al. (2021) which are barriers to entrance for smaller enterprises might be the procurement process' complexity. Smaller businesses may find it difficult to afford the expense of creating bids and proposals, and the laws and regulations regulating procurement can be challenging to comprehend and adhere to (Shava et al., 2021). This may reduce the pool of possible bidders' variety and the procurement process's capacity for innovation.

Concerns about how public procurement may affect social and environmental issues have also been voiced. On global level scholars such as Hughes, Morrison and Ruwanpura, (2019) forwarded several issues in public procurement such as human rights, environmental preservation, and labor rights which are being regarded as flaws areas within that process. Numerous international organizations have tried to create standards for ethical purchasing procedures, but various nations have had varying degrees of success in putting these standards into effect (Hughes, Morrison and Ruwanpura, 2019). Although there have been attempts to create standards for ethical procurement procedures, different nations have had varied degrees of success in putting these standards into effect. In support of the above Wang, Huang, Yan & Zhang (2021) said that the procurement process is difficult, there is a lack of openness, and it has an influence on social and environmental concerns. To encourage fair competition, innovation, and ethical procurement practices, it is crucial for national governments and international organizations to keep working to enhance the legislative environment for public procurement.

Ethical procurement practices are becoming increasingly important in today's global economy. These practices aim to ensure that the goods and services are produced in an ethical and sustainable manner, with respect for human rights, fair labor practices, and environmental standards (Broman & Robèrt, 2021). "A framework that is broad and flexible enough to accommodate various sectors and geographical areas is needed to implement ethical procurement procedures on a global scale. Governments,

corporations, and civil society groups must work together to implement ethical procurement policies globally” (Cunha, Marques & Sousa, 2021). Luu et al. (2021) holds that we can make sure that goods and services are produced ethically, sustainably, with adherence to human rights, ethical labor practices, and environmental standards by adhering to a thorough framework like this one.

Several frameworks can be used on a global level to ensure ethical procurement:

When making purchase decisions, ISO 20400 highlights the value of taking social, environmental, and economic aspects into account. This entails analyzing the ethical standards of suppliers as well as the social and environmental impacts of products and services. A defined set of rules and processes for ethical procurement, including the detection and control of possible hazards, are also mandated by the standard (KPMG, 2018).

The "Chartered Institute of Purchasing and Supply (CIPS) Sustainable Procurement Framework," which is intended to assist businesses in putting into practice sustainable procurement methods that are consistent with their values and goals, is another framework that is frequently used in industrialized nations (Clapp & Fuchs, 2017). Leadership, policy and strategy, stakeholder involvement, supplier selection and management, and performance assessment are the five main topics that make up the framework (KPMG, 2018). Overall, these frameworks stress the significance of an all-encompassing strategy for ethical procurement, wherein traditional cost and quality factors are considered alongside sustainability and social responsibility. By using such frameworks, public sector organizations may make sure that their procurement procedures reflect their values and help society as a whole.

The Crown Commercial Service (CCS), which oversees public procurement in the United Kingdom, has a well-established system in place. The CCS advises organizations in the public sector on how to carry out procurement in a moral and open way. Additionally, the CCS has created a code of conduct for suppliers that outlines expectations for moral behaviour. The Treasury Board of Canada Secretariat serves as the administrative arm of Canada's government procurement system. A code of conduct for procurement officials, required training for procurement officials, and an independent monitoring

agency for procurement are just a few of the laws and procedures the Canadian government has put in place to ensure ethical procurement operations (KPMG, 2018).

The government of Australia has created a Procurement Code of Conduct that spells out the moral guidelines that must be adhered to in public procurement. The code specifies standards for accountability, justice, and openness. To guarantee that procurement personnel are trained in ethical procurement methods, the Australian government has also developed a procurement accreditation scheme (KPMG, 2018). The Federal Acquisition Regulation, which instructs federal agencies on how to conduct procurement in an ethical and open way, is one of numerous rules and procedures that the federal government of the United States has put into place to support ethical procurement practices. The Office of Federal Procurement Policy is a separate supervisory agency for procurement within the United States government.

2.4 Public procurement in Africa

Due to the fact that Africa is made up of 54 unique nations with various political, economic, and social settings, there are substantial differences in ethical procurement procedures of public entities throughout the continent (Abioro, 2021). Other nations may struggle with corruption and a lack of openness, while some may have strong ethical procurement policies. Nevertheless, a lot of African nations have realized the value of ethical procurement procedures and have taken action to enhance them. The African Union, for instance, has ratified the African Union Convention on Preventing and Combating Corruption, which incorporates measures relating to openness in public procurement. In order to encourage fairness, competitiveness, and openness in the procurement process, numerous nations have also enacted procurement rules and regulations (Basheka, 2021).

However, Williams-Elegbe (2019) said that in certain nations, corruption and unethical behavior still exist despite these attempts, which can have a detrimental influence on public procurement. Basheka (2021) added that in order to advance openness, justice, and accountability, it is crucial that public entities in Africa continue to focus and enhance ethical procurement procedures. In Africa, public procurement is a crucial procedure that contributes significantly to the continent's growth. A transparent and competitive bidding

procedure is used by the government to purchase products and services from private companies. This practice is known as public procurement. Using public monies effectively and efficiently to support economic growth and development is the goal of public procurement (Basheka, 2021).

Africa's public procurement sector has a number of difficulties, such as corruption, a lack of transparency, and weak competition. Bauhr (2020) is of the view that government officials conspire with private parties to receive bribes, kickbacks, and other corrupt payments, making corruption a serious problem in public procurement. This has resulted in the theft of public monies and the delivery of goods and services that fall short of the necessary requirements. Another major issue is the lack of openness in governmental procurement. Many African countries do not release information about their procurement practices, including contracts, bid results, and tender papers. Due to the lack of openness, the public is less able to participate and hold government leaders responsible (Basheka, 2021).

Okafor et al. (2020) went on to say that limited competition is another difficulty in African public procurement where in the main, government contracts are frequently given to a small number of preferred providers, thus reducing competition and raising questions about the fairness of the procurement process. This results in inflated prices goods and services of low quality, and local producers have little possibilities to participate in the procurement process. Africa's public procurement sector has a number of difficulties, including corruption, a lack of transparency, and weak competition. Promoting openness, accountability, and competition in the procurement process needs a joint effort by African governments, civil society groups, and the corporate sector in order to address these issues (Okafor et al., 2020). This is to guarantee that public funds are utilized properly and efficiently to support the continent's economic development.

The issue of the Mozambican government's covert loans in 2013–2014 is one illustration of unethical procurement procedures in Africa (Abioro, 2021) where the government smuggled \$2 billion in loans from foreign banks to finance marine security initiatives. Instead, the funds were utilized to buy weapons and other covert items of military equipment. The government of Mozambique failed to repay the loans, which were not

revealed to the public nor approved by parliament, leading to a financial crisis that had negative economic repercussions for the nation (Abioro, 2021). The situation of South Africa's state-owned businesses, in particular Eskom, which have been involved in corruption scandals regarding procurement methods, serves as another illustration forwarded by Dávid-Barrett and Fazekas (2020). The power firm has been charged with participating in unethical actions that have cost the company and the nation billions of dollars, including overpaying for goods and services, allocating contracts to businesses and people with political clout, and overpaying for products and services.

There have been initiatives to promote accountability and openness in the procurement process in Africa. For instance, the African Development Bank established the African Procurement Policy Initiative to assist nations in creating efficient, ethical, and transparent procurement procedures (Dávid-Barrett and Fazekas, 2020). In order to combat corruption and advance ethical standards, numerous African nations have also passed procurement rules and regulations that demand competitive bidding, open disclosure, and supervision procedures. Even though there have been instances of unethical procurement practices in Africa Budzaratragoon and Jitmaneroj (2020) said that initiatives are being undertaken to increase accountability and openness. The procurement process is fundamental to the operation of governments and economies, and moral behavior is essential to guarantee the efficient and responsible use of taxpayer money.

2.5 Public procurement in South Africa

Background of the public sector in South Africa has a history of corruption and poor management, notably in the area of procurement. In response, the government has passed laws and regulations that support accountability, openness, and good governance. Some of the most important pieces of legislation that control procurement in the public sector are the Constitution of the country, Public Finance Management Act (PFMA), the Municipal Finance Management Act (MFMA), and the Preferential Procurement Policy Framework Act (PPPFA). Furthermore, in trying to strengthen the requirement of the Constitution, through the National Treasury, Regulations and

Instruction note were issued to be applied in all three spheres of government. The South African public sector's procurement procedures have been the subject of several studies. Although procurement methods have improved, according to research by Van der Waldt (2015), there are still important issues that need to be resolved. These difficulties include insufficient knowledge and abilities, inadequate monitoring and evaluation, maladministration and corruption.

Dlamini and Maphosa (2018) specialized their second study on local government procurement procedures. They discovered that there is a lack of accountability and transparency in the procurement procedures, which has resulted in widespread corruption and improper use of public monies. Inadequate skills and competence were also mentioned as a significant issue, particularly at the municipal level. Ngobeni and Phaladi's (2020) study looked at the Public Preferential Procurement Framework Acts (PPPFA's) application in the South African public sector. They discovered that despite the PPPFA's success in fostering transformation and empowering people from historically underprivileged neighborhoods, there are still difficulties with its application. These difficulties include a lack of comprehension of the law, uneven implementation of the standards, and corruption.

In South Africa, the term "public procurement" refers to the procedure through which governmental bodies acquire goods, services, and works from vendors to satisfy their operational and developmental requirements. The Public Finance Management Act (PFMA), which outlines the rules and regulations for procurement by public bodies, governs the procurement process in South Africa.

The procurement process in South Africa typically involves the following stages:

- (a). Planning: entails determining the supplies, services, or projects that the government entity needs and creating a strategy for their acquisition.
- (b). Advertising: Various media, including publications, websites, and government portals, are used to inform potential providers about the procurement opportunity.
- (c). Evaluation of bids: This step entails assessing the offers made by suppliers and choosing the successful bidder based on factors including cost, experience, and quality.

(d). Contracting: After the successful bidder has been chosen, a contract outlining the terms and conditions of the procurement are signed between the supplier and the government body.

(e). Delivery and payment: The supplier gives the government entity the products, services, or works, and payment is made in line with the contract's conditions (Budsaratragoon and Jitmaneeoj, 2020).

It is significant to highlight that the South African government has put in place a number of mechanisms to support accountability, justice, and openness in the procurement process. For instance, the PFMA in South Africa mandates that all procurement procedures be carried out in a way that is just, equitable, transparent, competitive, and economical (Williams-Elegbe, 2019). Additionally, to manage and coordinate procurement operations across all government institutions and to guarantee compliance with procurement legislation, the government established the Office of the Chief Procurement Officer (OCPO) with National Treasury. Despite these efforts, corruption and inefficiency have plagued South Africa's public procurement system. The development of a procurement hotline for reporting concerns about procurement as well as the deployment of e-procurement platforms to encourage openness, and accountability are some of the steps the government has put into place to solve these problems (Shava and Mazenda, 2021).

In order to provide residents with public services, governments use procurement to buy /source goods and services from private vendors. As a result, it is an important component of public administration that necessitates moral behavior and adherence to best practices. Like many other nations, South Africa has seen its fair share of scandals involving public procurement, including overcharging, corruption, money laundering, maladministration, bribes, and supplier collusion. The South African government has put in place a number of laws and rules designed to encourage ethical procurement practices in order to solve these issues. By evaluating pertinent academic and policy literature, this critical literature review will analyze the situation of ethical public procurement processes in South Africa (Shava and Mazenda, 2021).

Corruption is one of the top five barriers to business in South Africa, according to the World Economic Forum (WEF). According to the WEF, the cost of corruption to the South African economy each year is almost R27 billion. There are several ways that corruption in public procurement takes shape, such as collaboration among suppliers, bid rigging, and overcharging. Seleti (2019) contends in his paper, "The role of public procurement in promoting socio-economic development in South Africa," that corruption in public procurement stunts economic growth, stifles competition, and erodes public confidence in governmental institutions.

The South African government has developed several laws and rules to combat corruption in public procurement. For instance, the Public Finance Management Act (PFMA) mandates that public organizations create and put into practice supply chain management strategies that support openness, justice, and competition. The Preferential Procurement Policy Framework Act (PPPFA) aims to encourage the involvement of black-owned and small- and medium-sized businesses (SMEs) in public procurement. Some academics contend that these regulations have not been successful in combating corruption and encouraging moral procurement procedures. According to Chinyoka and Nkambule's (2021), "Public Procurement and Corruption in South Africa: Opportunities and Challenges for Control," the PPPFA's preference for SMEs and black-owned enterprises has paved the way for rent-seeking and patronage networks.

The lack of ability among procurement officers is a serious problem in South African public procurement. The South African government has taken steps to increase the ability of procurement officers after acknowledging this difficulty. For instance, the Procurement ability Development Programme (PCDP) created by the National Treasury aims to increase the ability of procurement authorities in both the public and commercial sectors. However, other academics contend that these measures have not been successful in helping procurement authorities develop the requisite skills and knowledge. Ndlovu and Letsoalo (2019) claim in their article, "An Assessment of Procurement Capacity Development Programmes in South Africa," that the PCDP has been hindered by a lack of finance, poor training facilities, and inadequate monitoring and evaluation.

Promoting openness, equity, and accountability in government procurement requires the use of ethical public procurement procedures. South Africa has made tremendous progress in putting laws and rules into place that support moral purchasing behaviors. However, there are still serious issues with corruption and capacity among procurement authorities. The South African government must improve its enforcement practices, develop the skills of procurement authorities, and encourage stakeholder involvement if it is to meet these problems (Shava and Mazenda, 2021).

2.6 Procurement practices in South Africa public sector at City of Tshwane Municipality

The City of Tshwane Municipality is subject to a set of rules and policies that regulate procurement procedures in the South African public sector. These rules and policies are intended to encourage openness, equity, competitiveness, fairness, and accountability in the procurement process (Shava and Muzenda, 2021). The Public Finance Management Act (PFMA), Municipal Finance Management Act (MFMA), and Preferential Procurement Policy Framework Act (PPFFA) are a few of South Africa's most important procurement laws. To guarantee that all procurement procedures are open, equitable, and competitive, the City of Tshwane Municipality adheres to these procurement policies and guidelines. In the City of Tshwane Municipality, the procurement process begins with the determination of the demand for products or services (Shava et al., 2021). Thereafter, the tender documents are prepared, the tender is advertised, bids are received, the bids are evaluated, and the contract is then awarded to the successful bidder.

Bid Adjudication Committee (BAC) has been created to adjudicate bids and award contracts in order to guarantee that the procurement process is open, fair and competitive. Senior representatives from several Metro departments make up the BAC, whose job is to make sure that all procurement procedures are carried out in line with the applicable laws and rules. Additionally, City of Tshwane Municipality has put in place a preference point system for judging bids and distributing contracts. Bidders who are B-BBEE compliant or who have a better B-BBEE rating, as prescribed on preferential procurement regulations receive precedence under this method. Broad-Based Black Economic Empowerment, or B-BBEE, is a policy that seeks to advance social justice and economic development in South Africa. City of Tshwane Municipality 's procurement

processes and those of the South African public sector as a whole are governed by laws and policies that support openness, equity, and accountability in the procurement process. Through the use of B-BBEE rules, City of Tshwane Municipality adheres to these policies and procedures to guarantee that all procurement processes are done fairly and competitively and to advance economic transformation and social justice (Councill-adopted-Consolidated-Audited-Annual-Report-for-City-of-Tshwane-for-2020-2021, 2021:41).

The City's procurement procedures have been the subject of several studies. According to one report by Chauke and Tengeh (2019), the City of Tshwane Municipality has considerable difficulties with its procurement procedures. These issues include corruption, poor planning, insufficient monitoring and assessment, and insufficient skills and competence. Mokwena and Khosa (2021) specialized their second study on the PPPFA's implementation in the City of Tshwane Municipality. They discovered that despite the PPPFA's success in encouraging transformation, there are still issues with its use. These difficulties include a lack of comprehension of the law, uneven implementation of the standards, and corruption.

Their procurement methods in South Africa's public sector continue to face several difficulties. These issues include corruption, poor planning, insufficient monitoring and assessment, and insufficient skills and competence. Although legal frameworks like the PFMA, MFMA, and PPPFA have been successful in fostering openness and accountability, more reforms are still required to solve the problems with public sector procurement procedures (Shava et al., 2021). To guarantee that procurement procedures are open, equitable, and effective, it is crucial for the government to emphasize skill and capacity development as well as to establish monitoring and evaluation mechanisms.

2.7 Drivers of unethical procurement practices

There are elements present in the public sphere that are thought to contribute to unethical procurement practices which includes inadequate control and accountability, inadequate procedures and manuals and physical factors. For instance, dishonest officials may take advantage of weak control system for their own gain if supervision is ineffective (Abioro, 2021). The corporate structures put in place to bring responsibility. Complex laws may

make it easier for unethical and ineffective behavior to flourish. Officials' expertise in the field may occasionally conflict with the protocols they are required to follow (Brown and Golfopolous, 2018). Officials tend to make mistakes and are, to different degrees, driven by a desire for wealth and authority. People are susceptible to temptation when the proper circumstances are present (Abioro, 2021).

Any anti-competitive practices, such as collusion, bid rigging, or deception, could result in falsely raised costs, which would have a negative effect on public spending and priceless national resources (Brown and Golfopolous, 2018). The complexity of the supply management system presently in use in South Africa exacerbates unethical public buying practices in the public sector. Accountability is lacking, and the public sector frequently undervalues the significance of supply management. Suppliers frequently take advantage of the present weak public-sector procurement management environment because there is little knowledge of how public-sector choices and actions impact the overall business environment (Shava et al., 2021).

The soft-state syndrome may cause corruption in a country. In a soft-state environment, citizens indicated to have a weak or diffuse sense of national interest and do not have a commitment to public service (Brown and Golfopolous, 2018). The absence of efficiency and a professional, competent, and committed bureaucracy is an important contributor to bureaucratic corruption in countries. Public servants may view public service as an opportunity for self-enrichment. To this end, national elites could turn state structures into instruments of plunder, which they would use to extract benefits themselves and their families, impoverishing and marginalising the general populace (Anane, Adoma and Awuah, 2019). The causes of corruption are always contextual, rooted in a country's policies, bureaucratic traditions, political development, and social history. When institutions are weak and government policies produce economic profits, procurement fraud and corruption often thrive.

According to Shava et al. (2021) identified three prerequisites for the emergence and persistence of misconduct in the public sector: (i) Discretionary power: The ability for relevant public officials (bureaucrats, politicians, and others) to design or implement regulations and policies in a discretionary manner; (ii) Economic rents: The ability for the

discretionary power to allow for the extraction of (existing) rents or the creation of rents that can be extracted; and (iii) Weak institutions: The incentives built into the political, administrative, and legal institutions must be such that public officials left with an incentive to exploit their discretionary power to extract or create rents (Anane, Adoma and Awuah, 2019).

Two stable circumstances can be created by combining these reasonable assumptions: one in which no one accepts bribes because doing so would result in them being reported and penalized, and another in which everyone does so because no one will ever be reported and discovered (Brown and Golfinopolous, 2018). According to Yuan and Gasco-Hernandez (2021), weaker implementation of the law and oversight systems, as well as a lack of political will, are some of the reasons of corruption. Costs of public products are greatly exaggerated in nations where corruption is widespread, typically to give those whose task it is to service the public an extra source of income (Shava et al., 2021).

According to Anane, Adoma and Awuah (2019) cheating in public buying occurs frequently and takes many different forms, and it has an impact on society on many different levels. Government agendas are put at risk by procurement fraud and corruption, which also affects spending on important areas like education and health and can be detrimental to economic development. In addition to the aforementioned signs, a well-functioning bureaucracy's ethical standards have deteriorated or never been created. According to Brown et al. (2018), immoral behavior can take many forms and change over time, whether it be in politics, economics, society, culture, or technology. Public officials in charge of purchasing can link public procurement fraud and corruption to a variety of socioeconomic variables, including poor administration, which is exhibited by transparency, weak accountability, and lack of integrity. Officials often violate regulations and procedures with impunity (Anane, Adoma and Awuah, 2019).

2.7.1 Lack of Ethics and Culture

Unethical procurement procedures may be significantly influenced by business culture and a lack of ethics. Professionals in procurement may act unethically if their culture places a higher value on outcomes than on moral behavior. According to a study by

Gonzalez-Perez and Leonard (2019), unethical procurement practices were less common in firms with a strong ethical culture.

2.7.2 Pressure to Meet Targets

Professionals in procurement are frequently under pressure to reach goals, which might result in unethical behavior. For instance, in order to obtain contracts, they could raise prices, use bribes, or influence the tendering process. According to a research by Wang et al. (2021), the need to reach objectives was a key factor in the development of unethical procurement practices.

2.7.3 Lack of Transparency

The lack of openness in procurement procedures may also be a major factor in unethical behavior. It is simpler for procurement experts to engage in unethical behavior when procurement processes are opaque. For instance, in order to provide suppliers contracts, they can receive bribes from those companies. According to a research by Gunasekaran et al. (2020), unethical procurement practices were significantly fueled by a lack of openness.

2.7.4 Limited Accountability

Unethical procurement practices may also be influenced by a lack of responsibility for them. When procurement professionals are confident, they will not be held responsible for their activities, they may act unethically without worrying about repercussions. Limited accountability was a primary cause of unethical procurement practices, according to a research by Kaur and Singh (2020).

2.7.5 Personal Gain

Unethical procurement practices can often be significantly influenced by personal benefit. Professionals in the procurement industry may use unethical tactics to acquire contracts for their own benefit, such as taking bribes or gaming the tendering process. According to a research by Demirbag and Kesidou (2020), the motivation for unethical procurement activities was often personal gain.

2.8 Institutional Factors Enabling Unethical Procurement Practices in Public Sectors

The following section discusses the institutional factors enabling unethical procurement practices in public sectors. These include weak legal and regulatory frameworks, lack of competition, weak oversight and enforcement mechanisms and political interference amongst others.

2.8.1 Weak Legal and Regulatory Frameworks

The existence of lax legal and regulatory frameworks is one of the important institutional elements that encourages unethical procurement activities in the public sector. Due to gaps in the law and regulatory framework, corrupt actions by procurement authorities may be possible (Dunleavy et al., 2012). Furthermore, a lack of accountability and transparency in the regulatory framework might make it more challenging to identify and stop unethical procurement activities.

2.8.2 Lack of Competition

One of the key institutional factors that supports unethical procurement practices in the public sector is the establishment of loose legal and regulatory frameworks. Corruption by procurement authority may be conceivable as a result of legal and regulatory framework inadequacies (Dunleavy et al., 2012). Furthermore, it could be harder to spot and put a halt to unethical procurement practices if the regulatory structure lacks accountability and transparency.

2.8.3 Weak Oversight and Enforcement Mechanisms

Procurement authorities may engage in unethical behavior without fear of repercussions if there are insufficient controls and enforcement measures in place. Lack of political will, insufficient money, or a shortage of qualified staff can all contribute to weak enforcement mechanisms (Van de Walle & Ballart, 2014). Procurement authorities may engage in unethical actions with impunity if there are no adequate supervision and enforcement measures in place.

2.8.4 Political Interference

Political meddling may have a severe negative effect on the procurement process and encourage unethical behavior. When politicians try to sway purchasing choices in favor

of their chosen suppliers or to help their political supporters, political intervention may result (Treisman, 2000). Politicians may also try to sway the hiring of procurement officials in order to secure their allegiance to the ruling party. This is another instance of political intervention.

The public interest is significantly impacted by unethical procurement procedures in the public sector. Ineffective legal and regulatory frameworks, a lack of competition, ineffective supervision and enforcement mechanisms, and political meddling are the four institutional variables that have been highlighted by this literature study as enabling unethical procurement practices in the public sector. Policymakers need to concentrate on bolstering statutory and regulatory frameworks, promoting competition, enhancing oversight and enforcement mechanisms, and reducing political interference.

2.9 Critical success factors for implementing a framework for ethical procurement practices.

Since corporations have realized the need to protect their supply chains from human rights abuses, environmental degradation, and other unethical behaviors, ethical procurement methods have gained importance. With an emphasis on recent references, this literature review examines the crucial success elements for putting a framework for ethical procurement procedures into reality.

2.9.1 Leadership and organizational culture

Implementing ethical procurement procedures requires a combination of business culture and leadership commitment. The necessity of ethical behavior must be emphasized in an organization's vision and mission statements. A culture of openness, responsibility, and trust must be fostered by leaders through setting an example of moral conduct (2021; Wu & Liao). The successful adoption of ethical procurement procedures depends on leadership commitment. Organizations with high leadership commitment are more likely to prioritize ethical procurement procedures and devote the required funds to properly execute them, according to Luu et al. (2021). Therefore, in order for City of Tshwane Municipality to encourage ethical procurement practices, senior management support is required.

2.9.2 Supplier selection and monitoring

Organizations must select suppliers based on their commitment to ethical practices and monitor their performance regularly. This requires developing clear criteria for supplier selection and conducting regular audits to ensure compliance. (Brammer, Hojmosse, & Marchant, 2021)

2.9.3 Stakeholder engagement

Stakeholder involvement must be done well if ethical procurement procedures are to succeed. Building trust and fostering cooperation entails interacting with suppliers, clients, workers, and other stakeholders (Chiu, Choi, and Wong, 2021).

2.9.4 Training and awareness

To make sure that everyone understands the significance of ethical procurement procedures and knows how to execute them, organizations must offer training and awareness programs to their workers, suppliers, and other stakeholders. Another essential success factor for establishing ethical buying procedures is employee training. Organizations must give workers the instruction they need to comprehend and use ethical procurement processes, as underlined by Lock et al. (2021). Employee education can aid in fostering moral conduct among employees and reducing unethical behaviors like corruption and bribery.

2.9.5 Communication and reporting

Successful implementation of ethical procurement policies depends on clear communication and accurate reporting. In order to achieve their ethical objectives, businesses must develop open lines of communication with their stakeholders, including their suppliers, workers, and other stakeholders. They also need to report on their progress on a regular basis (Carvalho, Veloso, & Barbosa, 2021).

2.9.6 Supplier Engagement

For ethical procurement policies to be successfully implemented, supplier participation is crucial. Involving suppliers in the procurement process might increase their comprehension of ethical norms and readiness to comply, claim Cunha et al. (2021). Therefore, in order to make sure that suppliers are dedicated to ethical standards, firms must engage closely with their suppliers.

2.9.7 Supply Chain Transparency

Another essential success element for establishing ethical buying methods is supply chain transparency. Organizations must make sure they have complete visibility of their supply chain to spot any possible ethical difficulties, as stated by Broman and Robèrt (2021). Organizations may monitor suppliers' adherence to moral standards and take remedial action as needed thanks to supply chain transparency.

A strong corporate culture, leadership commitment, supplier selection and monitoring, effective stakeholder involvement, training and awareness initiatives, and effective communication and reporting are necessary for the implementation of a framework for ethical procurement processes (Linnenluecke & Griffiths, 2018). Organizations who wish to develop ethical supply chains and make sure that their procurement procedures are in line with their beliefs and objectives must consider these crucial success elements. The adoption of ethical procurement procedures is essential for ensuring that businesses run lawfully and sustainably. Organizations must, however, overcome a number of challenges in order to establish ethical procurement processes (Shava et al., 2021). For the implementation of a framework for ethical procurement practices, this literature analysis has highlighted key success elements, such as leadership commitment, supply chain transparency, supplier involvement, and staff training. Prioritizing these aspects increases an organization's chances of successfully implementing ethical procurement procedures and fostering ethical and sustainable operations.

2.10 Ideal implementation framework of ethical procurement practices

The following section discusses the ideal implementation framework of ethical procurement practices. These include Develop Ethical Procurement Policies, Conduct Training and Awareness Programs, Implement Ethical Procurement Monitoring and Evaluation Mechanisms and Ensure Enforcement and Accountability just to mention just a few.

2.10.1 Develop Ethical Procurement Policies

The South African public sector needs to create ethical procurement policies that define the guiding values, norms, and standards for buying actions. The significance of ethical procurement practices in fostering transparency, responsibility, and integrity in the

procurement process should also be emphasized by the policies (Harland, Telgen, Callender, Grimm and Patrucco, 2019). A company's code of conduct, or ethical procurement, governs everything from hiring and developing employees to finding affordable goods from socially conscious suppliers. Companies constantly eradicate unethical practices throughout the supply chain using these principles as their guide (AlNuaimi and Khan, 2019).

2.10.2 Conduct Training and Awareness Programs

Training helps people become more ethically conscious and can help them acquire critical abilities for moral analysis. To improve their comprehension of the value of ethical procurement practices and how to put them into effect, the procurement employees in the South African public sector should receive training on ethical procurement practices. Programs for education and knowledge should be made available to all parties engaged in the procurement process, including vendors and contractors (AlNuaimi and Khan, 2019).

2.10.3 Implement Ethical Procurement Monitoring and Evaluation Mechanisms

The South African public sector should create tracking and assessment methods that can help identify and resolve any immoral practices in the procurement process in order to ensure that ethical procurement practices are successfully applied. Audits, risk analyses, and reviews of the procurement process and results are a few examples of these tools. The guidelines for excellent procurement principles are fairly straightforward (Harland et al., 2021). Be honest, abstain from personal enrichment and conflicts of interest, handle your suppliers honestly and equally, and uphold all of your law and other responsibilities (Yuan et al., 2021).

2.10.3 Foster Collaboration with Suppliers and Contractors

Collaboration between the South African public sector and its suppliers and contractors is crucial to promoting ethical procurement practices (AlNuaimi and Khan, 2019). The public sector should engage with suppliers and contractors to promote ethical business practices and encourage them to adhere to the principles outlined in the ethical procurement policies (Yuan et al., 2021).

2.10.4 Ensure Enforcement and Accountability

The South African public sector needs to implement ethical procurement policies and hold those found guilty of unethical procurement practices responsible. This might entail punishing or sanctioning violators as well as shielding those who come forward to report immoral behavior (Yuan et al., 2021).

2.10.5 Continuous Improvement

To ensure that its ethical procurement policies are current and effective, the South African public sector should regularly evaluate and revise them. This can be accomplished by conducting routine evaluations of the procurement procedure, asking stakeholders for input, and integrating new best practices in ethical procurement (Harland et al., 2021)

2.10.6 Sustainable procurement

The international standard ISO 20400 offers instructions for putting into practice ethical and sustainable buying methods. The standard provides a framework for putting ethical procurement principles into effect, outlining steps like identifying ethical risks, creating policies and processes for ethical procurement, and tracking and reporting on ethical performance (AlNuaimi and Khan, 2019). Although ISO 20400 offers a thorough framework for putting ethical procurement principles into reality, it has been criticized for being too general and for not offering enough detailed instructions on how to do so in various settings. Additionally, because it does not specifically address problems like corruption and violations of human rights, several experts contend that the norm falls short in fostering ethical procurement procedures (Shava et al., 2021).

2.10.7 Ethical Procurement and Supply Guidelines

Chartered Institute of Procurement and Supply (CIPS)The Chartered Institute of Procurement and Supply (CIPS) created a framework called the CIPS Ethical Procurement and Supply Guide that offers advice on adopting ethical procurement methods in the public sector (Yuan et al., 2021). A list of ethical procurement guidelines is included in the framework, including the support of fair competition, avoiding conflicts of interest, and safeguarding human rights. The CIPS framework has received

appreciation for its usefulness and for concentrating on certain ethical challenges that are pertinent to public sector procurement. Some experts, however, contend that the framework is overly rigid and does not provide businesses enough leeway to adapt to various settings (AlNuaimi and Khan, 2019).

2.10.8 The United Nations Global Compact (UNGC)

A framework created by the United Nations Global Compact (UNGC) that offers instructions on adopting ethical and sustainable procurement practices in the public sector is known as the UNGC Sustainable Procurement Guide. The framework offers a list of ethical procurement guidelines, such as advancing human rights, eliminating discrimination, and avoiding corruption. The UNGC framework has received appreciation for its all-encompassing strategy for moral purchasing and its focus on problems like human rights and social responsibility. However, some industry professionals contend that the framework is overly general and lacks detailed instructions on how to use ethical procurement procedures in various settings (Yuan et al., 2021).

2.11 Conclusion

The literature review in Chapter 2 illuminates the intricate web of challenges and nuances inherent in fostering ethical procurement practices within the South African public sector, specifically within the City of Tshwane Municipality. It underscores that systemic factors such as transparency, decision-making processes, oversight, and controls significantly influence the prevalence of unethical behavior within procurement.

Moreover, the chapter reveals the extensive landscape of fraud, highlighting diverse fraudulent tactics and the challenges in mitigating such malpractices. The manifestation of nepotism further complicates the ethical landscape, impacting fairness, transparency, and the overall integrity of procurement processes. However, amidst these challenges, the chapter emphasizes the necessity and importance of implementing ethical procurement practices, citing successful models and initiatives that offer potential frameworks for ethical procurement. It underscores the collaborative efforts needed from governments, corporations, and civil society groups to pave the way for ethical procurement policies on a global scale. The next chapter will be chapter 3 that will focus on the research methodology adopted for the study.

CHAPTER 3: RESEARCH METHODOLOGY

3.1 Introduction

This chapter provides an overview of the research methods utilized in this study. The overall approach to the research process is known as research methodology (Snyder, 2019). The chapter outlines the research strategy, design, technique, geographical location of the study, as well as the target population and sample. Additionally, it describes the research instrument used to collect data and the procedures implemented to ensure the instrument's validity and reliability. Furthermore, the chapter explains the data collection process.

3.1.1 Research problem

Following the literature review, the research problem was identified as; “In order to achieve procurement goals, public procurement officials' ethical behavior is crucial since these goals can be achieved if the procurement officers appointed are ethical. However, to date, much attention has not been given studying humans who run this procurement”. Therefore, in order to assist in addressing such issues of ethics in procurement, the study explores framework to implement ethical procurement practices in South Africa public sector.

Research question:

How can City of Tshwane improve ethical procurement practices?

3.1.2 Specific research objectives

The specific research objectives were drawn up as follows:

- To investigate and identify the specific systemic factors contributing to corrupt procurement practices within City of Tshwane's procurement processes and assess variations in these factors across different departments and organizational ranks.
- To evaluate the extent of fraud within the procurement processes of City of Tshwane and analyze the common methods and tactics employed to perpetrate fraud in various departments and ranks within the organization.

- To examine the manifestations of nepotism within City of Tshwane's procurement practices and assess its impact on the fairness and transparency of procurement decisions across different departments and organizational ranks.
- To identify critical success factors for the implementation of a framework promoting ethical procurement practices within the City of Tshwane in South Africa.

3.2 Research methodology

There are three types of research methodology which are qualitative, quantitative and mixed methods. Quantitative research is based on statistical collection and measuring of data; while the qualitative approach is an inquiry method that aims to understand a social phenomenon from perspective and interaction with people that are involved in the study (Snyder, 2019). The mixed methodology is a combination of qualitative and quantitative preferred for when researchers want to leverage the benefits of the two methodologies.

This study used a qualitative methodology. This approach was employed because of its ability to analyse factors that influence individuals to behave in various ways Cr (2020). Qualitative methods allow for a detailed exploration of complex human behaviours, thoughts, and motivations (Subedi, 2021). Qualitative methods offer flexibility in data collection and analysis. Researchers can adapt their approach based on emerging insights during the study.

3.3 Research philosophy

According to Mohajan (2018), assumptions derived from the literature analysis and the development of research questions influenced the selection of the research philosophy. Additionally, considerations from the research approach played a role in determining the adoption of the research philosophy. These assumptions form the foundation for the methodologies employed in the study and the research approach utilized. Therefore, this work utilizes an interpretivist philosophy.

Mohajan (2018) further highlights the importance of situating qualitative research within a philosophical framework which entails considering one's beliefs about the nature of

reality (ontology) and the nature of knowledge (epistemology). Traditional research paradigms operate under the assumption of an objective reality that researchers should strive to uncover during their studies.

Interpretive philosophy, as outlined by Babii (2020), is the most common philosophy employed in qualitative research. It asserts that reality is socially constructed, with multiple interpretations or realities existing for a single event. Instead of "discovering" knowledge, researchers in this paradigm actively construct it. The researcher's understanding of multiple realities takes precedence over the traditional notion of an objective reality (Mohajan, 2018). According to interpretivism, truth is relative and varies depending on one's perspective. This paradigm recognizes the importance of the subjective human construction of meaning while not denying objectivity altogether.

The chosen research philosophy aligned with a constructivist worldview, which serves as the foundation for the case study method utilized in this study (Mohajan, 2018).

3.4 Qualitative approach

According to Creswell (2017), qualitative research starts with assumptions, a worldview, and the potential use of a theoretical framework to explore research questions that delve into the meaning individuals or groups assign to a social or human situation. This approach emphasizes the importance of underlying assumptions and worldviews that form the basis of the research design. It is known as naturalistic inquiry, which implies that participant observation methods result in a more authentic approach compared to the tests and surveys used in traditional quantitative methodologies.

Qualitative research is characterized by strategies that prioritize the perspective of the subjects involved. This method also highlights extensive observation in order to provide a detailed and comprehensive description (Ataro, 2020). In qualitative research, careful consideration is given to the broader context in which the research issue is embedded. The fundamental idea is that researchers can only make sense of the data if they understand it within a larger educational, social, and historical framework (Creswell, 2017). In contrast to quantitative research designs, qualitative research designs can vary significantly based on theoretical frameworks, philosophical orientations, assumptions

about knowledge, and the subject of study, resulting in diverse conceptions of research and different definitions of qualitative research (Ataro, 2020).

The qualitative research methodology is deductive. Instead of testing ideas deductively as in positivist research, researchers gather data to develop concepts, hypotheses, or theories (Ataro, 2020). Theory is derived from specific details, from the bottom up, rather than being imposed from a top-down perspective. This approach is crucial because qualitative researchers need to be receptive to new ways of thinking (Babii, 2020). Finally, the outcome of qualitative investigation is highly descriptive. However, instead of using numerical data, the descriptions are presented in the form of words or images. These descriptions capture what was observed as it naturally occurred in a specific situation. Additionally, qualitative researchers may utilize quotes from documents and interviews as data to support the findings of the study.

3.5 Population and sample framework

The population was 150 individuals within City of Tshwane Municipality procurement department; of which n=10 people from management and non-management levels in the procurement Department City of Tshwane Municipality were drawn to participate in study. The Procurement department has ten sections, thus each section had a participant chosen so that all the department sections were represented. The 10 participants were selected using purposive sampling as described below and it was selected in line with what was said by Creswell (2014), that a sample size of eight to twelve participants is enough for a qualitative study. The overviews, as well as the involvement in the procurement of the selected interviewees, are as illustrated in Table 1 below:

Table 3.1: Overview of participants

Interviewee	Department	Population	Rank	Nature of involvement
Participant 1	Strategic Management	5	Chief Procurement Officer	Overall procurement strategy and

				policy development
Participant 2	Procurement Planning	15	Procurement Manager	Long-term procurement planning and supplier analysis
Participant 3	Tendering and Bidding	20	Senior Procurement Officer	Managing the bidding process and contract negotiations
Participant 4	Vendor Management	13	Procurement Officer	Maintaining relationships with suppliers and vendors
Participant 5	Contract Management	25	Contract Administrator	Monitoring and managing existing contracts
Interviewee	Department	Population	Rank	Nature of involvement
Participant 6	Compliance and Ethics	15	Compliance Officer	Ensuring adherence to procurement regulations
Participant 7	Finance and Budgeting	10	Budget Analyst	Budget allocation and financial analysis

Participant 8	Legal Affairs	9	Legal Advisor	Legal aspects of procurement, contracts, and disputes
Participant 9	Logistics and Delivery	30	Logistics Coordinator	Ensuring timely delivery of procured goods/services
Participant 10	Data and Analytics	8	Procurement Analyst	Data analysis and performance evaluation

Non-probability sampling technique was used to choose the sample of this study. Non-probability sampling is an approach where the researcher selects samples based on subjective judgment by applying his or her knowledge rather than random selection (Kiger and Varpio, 2020).

3.6 Data collection method

“Data collection is the process that is done in research in acquiring and measuring data on certain variables in for the study” (Maree, 2017). In this study, data was gathered using semi-structured interviews. Interviews are a form of data collection technique where the researcher interviews the participants about the topic at hand.

“To assess the feasibility of the investigation and the appropriateness of the research instrument, a pilot study is undertaken” (Maree, 2017). During the course of two days, the interview guide was pre-tested on two procurement officials. This was done with the intention of evaluating the interview guide's statements' language, logic, and sensitivity. The interview guide was modified after the pilot study before being used on the population of the research sample. The pilot study enabled the researcher to assess how easy it is to follow and comprehend the interview guide, if the statements are presented in a logical sequence, and whether the language and vocabulary are understandable.

In this study recruiting participants for a study on ethical procurement practices in the South African public sector, specifically focusing on the City of Tshwane Municipality, involves a deliberate process to ensure representation and relevance. The primary participants selected for this study were procurement officials directly involved in the procurement process within the City of Tshwane Municipality. These individuals possess intricate knowledge and experience in procurement practices, making their insights invaluable. Those not directly engaged in procurement activities were excluded as their perspectives might not align with the study's specific focus. The recruitment process involved coordination with the City of Tshwane Municipality's administrative body. Initially, a formal permission letter was sent, detailing the research intent, objectives, and ethical considerations, seeking approval to conduct interviews with eligible procurement officials. Permission was granted to do the research on the organisation and collect the data. The contact details of potential participants are acquired through official channels provided by the municipality's procurement department.

Telephonic interviews were conducted. This method was chosen due to its efficiency in reaching geographically dispersed participants and ensuring timely data collection. The researchers contacted the selected participants through the provided contact information, scheduling interviews at mutually convenient times. Participants were briefed on the study's purpose, their voluntary participation, confidentiality, and the recording of the interview (if applicable), obtaining their consent prior to commencing the discussion during the meeting. The semi-structured interview guide was used as a framework, allowing for flexibility in exploring responses while maintaining focus on key research areas. Probing questions and follow-ups are employed to delve deeper into specific points, ensuring comprehensive data collection and understanding. Participants' identities were anonymized, safeguarding their privacy and professional standing.

3.6.1 Structured Interviews

A structured interview refers to a research technique where the interviewer is provided with a predetermined set of closed-ended questions presented as a questionnaire. The interviewer is expected to follow the guide precisely as written (Noble and Smith, 2017). The interview follows a fixed structure, meaning that every interviewee receives identical

questions in a specific sequence. The interviewer adheres strictly to the interview framework and does not go beyond the responses provided. Essentially, a structured interview is synonymous with quantitative research.

3.6.2 Unstructured Interviews

In Macgannon et al.'s (2021) study, it was found that unstructured interviews differ from structured ones in that they do not rely on predetermined questions. Instead, the interviewer poses open-ended questions related to a particular research topic, aiming to facilitate a free-flowing conversation. Unstructured interviews yield qualitative data as they encourage individuals to fully express themselves in their own way. Furthermore, this approach allows researchers to gain a genuine understanding of the interviewee's comprehension of the subject matter. The questions asked in unstructured interviews are customized to align with the interviewee's background.

3.6.3 Semi structured interviews

Levitt (2021) suggests that in a semi-structured interview, the interviewer asks a few planned questions while allowing for spontaneous discussion. The main purpose of conducting semi-structured interviews for data collection is to gather information from key informants who have personal experiences, attitudes, opinions, and ideas related to the topic being studied. Researchers use semi-structured interviews to obtain new, exploratory data that is relevant to their research, to corroborate information from other sources, or to validate study findings by obtaining input from participants. Semi-structured interviews enable researchers to prepare questions in advance to guide the conversation and keep participants focused, while also allowing respondents to provide detailed information through open-ended responses. Additionally, semi-structured interviews promote two-way dialogue in the study.

According to Davison et al. (2019), one disadvantage of using semi-structured interviews is that they require time to sit down with participants and conduct open-ended interviews. Another challenge is finding interviewers who have received adequate training to conduct professional interviews. In this particular study, semi-structured interviews were employed to collect data while ensuring that the research objectives were achieved.

3.7 Data analysis methods, techniques and instruments

“Data analysis is the process of assessing, measuring, analysing and evaluating the collected data” (Cera, 2020). According to Cera (2020), “data gathered is only useful when it has been analysed”. Thematic analysis was used in this study. “The collected data is reviewed and categorized in order to reflect the entire problem context and breadth by the use of thematic analysis” (Kiger and Varpio, 2020). This was done to look for and recoding trends in findings is what thematic analysis entails (themes). The table below shows the steps that are followed in thematic analysis.

Table 3.1 Steps in thematic analysis

Phase	Examples of procedures for each step
Familiarizing oneself with data	Transcribing data; reading and re-reading; noting down initial codes
Generating initial codes	Coding interesting features of the data in a systematic fashion across the data-set, collating data relevant to each code
Searching for the themes	Collating codes into potential themes, gathering all data relevant to each potential theme
Involved reviewing of the themes	Checking if the themes work in relation to the coded extracts and the entire data-set; generate a thematic map
Defining and naming themes	Ongoing analysis to refine the specifics of each theme; generation of clear names for each theme
Producing the report	Final opportunity for analysis selecting appropriate extracts; discussion of the analysis; relate back to research question or literature; produce report

Source: (Maree, 2017).

Thematic analysis is typically applied in qualitative research and is useful for identifying, interpreting, analyzing qualitative data patterns. According to Malekzadeh et al. (2021), thematic analysis involves examining themes or patterns of meaning in the data. The method focuses on organizing and describing the datasets in detail, as well as thoroughly evaluating the meaning by making connections between phrases or words in the text and analyzing both explicit and implicit meanings. Since this is a qualitative study, the data were analyzed inductively, and conclusions drawn based on the findings.

Thematic analysis explores various aspects related to participants' personal experiences, insights, behaviors, and habits. It also delves into the factors and social processes that contribute to a particular phenomenon, including the formal and informal norms and guidelines that shape specific behaviors. Additionally, it considers the socio-cultural context in which these behaviors occur and describes social categories within specific texts and situations, as highlighted by Bouncken et al. (2021).

3.8 Trustworthiness of the study

To guarantee the validity of the research, four factors were considered, which include the study's credibility, serving as evidence of its truthfulness and offering a foundation for utilization. Moreover, it enables independent assessment of the consistency of its methods and the impartiality of the outcomes or suggestions (Davison et al., 2019).

3.8.1 Credibility

To ensure validity and reliability the researcher ensured that the data is credible. Credibility refers to trust in the authenticity and interpretation of data (Cera, 2020). Its goal is to boost the credibility of research findings by doing so. This was done through the provision of a synopsis of the research design and procedures as well as participant credentials in the form of demographic data.

3.8.2 Transferability

“Transferability is the process that is done in qualitative study to assess if the data can be transferred and applied in different areas” (Mare, 2017). The researcher provided enough descriptive information in their reports to enable users to apply the data to a variety of contexts, which ensured transferability.

3.8.3 Conformability

“Conformability is the process that is done to ensure fairness or the possibility of data accuracy, correlation, or meaning between two or more independent persons” (Cera, 2020). By doing this, it is ensured that the data truly reflects the information that participants gave and that data interpretations are avoided. In this way, rather than

reflecting the assumptions, goals, or points of view of the researchers, the study findings should reflect the perspectives of the participants as well as the circumstances of the inquiry.

3.8.4 Dependability

“Data collected must be dependable in terms of context and time, such that if study results are duplicated in the same (or similar) setting, study results were replicated in the same (or similar) environment” (Cera, 2020). Dependability is the ability of researchers to provide readers with knowledge, i.e., that the research methodology is logical, traceable, and documented.

3.9 Ethical considerations

This section describes important ethical principles and how they relate to this study. Research ethics is concerned with the conduct of research in a moral and responsible way which ensures the methodology guarantees the safety, rights and voluntary consent of participants (Cooper and Schindler, 2014). This study obtained an ethical clearance certificate from the UNISA SBL Ethics committee before the commencement of data collection. The following sections describe the steps that were taken to ensure that the study was ethically compliant.

3.9.1 Informed Consent

Informed consent refers to the participant’s right to know the purpose of the research and how the data gathered from them was utilised, stored and disposed of, as well as the beneficiaries of the research (Cooper and Schindler, 2014). This research was done for academic purposes, and the information gathered was used to compile a research report as part of the requirements for the Masters in Business Administration degree from UNISA SBL. The research's participants gave voluntary participation were allowed to discontinue the study at any time.

3.9.2 Protection from harm

Participants were not subjected to any physical, emotional or mental harm (Cooper and Schindler, 2014). All information acquired was kept private. Also, the researcher made sure that any personal information acquired from participants is maintained on a password-protected server and completely deleted as soon as its original purpose has been achieved.

3.9.3 Right to Privacy

“Right to privacy entitles respondents the right to conceal their names and personal details as well as part of their responses” (Cooper and Schindler, 2014). This study offered the participants an option to participate on condition of anonymity. Where respondents provide their full personal information, the reporting of results used fictional names.

3.10 Conclusion

In this chapter, the author explained the various research models employed to address the research objectives and question. The focus of the chapter was a presentation of the research framework, sampling methods, and data analysis techniques utilized to in this study. Additionally, this chapter delved into ethical aspects of the study, including informed consent, safeguarding participants from harm, and respecting their right to privacy. The subsequent chapter concentrates on data analysis and interpretation. The following chapter focuses on data analysis and interpretation.

CHAPTER 4: PRESENTATION, DISCUSSION, AND INTERPRETATION OF FINDINGS

4.1 Introduction

The previous chapter covered the research methodology that was adopted for this study. Data has been gathered through qualitative means, where interviews and discussions were conducted amongst stakeholders involved in procurement processes at the City of Tshwane Municipality. Insights shared by participants, highlight systemic issues, challenges, and potential solutions, serve as the foundation for constructing the ethical procurement implementation framework. This chapter deals with data analysis that was done using thematic analysis and provides a comprehensive framework for the implementation of ethical procurement practices within the City of Tshwane Municipality. It synthesizes the diverse perspectives and observations of stakeholders, to formulate a structured approach that addresses the identified challenges. This is in relation to the research question how can City of Tshwane improve ethical procurement practices.

4.2 Demographic details of the study

The study ascertained the demographic details of the participants. 10 participants were selected in this study through purposive sampling.

4.2.1 Age

The study sampled participants across various age brackets to analyze the demographic distribution within the sample. The objective was to understand the age composition of the population under study and its implications for further analysis. The data collected categorizes participants into three age groups: 18 to 35 years, 36 to 45 years, and above 45 years.

The following results were obtained from the study:

How old are you?

Age	Number
18 years - 35years	4
36 years - 45 years	4
Above 45 years	2

This demographic age profile reveal a diverse distribution among participants with the largest representation is equally split between individuals aged between 18 to 35 years, and 36 to 45 years, each representing 40% of the sample. Looked in another way, the sample was relatively young, with 80% being people younger than 45 years old. The remaining 20% is individuals older than 45 years.

4.2.2 Level of professional qualification

Academic qualifications were deemed an important filter for participation due to the fact that professional qualifications often reflect a certain level of expertise, knowledge, and skill within a specific field or industry. By considering qualifications, the study can focus on individuals who possess a certain level of expertise relevant to the research objectives. The qualifications are categorized into three levels: Diploma and below, Bachelor's Degree, and Post-Graduate and beyond. The data collected indicates the number of individuals falling into each qualification level, providing insights into the educational attainment of participants.

Qualification	Number
Diploma and below	1
Bachelor's Degree	6
Post-Graduate and beyond	3

The distribution of professional qualifications shows a that larger proportion of individuals possess higher academic qualifications, particularly at the Bachelor's Degree with 6 and Post-Graduate levels 3 (which makes up 90% of the sample). This might imply a higher level of expertise, specialized knowledge, and potentially more significant contributions

within their professional domains compared to those with lower qualifications. This would be the lens that the data is interpreted.

4.2.3 Length of service within the organisation

The study sought to understand if the tenure distribution among employees is crucial for assessing the organization's workforce composition and longevity.

Years	Number
Below 5 years	2
6-10 years	5
Above 11 years	3

The above results show that 2 individuals had been in the organization for less than 5 years of experience, 5 individuals have been with the organization between 6 to 10 years and 3 individuals have more than 11 years of experience. Thus, the sample shows a strong bias towards long serving employees. This coupled with the previous demographic of a skew towards higher qualification, should give nuanced results that are likely to be based on experience than hearsay or perceptions.

4.3 Data Analysis Process

The study utilized thematic analysis for data analysis; this involves reviewing, categorizing, and identifying trends or patterns in qualitative data to reflect breadth and depth of the problem context. The steps followed in thematic analysis, as outlined by Maree (2017), include data familiarization, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the final report.

4.4 Theme 1: Systemic Factors Contributing to Corrupt Procurement Practices

Within the multifaceted realm of procurement practices, several critical themes emerged, shedding light on the intricate challenges faced within the system. Among these themes, four significant sub-themes crystallize the pressing issues that collectively contribute to the advancement of corruption within procurement processes. These sub-themes include

lack of transparency, influence on decision-making, difficulty in identifying corruption and lack of oversight and controls. These sub-themes are discussed below:

4.4.1 Lack of Transparency

Majority of participants within this discourse unanimously highlight the detrimental impact caused by limited visibility into these crucial procedures. The absence of clear insights and publicly accessible information creates a veiled environment where accountability, fairness, and scrutiny become elusive. This sub-theme underscores the overarching issue of opacity, posing a significant challenge to ensuring ethical conduct and preventing potential misconduct within procurement practices. In particular the participants had the following to say:

Participant 1 argued that:

"When we talk about limited visibility into decision-making processes and contract awards, it's like trying to navigate in the dark. Without clear insight into how decisions are reached or who the suppliers are, it's a breeding ground for potential misconduct. The absence of publicly accessible information creates a veil over these crucial processes, making accountability and scrutiny almost impossible."

Participant 2 added that:

"Transparency is key in procurement, yet the lack of clear documentation or disclosure about how suppliers are selected or contracts are awarded leaves too much room for questionable practices. Without a transparent framework, it's hard to ensure fairness or prevent unethical behavior."

Participant 5 pointed out that:

"The decision-making processes and contract awards are shrouded in secrecy, making it challenging for stakeholders to grasp how choices are made."

Participant 6 was concerned and said that:

"There's a concerning lack of accessible information about procurement decisions, leaving the public in the dark regarding crucial details."

Findings as shown above suggested that lack of transparent leads to corrupt procurement practices. The viewpoints expressed by various participants collectively emphasize the adverse effects stemming from this opacity. This is line with the findings from the literature review that lack of openness in procurement procedures may also be a major factor in unethical behavior. It is simpler for procurement experts to engage in unethical behavior when procurement processes are opaque. For instance, in order to provide suppliers contracts, they can receive bribes from those companies. According to research conducted by Gunasekaran et al. (2020), unethical procurement practices were significantly fueled by a lack of openness.

4.4.2 Influence on Decision-Making

Most participants highlighted influence on decision-making as one of the factors leading to corrupt procurement practices. They stated that the infiltration of personal interests and external pressures impacting decision-making processes leads to procurement practices. The following excerpts were emanated from the study:

Participant 3 highlighted the concerning trend, stating: *"I've seen instances where end users refuse to sign off on supplier appointments unless there's some form of kickback involved. It's a concerning trend where personal gain is prioritized over the integrity of the procurement process."*

This observation was supported by Participant 4, who remarked:

"Handpicking suppliers without proper due process is unfortunately not uncommon. It raises serious questions about fairness and opens doors to potential corruption. When decisions are made without following the established procedures, it compromises the entire procurement system."

Participant 5 added that:

"Personal interests influencing decision-making is a real issue. There are exploitable loopholes in processes that some take advantage of for their gain. It's worrying because it diverts attention away from the intended goals of procurement, leading to biased outcomes."

Findings on the influence on decision-making within procurement practices shows that this practice leads to procurement corruption which is in line with the discussion made in the literature review chapter that the lack of involvement of civil society and the public in the procurement process can lead to unaccountable decision-making, making it easier for unethical practices to go unnoticed and unchecked (Shava and Mazenda, 2021).

4.4.3 Difficulty in Identifying Corruption

Participants, in the main, highlight the obscure and hidden aspects of corruption, emphasizing the challenges in detecting such misconduct. The complex landscape of identifying corruption is brought to the fore, where it often remains concealed and requires specialized approaches for detection. The participants had the following to say on this matter:

Participant 6 highlighted the obscure nature of corruption, emphasizing that *"Corruption isn't always obvious; it lurks beneath the surface."*

This view was echoed by Participant 7, who mentioned, *"It's a tricky landscape when it comes to identifying corruption."*

Both participants stressed the need for specialized investigative measures, with Participant 6 stating that corruption often requires extensive audits or forensic investigations to uncover, while Participant 7 highlighted the necessity of such measures to begin uncovering the wrongdoing within procurement practices.

Participant 5 had this to say:

"Corrupt activities are often concealed from plain sight and are only brought to light through specialized audit reports and forensic investigations."

Participant 4 added that:

"Instances of corruption are not easily detected within regular processes, requiring a deeper level of scrutiny to uncover."

Moreover, Participant 10 reiterated the challenge posed by the covert nature of corruption, stating, "Corruption remains hidden, necessitating specific investigative measures to expose these activities."

On the other hand, participant 1 had another view as he said:

"There are often visible signs or patterns that, if observed keenly within regular processes, could raise red flags signaling potential corrupt activities."

Findings of the study pointed to the difficulty in identifying corruption within procurement practices emphasize the complexity of uncovering covert activities. Literature has shown the need for international standard ISO 20400 offers instructions for putting into practice ethical and sustainable buying methods. The standard provides a framework for putting ethical procurement principles into effect, outlining steps like identifying ethical risks, creating policies and processes for ethical procurement, and tracking and reporting on ethical performance (AlNuaimi and Khan, 2019).

4.4.4 Lack of Oversight and Controls

Participants highlighted the lack of oversight and controls in advancing corruption practices in their organisation. They emphasize the significant contribution of this deficiency to various challenges within the procurement system. Highlighting the detrimental effects, these observations stress how the absence of robust oversight and clear processes exposes vulnerabilities that can be exploited. The discourse is shown by some of the quotes as shown below:

Sub-theme 4: Lack of Oversight and Controls:

Participant 8 highlighted the significance of the issue, stating that "*the lack of oversight and ambiguous processes are significant contributors to the problem.*"

This sentiment was supported by Participant 4, who emphasized that "*inadequate oversight exposes vulnerabilities that can be exploited, compromising the fairness and transparency of the procurement system.*"

Participant 9 echoed similar concerns, mentioning that "*ambiguous processes within procurement provide fertile ground for corrupt behavior.*"

This aligns with Participant 6's observation that "lack of adequate oversight, coupled with ambiguous procurement processes and inadequate internal controls, create fertile ground for corrupt behavior."

Participant 2 argue that:

"While robust oversight and clearer processes are vital, a more holistic approach is necessary. This approach could involve not only tightening controls but also fostering a culture of ethical conduct and accountability among all stakeholders involved in procurement."

Moreover, Participant 9 emphasized how the lack of oversight leads to potential exploitation, stating, "without adequate oversight, these ambiguities are often taken advantage of, leading to potential exploitation and compromised integrity in the entire procurement system."

Participant 6 further reinforced the issue by remarking that "The ambiguity in processes opens doors for corrupt behavior, creating opportunities that may go unchecked due to the absence of robust controls."

There is general agreement that inadequate supervision and ambiguous processes compromise the procurement system's fairness and transparency. Therefore, it holds water to conclude that lack of oversight and controls helps in advancing corruption practices in procurement. A claim supported by literature review that procurement authorities may engage in unethical behavior without fear of repercussions if there are insufficient controls and enforcement measures in place. Lack of political will, insufficient money, or a shortage of qualified staff can all contribute to weak enforcement mechanisms (Van de Walle & Ballart, 2014). Procurement authorities may engage in unethical actions with impunity if there are no adequate supervision and enforcement measures in place.

4.5 Theme 2 Extent and Methods of Fraud in Procurement Processes

Fraud within procurement processes stands as a formidable challenge in this study. This section delves into the extent and methods of fraud, as highlighted by participants who shared their experiences and observations. The diverse perspectives shed light on the multifaceted nature of fraudulent activities prevalent in procurement practices. From different types and instances to the tactics employed and the challenges faced in addressing them, this discussion aims to unravel the complexities surrounding fraud within procurement, contributing to a deeper understanding of the issue. The following sub-themes emerged from the study:

4.5.1 Types and Instances of Fraud

Participants pointed to several types and instances of fraud within procurement practices thus shedding light on the diverse nature of fraudulent activities reported by participants. Participant's viewpoint contributes to a multifaceted understanding of the prevalent forms of fraud. The varied perspectives can be shown by the following excerpts that were drawn from the participants:

Participant 3 is of the view that:

“Fraud occurs sporadically, mostly involving bid rigging, inflated pricing, or collusive practices in supplier selection.”

Participant 1 added that:

"The elements of fraud are eminent during invoicing when the service providers change their banking details when submitting for payment processing. This is normally done without thorough verification and it has been established that some of these payments ended up in the accounts of colleagues employed by the City. There have also been payments done without proof of delivery of goods and services but the end-users processed receipts on the system and signed off the invoices for payments."

Participant 2 shows serious concern by saying that:

"Fraud is a real concern here. We're talking about cases ranging from misrepresentation of costs to kickbacks. The extent of it suggests we need some serious preventive measures in place."

Participant 8 was reserved in his response by saying that:

"Well, I don't really have a scale of fraudulent. However, I can confirm that there are incidents of fraud in the city. The one that comes to my mind is the creation of fraudulent RFQ, get awarded and no service delivery but invoice get to be processed for payment."

Participant 10 shared a different view by saying that:

"Fraud occurs to a moderate extent, with instances of bid rigging and kickbacks, potentially jeopardizing the fair and competitive nature of procurement processes."

Findings of the study shows a diverse range of fraudulent occurrences, from bid rigging and misrepresentation of costs to kickbacks and fraudulent creation of requests, underscores the multifaceted challenges faced in procurement integrity. This is in line with the findings of the study that the prevalence of non-compliance, lack of accountability, and transparency in public procurement has resulted in rampant unethical practices, including corruption, bribery, fraud, and nepotism. These unethical behaviors have a detrimental impact on the quality of services provided to the public (Anane, Adoma and Awuah, 2019; Shava and Mazenda, 2021; Abioro, 2021).

4.5.2 Tactics and Methods Employed in Fraud

Participants highlighted a range of fraudulent tactics employed, shedding light on the diverse ways where integrity is compromised within the procurement process. Participants highlighted the existence of instances of fake invoices, phantom vendors, and bid manipulation to influence specifications and creating cozy relationships between suppliers and internal stakeholders, the array of fraudulent methods becomes apparent amongst some tactics employed. In particular participants highlighted the following:

Participant 1 pointed to the following tactic:

"Instances of fake invoices, phantom vendors, or manipulating specifications to favor certain suppliers have been encountered."

This was supported by participant 3 who said that:

"Oh absolutely. Bid manipulation, fake invoicing, and cozy relationships between suppliers and internal stakeholders—these tactics exploit the gaps in our procurement process."

Participant 4 pointed another tactic by saying:

"Constantly requesting those fifteen percent variations during the contracts, especially the once-off ones, giving doubt on the legitimacy thereof."

Participant 9 had this to say:

"Few invoices being returned by Finance requesting supporting documents like goods delivery slip, where no approvals from delegated official and no purchase order created."

Participant 2 provided another view:

"Fraudulent methods include the creation of fictitious vendors, where employees collude with external entities to submit inflated bids, ultimately siphoning funds through various channels."

Findings of the study shows that there is a diverse range of fraudulent tactics, including fake invoices, bid manipulation, cozy relationships between suppliers and internal stakeholders, and the creation of fictitious vendors, underscores the multifaceted challenges faced in maintaining integrity within procurement processes. This is in line with the findings in the literature review that ethical issues encompass a spectrum of malpractices within the sphere of public procurement, including favouritism, biased specifications, and overpricing (Hamdan and Othman, 2008).

4.5.3 Challenges in Addressing Fraud

Participants highlighted a series of challenges hindering effective fraud mitigation strategies. Participants collectively emphasize several critical challenges faced in combatting fraudulent activities. Limited resources allocated for comprehensive monitoring, inadequate training on fraud detection, and the absence of stringent repercussions for fraudulent behavior emerge as significant obstacles. Participants had following to say:

Participant 3 argued:

"Limited resources for comprehensive monitoring, inadequate training on fraud detection, and lack of stringent repercussions for fraudulent activities pose significant challenges."

This was supported by participant 7:

"Challenges include limited resources for comprehensive monitoring and a reluctance among employees to report suspicious activities due to fears of retaliation."

Participant 4 showed the following concerns:

"Yes, people refuse to change. There are systems in place but people break those systems to enrich themselves."

Participant 1 was very particular:

"The first barrier is human behaviour. All applicable measures of curbing fraud and corruption can be put in place, however if the human behaviour does not change those measures will not be effective as those colleagues will strive to come up with intercepting tactics."

The study found out that there are several challenges, including limited resources for monitoring, inadequate training on fraud detection, and the absence of stringent repercussions for fraudulent activities. This is shown by Luu et al. (2021) who highlight that public procurement faces several difficulties on a global level. Lock et al. (2021) support this notion by identifying various challenges, including dishonesty, fraudulent

activities, money laundering, lack of accountability, weak legal systems, and inadequate competition. Moreover, Abioro (2021) and Basheka (2021) both emphasize the challenges in achieving economies of scale due to the fragmented nature of the global public procurement market. They attribute this fragmentation to the persisting issue of corruption, with bid rigging, bribes, and conflicts of interest being among the manifestations of corruption in public procurement (Abioro, 2021; Basheka, 2021).

4.6 Theme 3: Manifestation and Impact of Nepotism

The manifestation and impact of nepotism within supplier selection processes is a concerning issue which emanated as a theme in this study. Participants provided three crucial sub-themes: Biased Supplier Selection, Impact on Fairness and Transparency, and Policies and Guidelines.

4.6.1 Biased Supplier Selection

Participants highlighted the pervasive issue of nepotism and biased practices in supplier selection processes. They collectively shed light on the prevalence of favoritism and undue influence in awarding contracts, highlighting the intertwining relationships between buyers, specialists, and senior management members. The following excerpts supporting that view:

Participant 1 highlighted the prevalence of nepotism within acquisition management, noting that

"Nepotism has been prevalent in the fact that some Buyers and Specialists who are responsible for acquisition management are in one way or another related to members of senior management, and there is evident influence on the awards on request for quotations (RFQs) and bids."

This observation was reinforced by Participant 4, who mentioned, *"There are suppliers who are handpicked and get to be awarded contract without following due process and mainly because these suppliers are related to buyers and even related to senior managers within the city."*

Participant 2 expanded on the nature of these relationships, stating:

"Relationships are in the form of uncle/aunt and nephew/niece, sister/brother-in-law, and even spouses and children."

This reiteration of intertwined relationships was supported by Participant 3, who added, *"Some of the bids are awarded to close family members, however, you find that the companies are not registered directly in their names but come delivery time, it is the family members that would deliver the procured goods."*

Findings of the study reveal a troubling trend of nepotism and undue influence prevalent within acquisition management. Participants unanimously highlight the influence of personal relationships, where suppliers related to buyers and senior managers receive preferential treatment in contract awards, bypassing due process. Literature review show that ethical issues encompass a spectrum of malpractices within the sphere of public procurement, including favouritism, biased specifications, and overpricing (Hamdan and Othman, 2008). These ethical dilemmas are inextricably linked to the study objectives, given that they represent tangible manifestations of unethical conduct and potential corruption (Williams-Elegbe, 2019).

4.6.2 Impact on Fairness and Transparency

Participants highlighted the adverse consequences of nepotistic practices in awarding contracts, emphasizing how such actions contravene constitutional, legislative, and code of conduct requirements for Supply Chain Management (SCM) role players. This can be shown by what participants said below:

Participant 1 highlighted that:

"Awarding of contracts through nepotism impedes on the constitutional and legislative requirements and the code of conduct on SCM role players."

This notion was supported by Participant 4, who stated that:

"Nepotism erodes fairness and transparency by introducing personal biases into the procurement process."

Moreover, Participant 2 reiterated that:

"Nepotism undermines fairness by sidelining qualified vendors, impacting transparency in the process and creating an uneven playing field among different vendors."

Participant 3 echoed this sentiment, emphasizing that "Nepotism shakes the foundation of fairness. It creates an uneven playing field, eroding trust and transparency crucial for ethical procurement practices."

This sentiment was reinforced by Participant 4, who added that:

"This impact can be felt across different departments, potentially leading to unequal opportunities for vendors."

Findings of the study highlighted how nepotistic practices impede constitutional and legislative requirements while eroding the foundation of fairness and transparency. Transparency is a crucial element of public procurement (Luu et al., 2021). The lack of transparency breeds mistrust, corruption, and reduced competitiveness. To address this, the publication of procurement strategies, tender documents, and contract awards can enhance transparency (Harland, 2019).

4.6.3 Policies and Guidelines

Majority of participants underscore the importance of established guidelines encompassing relevant regulations, Supply Chain Management (SCM) policies, and organizational codes of conduct. Reference to constitutional provisions such as Section 217 highlights the mandate to prevent nepotism while promoting fairness, transparency, competition, and cost-effectiveness in procurement. The unanimous agreement on the prohibition of nepotism within SCM policies can be shown by the following excerpts:

Participant 1 emphasized that:

"The guidelines have already been alluded to as per above, with inclusion of relevant regulations, SCM policy and organizational code of conduct."

This stance was supported by Participant 3, who highlighted that "*Section 217 of the Constitution seeks to prevent nepotism and promote fairness, transparency, competition, ethical conduct, and cost-effectiveness.*"

Furthermore, Participant 2 affirmed that "*Yes, all SCM policies and processes prohibit nepotism.*"

Participant 4 contributed by acknowledging the presence of organizational policies to prevent nepotism, stating, "*The organization has policies in place to prevent nepotism, including conflict-of-interest guidelines.*"

However, Participant 4 pointed out that the effectiveness of these policies depends on consistent enforcement and a strong ethical culture.

Findings of the study show that there are established frameworks aimed at curbing nepotism and ensuring ethical conduct. Participants collectively affirm the existence of guidelines encompassing relevant regulations, SCM policies, and constitutional mandates aimed at fostering fairness, transparency, and competition. This is in line with the findings of the study in literature review that the decision-making process during procurement is systematically governed by a set of policies and guidelines, encapsulated in the statement that, "guides public procurement usually cover the drafting of acceptable terms of reference; the way that request for proposal should be advertised for suppliers and contractors, the grounds on which they choose suppliers, and the way in which they measure and enforce the requirements of the standards stipulated for performance (Shava et al., 2021).

4.7 Theme 4: Critical Factors for Ethical Procurement Implementation

Critical factors for ethical procurement implementation emanated as another theme in this study. Participants unanimously stress key elements crucial for ethical procurement, highlighting transparency, accountability, and integrity as core principles. They advocate for comprehensive strategies encompassing transparent processes, rigorous training, diligent oversight, conflict resolution frameworks, and well-defined policies as foundational pillars for ethical procurement. However, challenges surface, including

resistance to cultural change, resource constraints, and the need for cross-departmental support. Despite these hurdles, successful models and initiatives, such as stringent oversight mechanisms, transparent communication, stakeholder engagement, and specialized training programs, offer exemplars for wider adoption across organizations. The following sub themes emerged in on this theme

4.7.1 Necessary Factors for Ethical Procurement

Participants highlighted several key factors that can be implemented for ethical procurement. These elements converge on the fundamental principles necessary for fostering integrity, transparency, and accountability within procurement practices. Participant insights highlight a multifaceted approach encompassing transparency, training, oversight, conflict management, and policy implementation as essential pillars in upholding ethical standards within organizational procurement.

Participant 1 proposed the following:

"Organisation must enhance transparency, through open and comprehensive disclosure of processes, regular training sessions that instill ethical principles, strict oversight to ensure adherence to regulations, and fostering a culture that holds individuals accountable for their actions, are critical elements to ensure the integrity of procurement practices."

Participant 3 went on to say the following:

"The declaration and assessment of conflict of interest, ensuring confidentiality to safeguard sensitive information, maintaining a clear and transparent approach while holding individuals accountable, and conducting thorough due diligence processes are crucial steps to uphold ethical standards within procurement practices."

Participant 10 added another factor:

"Having well-defined and easily accessible policies that outline ethical guidelines, conducting frequent and comprehensive training programs that reinforce these principles, implementing robust monitoring systems to track compliance, and

nurturing a work culture where individuals feel responsible and answerable are key pillars essential for successfully embedding ethical practices into procurement processes."

Participant 7 brings another view:

"Effectively addressing conflicts of interest through proper declaration and adherence to established codes of conduct, promoting transparency in all dealings, ensuring rigorous vetting processes within the Human Resources department, imposing consequences for breaches, and providing continuous learning opportunities are critical factors that contribute significantly to fostering ethical behavior in procurement."

The discourse among participants underscores a consensus on the critical components vital for ethical procurement practices. From the emphasis on transparency and accountability to the necessity of comprehensive training and clear policies, a robust framework emerges. Integrating these factors into procurement processes can serve as a cornerstone for organizations aiming to cultivate an environment where ethical principles are not just articulated but ingrained into the culture. By adhering to these necessary elements, organizations can bolster their ethical standing and ensure the integrity of their procurement practices in a constantly evolving landscape. Ethical procurement practices are becoming increasingly important in today's global economy. These practices aim to ensure that the goods and services we purchase are produced in an ethical and sustainable manner, with respect for human rights, fair labor practices, and environmental standards (Broman & Robèrt, 2021). "A framework that is broad and flexible enough to accommodate various sectors and geographical areas is needed to implement ethical procurement procedures on a global scale. Governments, corporations, and civil society groups must work together to implement ethical procurement policies globally" (Cunha, Marques & Sousa, 2021).

4.7.2 Challenges in Implementation

Majority of participants highlighted that implementing ethical procurement practices within organizations presents a complex landscape fraught with multifaceted challenges. The

viewpoints expressed by various participants shed light on the primary hurdles hindering the seamless integration of ethical standards into procurement frameworks. These perspectives are shown below:

Participant 2 argued that:

"The challenges in implementing ethical procurement practices stem from various sources. Resistance to change within the organizational culture, limitations imposed by resource constraints, and the necessity for widespread support and cooperation across multiple departments present significant hurdles that could impede efforts towards successful implementation."

Participant 4 articulated:

"Human behavior stands as the primary impediment. The reluctance or refusal to embrace change poses the most critical challenge when endeavoring to establish and embed a framework for ethical procurement. Overcoming this resistance becomes pivotal in implementing a system that upholds ethical standards."

Participant 5 had the following concern:

"The journey toward ethical procurement faces multiple hurdles. Resistance to change among staff members, constraints due to inadequate resources, and the absence of wholehearted commitment from leadership pose significant obstacles that need to be navigated to effectively implement and sustain ethical procurement practices."

Participant had this to say:

"Human behavior emerges as the central obstacle in implementing ethical procurement frameworks. Overcoming this resistance, manifested through refusal to change established norms and practices, becomes indispensable in achieving successful implementation and acceptance of ethical guidelines within procurement processes."

Findings among the participants underscores the formidable challenges that organizations encounter while striving to implement ethical procurement practices. These findings are in line with the findings that were made in Chapter 2 literature review Luu et al. (2021) highlight that public procurement faces several difficulties on a global level. Lock et al. (2021) support this notion by identifying various challenges, including dishonesty, fraudulent activities, money laundering, lack of accountability, weak legal systems, and inadequate competition. Moreover, Abioro (2021) and Basheka (2021) both emphasize the challenges in achieving economies of scale due to the fragmented nature of the global public procurement market.

4.7.3 Successful Models or Initiatives

Several participants highlighted diverse, yet impactful models or initiatives aimed at fostering ethical procurement and enhancing operational integrity. Their insights underscore the significance of implementing effective oversight mechanisms, training programs, and industry benchmarks emphasizing transparent communication and stakeholder engagement. Some of the excerpts from the participants are shown below:

Participant 4 argued that:

"Some departments have implemented stricter oversight mechanisms or introduced training programs. These could serve as models for broader adoption across the organization."

Participant 1 said that:

"While I can't get into specifics, industry benchmarks stress transparent communication, stakeholder engagement, and continuous improvement as crucial for ethical procurement."

Participant 5 had this to say:

"In some entities there has been uptake of the ethical procurement test offered by the professional body, Chartered Institute of Purchasing and Supply (CIPS), which is critical for members and practitioners to ensure that they maintain ethical"

conduct and integrity in their work. This can further be expanded to all the SCM role players, requestors and Bid Committees members.”

Participant 8 brought different angle:

“I have not observed any at this stage, however, I can confirm that there are few initiatives aimed at improving and turning things around. For example, segregation of duties imposed in SCM Officials. Ensuring that officials does not become a player and a referee at the same”.

Participant 10 argued that:

“In other organizations, successful initiatives involve a combination of stringent policies, regular training, and a culture that values ethical behavior. These initiatives can serve as models for the City of Tshwane Municipality in implementing ethical procurement practices.”

There were various perspectives converged to showcase existing successful models and initiatives pertinent to ethical procurement practices. This is in line with the findings of the study in chapter 2 The "Chartered Institute of Purchasing and Supply (CIPS) Sustainable Procurement Framework," which is intended to assist businesses in putting into practice sustainable procurement methods that are consistent with their values and goals, is another framework that is frequently used in industrialized nations (Clapp & Fuchs, 2017).

4.8 Conclusion

Chapter 4 consolidates diverse participant’s viewpoints, systematically outlining a comprehensive framework for implementing ethical procurement practices within the City of Tshwane Municipality. It identifies critical factors, acknowledges challenges, and draws from successful models to propose a structured approach toward embedding ethical standards in procurement. Chapter 5 will be findings and conclusions of the study.

CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

Transitioning from Chapter 4, Chapter 5 serves as the culmination of this study. It synthesizes the findings derived from the implementation framework proposed in Chapter 4, drawing conclusions based on the analysis of data collected. Additionally, Chapter 5 presents actionable recommendations for the City of Tshwane Municipality to enhance its procurement practices, aligning them with ethical standards.

5.2 Findings from the study

5.2.1 Systemic Factors Contributing to Corrupt Procurement Practices

Participants collectively highlighted the pervasive impact of limited visibility into decision-making processes and contract awards. They emphasized how this lack of clear insight and publicly accessible information breeds potential misconduct and hinders accountability and scrutiny. Transparency was seen as crucial in ensuring fairness and preventing unethical behavior. Participants pointed out instances where personal gain superseded the integrity of the procurement process. The handpicking of suppliers without due process and the influence of personal interests on decision-making were highlighted, raising concerns about fairness and bias. The covert nature of corruption was stressed by several participants. They indicated that corruption often remains hidden and requires specialized investigative measures such as audits or forensic investigations to uncover. However, there was a contrasting view suggesting visible signs or patterns within regular processes that could signal potential corrupt activities. Issues surrounding inadequate oversight, ambiguous processes, and insufficient internal controls were consistently pointed out. Participants emphasized how these factors create fertile ground for corrupt behavior, exploiting vulnerabilities and compromising fairness and transparency within the procurement system.

5.2.2 Extent and Methods of Fraud in Procurement Processes

Fraud incidents, including bid rigging, inflated pricing, and misrepresentation during invoicing, were highlighted. Instances of payments without proof of delivery or changes in banking details leading to funds redirected to colleagues were noted, showcasing the

prevalence of fraudulent activities. Participants outlined various tactics employed in fraud, including fake invoices, bid manipulation, and the creation of fictitious vendors. These tactics exploit gaps in the procurement process and enable siphoning of funds through different channels. Limited resources for monitoring, inadequate training on fraud detection, and reluctance among employees to report suspicious activities were identified as significant challenges. The human factor was pinpointed as a critical barrier, where individuals often manipulate systems for personal gain.

5.2.3 Manifestation and Impact of Nepotism

Nepotism within acquisition management, where relationships between buyers/specialists and senior management influenced awards, was emphasized. Suppliers handpicked due to familial connections compromised due process in supplier selection. Nepotism was seen as eroding fairness and transparency within the procurement process. It has created an uneven playing field, sidelined qualified vendors, and introduced personal biases. While existing policies and guidelines prohibit nepotism, the effectiveness of these policies depends on consistent enforcement and adherence to established codes of conduct.

5.2.4 Critical Factors for Ethical Procurement Implementation

Transparency was found to stand as a cornerstone for ethical procurement, demanding clear, open communication and accessibility of information throughout the process. Furthermore, ethical training lays the groundwork for understanding the intricacies of ethical practices within procurement, ensuring that individuals involved possess the necessary knowledge and awareness. Strict oversight acts as a vigilant guardian, ensuring adherence to ethical standards and swiftly identifying any deviations or unethical behavior.

Moreover, it was found that fostering a culture of accountability cultivates a collective responsibility among stakeholders, emphasizing the importance of upholding ethical principles in every action. Additionally, conflict-of-interest declaration serves as a proactive measure, prompting individuals to disclose any potential conflicts that may compromise ethical decision-making.

Conducting due diligence becomes imperative, serving as a comprehensive investigation process to ensure that ethical standards are met, and risks are mitigated. However, resistance to change within organizational culture poses a significant hurdle, often impeding the seamless integration of ethical procurement practices. Despite resource constraints presenting practical challenges, innovative solutions are required to implement and sustain ethical procurement frameworks. Furthermore, the need for widespread support underscores the necessity of garnering buy-in and commitment from all levels of an organization for successful ethical procurement implementation. Notably, human behavior, specifically the reluctance to embrace change, emerges as the primary obstacle, highlighting the psychological aspect of implementing ethical practices. Departments implementing stricter oversight mechanisms or training programs can serve as models, showcasing effective strategies for upholding ethical standards in procurement. Ultimately, successful initiatives often involve adopting ethical procurement tests, implementing stringent policies, conducting regular training sessions, and fostering a culture that highly values ethical behavior as integral to operations."

5.3 Conclusions

5.3.1 Objective 1: To investigate systemic factors that contributes to corrupt procurement practices within the City of Tshwane Municipality, South African public sector.

The study concluded that systemic factors significantly contribute to corrupt procurement practices. The lack of transparency in decision-making processes and contract awards creates an environment ripe for misconduct and compromises accountability. Participants emphasized how personal interests often override the integrity of the procurement process, leading to biased supplier selection and hidden corruption. Inadequate oversight and ambiguous processes further exacerbate these issues, fostering corrupt behavior within the procurement system.

5.3.2 Objective 2: To assess the extent of fraud within procurement processes in the City of Tshwane Municipality and analyze the methods employed in such fraudulent activities.

Furthermore, the study highlighted the extent and methods of fraud prevalent in procurement processes. Instances of bid rigging, inflated pricing, and fraudulent invoicing were identified, showcasing the variety of tactics used to siphon funds. Limited monitoring resources, insufficient fraud detection training, and a reluctance among employees to report suspicious activities were identified as significant challenges, emphasizing the human factor's role in perpetuating fraudulent behavior.

5.3.3 Objective 3: To examine the manifestation and ascertain the impact of nepotism in procurement practices within the City of Tshwane Municipality.

Nepotism emerged as a crucial issue within acquisition management, eroding fairness and transparency. Relationships between buyers/specialists and senior management often influenced supplier selection, sidelining qualified vendors and introducing personal biases. Although existing policies prohibit nepotism, their effectiveness hinges on consistent enforcement and adherence to established codes of conduct.

5.3.4 Objective 4: To identify and analyze critical factors necessary for the successful implementation of ethical procurement practices in the context of the City of Tshwane Municipality, focusing on key elements that foster ethical conduct.

The study emphasized critical factors essential for ethical procurement implementation. Transparency, ethical training, strict oversight, a culture of accountability, conflict-of-interest declaration, and due diligence were identified as crucial elements. However, resistance to change within organizational culture, resource constraints, and the need for widespread support pose significant hurdles. Successful initiatives involved implementing ethical procurement tests, stringent policies, regular training, and fostering a culture valuing ethical behavior.

5.4 Implication of the study

The organization wide implication is the need for comprehensive restructuring of the City of Tshwane Municipality's procurement practices:

5.4.1 Transparency Enhancement

Managers must implement a transparent decision-making process. Establishing clear protocols for contract awards and supplier selection, ensuring publicly accessible information, and fostering transparency in decision-making could significantly mitigate corrupt practices.

5.4.2 Robust Oversight and Controls

There is need to strengthening oversight mechanisms and internal controls is imperative. This involves regular audits, forensic investigations, and the establishment of stringent controls to detect and prevent fraudulent activities.

5.4.3 Addressing Nepotism

Managers must provide stricter enforcement of policies prohibiting nepotism is essential. The focus should be on eliminating biases in supplier selection by emphasizing merit-based criteria.

5.4.4 Ethical Training and Culture

Implementing comprehensive ethical training programs and cultivating a culture of accountability within the organization are vital. It involves fostering a work environment where ethical behavior is valued and consistently practiced.

5.4.5 Embracing Change

Overcoming resistance to change within the organizational culture is critical. Managers must implement of ethical procurement practices requires a concerted effort to overcome this resistance and promote a culture that prioritizes ethical conduct in procurement processes.

5.5 Recommendations of the Study

5.5.1 Objective 1: Investigate systemic factors contributing to corrupt procurement practices.

Policy Refinement:

Organisation must enhance transparency by establishing accessible databases or online platforms for procurement-related information. Organisation must develop stringent measures to prevent favoritism, explicitly prohibiting nepotism and relationships influencing procurement decisions. This can be through formulating clear guidelines outlining expected ethical behavior, addressing bribery, influence peddling, and other unethical practices.

Training Initiatives:

Management must implement training modules focusing on systemic factors contributing to corruption, emphasizing the importance of transparency and ethical decision-making. There is need to include sessions on recognizing and addressing biases influencing procurement processes.

Allocate Sufficient Resources:

Organisation must allocate resources specifically aimed at scrutinizing decision-making processes, contracts, and supplier relationships, focusing on identifying and addressing systemic issues leading to corruption.

Cultural Shift:

Organisation must launch campaigns highlighting the risks of systemic factors in corrupt practices. This includes involving leaders in promoting a transparent and ethical culture, emphasizing the consequences of personal interests overriding integrity.

5.5.2 Objective 2: Assess the extent of fraud within procurement processes.

Policy Refinement:

Organisation must strengthen policies to include detailed measures against bid rigging, inflated pricing, and fraudulent invoicing. These include incorporate protocols for reporting suspicious activities and provide protection to whistleblowers.

Training Initiatives:

Organisation must develop training modules specifically addressing fraud detection techniques and identifying fraudulent activities within procurement processes and emphasize the importance of reporting suspicious activities and provide guidance on proper reporting channels.

Allocate Sufficient Resources:

Management must allocate resources toward enhancing fraud detection capabilities, including specialized training and tools for employees involved in monitoring.

Cultural Shift:

Organisation must conduct awareness campaigns highlighting the prevalence and detrimental effects of fraudulent activities. There is need to encourage a culture where reporting fraudulent behavior is seen as a responsibility and a contribution to ethical procurement.

5.5.3 Objective 3: Examine the manifestation and impact of nepotism in procurement practices.

Policy Refinement:

Management must strengthen policies against nepotism by implementing clear protocols for disclosing relationships and strict consequences for non-compliance.

Training Initiatives:

Management must develop training modules addressing the impact of nepotism on procurement fairness and transparency. This includes educating employees on the consequences of biased supplier selection.

Allocate Sufficient Resources:

Organisation must allocate resources for monitoring and enforcement of policies related to nepotism in procurement.

Cultural Shift:

Conduct campaigns emphasizing the importance of fair and unbiased supplier selection. Encourage leaders to set examples by avoiding nepotistic practices in procurement.

5.5.4 Objective 4: Identify critical factors for successful implementation of ethical procurement practices.

Policy Refinement:

Develop comprehensive guidelines outlining critical factors for ethical procurement practices, emphasizing transparency, accountability, and conflict-of-interest declaration.

Training Initiatives:

Implement training programs focusing on fostering a culture of ethical behavior and accountability in procurement processes.

Allocate Sufficient Resources:

Allocate resources for the implementation and maintenance of ethical procurement practices, including training and oversight.

Cultural Shift:

Launch campaigns emphasizing the values and benefits of ethical conduct in procurement. Encourage leaders to actively champion ethical behavior through their actions and support for ethical initiatives.

5.6 Suggestions for Future Research

- Conduct longitudinal studies to assess the long-term effectiveness of implemented changes on ethical procurement practices within the City of Tshwane Municipality.
- Undertake comparative studies across various municipalities or public sectors to understand the broader landscape of ethical procurement practices and identify best practices.

- Explore the integration of technological solutions (such as blockchain or AI) in procurement processes to enhance transparency and mitigate fraudulent activities.

5.7 Limitations of the study

Limited access to comprehensive data or restricted documentation might hinder the depth of analysis or lead to potential biases in the findings. Ethical issues, such as corruption and nepotism, are complex and multifaceted. Addressing these within a single study might not encompass all nuances or underlying causes, potentially leaving some aspects unexplored. Addressing cultural norms and deeply embedded practices might present challenges. Implementing an ethical procurement framework might face resistance and require significant cultural and institutional shifts. Procurement practices evolve, and new challenges may emerge over time. The study's findings might not fully encompass future developments or changes in the procurement landscape.

5.8 Conclusion

In conclusion, Chapter 5 synthesizes the findings derived from the study, emphasizing the critical need for the City of Tshwane Municipality to overhaul its procurement practices. The pervasive impact of limited transparency, fraudulent activities, nepotism, and the necessity for ethical procurement implementation are highlighted. The chapter outlines managerial implications, recommendations, suggestions for future research, and underscores the urgency for the municipality to adopt a robust ethical procurement framework to ensure fairness, transparency, and accountability in its operations.

Study key learnings:

Systemic Factors Contributing to Corruption

The study uncovers several systemic factors contributing to corruption within the City of Tshwane Municipality's procurement practices. One notable discovery is the limited transparency in decision-making, fostering an environment ripe for misconduct. Personal interests often take precedence over procurement integrity, undermining fair practices. Moreover, inadequate oversight and ambiguous processes further exacerbate the

prevalence of corruption, highlighting the need for structural reforms in decision-making protocols to ensure transparency and ethical conduct.

Extent and Methods of Fraud

Fraud emerges as a significant concern within the procurement landscape, manifesting through various methods such as bid rigging, inflated pricing, and misrepresentation. The study highlights the concerning lack of monitoring resources and insufficient training as perpetuating factors for these fraudulent activities. Addressing this issue demands an immediate focus on bolstering monitoring capabilities and providing comprehensive training to mitigate fraudulent practices.

Impact of Nepotism

Nepotism significantly impacts supplier selection processes, sidelining qualified vendors in favor of relationships. This concerning trend underscores the necessity for consistent enforcement of existing policies to curb nepotistic practices. The study emphasizes the need for a level playing field where vendor selection is based on merit rather than personal connections, urging the municipality to reevaluate and strictly enforce its policies.

Critical Factors for Ethical Procurement

Identifying critical factors for ethical procurement, the study emphasizes the pivotal role of transparency, ethical training, strict oversight, and due diligence. However, it also notes the resistance to change and resource constraints that hinder the implementation of these ethical practices. Overcoming these obstacles necessitates a concerted effort to instill a culture of transparency and ethical behavior while addressing resource limitations through strategic planning and allocation.

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Discussion guide

Interview Protocol



Welcome to my research data collection interviews:

My name is Godfrey Masindi, I'm an MBA student at UNISA and I chose your organization as my research study focus.

my research seeks to come up with

A FRAMEWORK FOR THE IMPLEMENTATION OF ETHICAL PROCUREMENT PRACTICES IN THE SOUTH AFRICAN PUBLIC SECTOR:

THE CASE OF CITY OF TSHWANE MUNICIPALITY

I will be asking you few questions and please note that this research is for academic purpose only and permission to conduct this research has been granted as per the letter I shared with you earlier.

Therefore, I will not identify you in terms of personal details but will only focus on subject matter as indicated.

NB: Please note that your response will remain anonymous. Participation in this study is highly valued and you are free to withdraw at any time when you feel so. The personal and organizational information gathered in this interview will be used for academic purposes only. Your personal information will only be used for communication purposes to provide you with the summary of results on request.

All the information you provide will be treated in the strictest confidence. The Interview should take about an hour to complete. Please answer completely all the questions provided.

Do you have any question before we start? Can you consent that I record the session?

SECTION A: DEMOGRAPHIC

How old are you between (18yrs to 35; 36 to 45 Above 45,

What is your highest level of professional qualification?

How long have you been working at the organization?

BACKGROUND INFORMATION

1. What is your current functional department?
2. Can you briefly give a short description of your work background and your relationship or role with organisational procurement?

SECTION B: Systemic Factors Contributing to Corrupt Procurement Practices

3. What are the primary systemic factors that you believe contribute to corrupt procurement practices within the City of Tshwane Municipality's procurement processes?
4. From your experience, how do these systemic factors influence decision-making in procurement processes, especially in different departments and ranks?
5. Are there any specific incidents or cases that illustrate how these systemic factors have led to corrupt procurement practices in City of Tshwane Municipality?

SECTION C: Extent and Methods of Fraud in Procurement Processes

6. In your view, to what extent does fraud occur in the procurement processes of the City of Tshwane Municipality, and what are the most common types of fraud?

7. Can you provide examples of specific methods or tactics that have been used to perpetrate fraud in various departments and ranks within the organization?
8. Are there any specific challenges or barriers to addressing fraud effectively within the procurement processes?

SECTION D: Manifestation and Impact of Nepotism

9. In what ways does nepotism manifest within the City of Tshwane Municipality's procurement practices, and can you provide examples or instances where nepotism has been observed?
10. How does nepotism impact the fairness and transparency of procurement decisions, especially when comparing its effects across different departments and organizational ranks?
11. Are there any policies or guidelines in place to address or prevent nepotism in procurement, and if so, how effective are they in practice?

SECTION E: Critical Factors for Ethical Procurement Implementation

12. What, in your opinion, are the critical factors necessary for the successful implementation of a framework for ethical procurement practices within the City of Tshwane Municipality?
13. Could you identify any key challenges or obstacles that may hinder the implementation of such a framework, based on your experience or observations?
14. Have there been any successful initiatives or best practices within the organization or elsewhere that can serve as models for implementing ethical procurement practices?

**Informed consent for participation in an
academic research project**

**A FRAMEWORK FOR THE IMPLEMENTATION OF ETHICAL PROCUREMENT
PRACTICES IN THE SOUTH AFRICAN PUBLIC SECTOR
[THE CASE OF CITY OF TSHWANE MUNICIPALITY]**

Dear Respondent

You are herewith invited to participate in an academic research study conducted by Godfrey Masindi, a student in the Master of Business Administration at UNISA's Graduate School of Business Leadership (SBL).

The purpose of this study is to develop a comprehensive framework for the effective implementation of ethical procurement practices within the South African public sector, with a specific focus on the City of Tshwane Municipality, by offering a holistic examination of this critical subject.

All your answers will be treated as confidential, and you will not be identified in any of the research reports emanating from this research.

Your participation in this study is very important to me. You may however choose not to participate, and you may also withdraw from the study at any time without any negative consequences.

Please avail yourself for an interview to answer the questions in the attached questionnaire as completely and honestly as possible. This should not take more than 10 - 60 minutes of your time.

The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.

Please contact my supervisor, Ms. Noluvuko Mathibe at noluvuko.mathibe@africanresponse.co.za if you have any questions or comments regarding the study. Please sign below to indicate your willingness to participate in the study.

Yours sincerely

Godfrey Masindi

I, [REPONDENT NAME], herewith give my consent to participate in the study. I have read the letter and understand my rights with regard to participating in the research.

Respondent's signature

Date

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Ethical Clearance certificate



Graduate School of Business Leadership_RERC

Date: 13/11/2023

Dear: Mr Godfrey Masindi

Ref #: 2023_SBL_MBA_068_FA_1614

Name: Mr Godfrey Masindi

Student #: 35396229

Decision: Ethics Approval from November 2023 to December 2024

Researcher: Mr Godfrey Masindi

Transnet, Carlton Centre,

Johannesburg

35396229@mylife.unisa.ac.za 0823835735

Supervisor: Ms Noluvuko Mathibe ; Noluvuko.mathibe@africanresponse.co.za

A FRAMEWORK FOR THE IMPLEMENTATION OF ETHICAL PROCUREMENT PRACTICES IN THE SOUTH AFRICAN PUBLIC SECTOR: THE CASE OF TSWANE METRO

Qualification: Master's of Business Administration (MBA)

Thank you for the application for research ethics clearance by the Graduate School of Business Leadership_RERC for the above-mentioned research study Ethics approval is granted for two years.

The **low-risk application** was **reviewed** by Graduate School of Business Leadership_RERC on **13 November 2023** in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.

The proposed research may now commence with the provisions that:

1. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
2. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the Graduate School of Business Leadership_RERC .
3. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
4. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.

7. No field work activities may continue after the expiry date (December 2024). Submission of a completed research ethics progress report will constitute an application for renewal, for Ethics Research Committee approval.

Additional Conditions

1. Disclosure of data to third parties is prohibited without explicit consent from Unisa.
2. De-identified data must be safely stored on password protected PCs.
3. Care should be taken by the researcher when publishing the results to protect the confidentiality and privacy of the university.
4. Adherence to the National Statement on Ethical Research and Publication practices, principle 7 referring to Social awareness, must be ensured: "Researchers and institutions must be sensitive to the potential impact of their research on society, marginal groups or individuals, and must consider these when weighing the benefits of the research against any harmful effects, with a view to minimising or avoiding the latter where possible." Unisa will not be liable for any failure to comply with this principle.

Note

The reference number 2023_SBL_MBA_068_FA_1614 should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.

Kind regards,



Prof N Mitwa
Chair of Graduate School of Business Leadership_RERC
E-mail: wiltonb@unisa.ac.za



Prof P Msweli
Executive Dean / By delegation from the Executive Dean of Graduate School of Business Leadership_RERC
E-mail: mswelp@unisa.ac.za

Supervisor letter of consent to submit for examination

CONSENT TO SUBMIT RESEARCH REPORT FOR EXAMINATION 2023

MBLREP / MBL5913 / MBA5929

Consent is hereby given to:

Student name: **GODFREY MASINDI**


Student number: **35396229** to submit his research report in its final form.

Supervisor Signature: 

Date: 21 December 2023

Supervisor Name: Nolutvuko Mathibe

The student acknowledges that sufficient feedback was provided by the supervisor and that he took the responsibility to attend to the feedback in a way that satisfies the requirements for a research dissertation on the MBA and MBL level.

Student signature 

21 December 2023
Date:

Permission letter to conduct research



City Strategy and Organizational Performance

Room RD 17 | Ground Floor, West Wing, Block D | Tshwane House | 329 Madiba Street | Pretoria | 0002
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My ref: **Research Permission/ Masindi**
Contact person: **Pearl Maponya**
Section/Unit: **Knowledge Management**

Tel: 012 358 4559
Email: PearlMap3@tshwane.gov.za
Date: 13 October 2023

Mr Godfrey Masindi
6 Umlulama Street
Birch Acres Extension 29
Kempton Park
1618

Dear Mr Masindi,

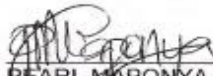
RE: A FRAMEWORK FOR THE IMPLEMENTATION OF ETHICAL PROCUREMENT PRACTICES IN THE SOUTH AFRICAN PUBLIC SECTOR: CASE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

Permission is hereby granted to Mr Godfrey Masindi, Master of Business administration degree candidate at the School of Business Leadership, University of South Africa (UNISA), to conduct research in the City of Tshwane Metropolitan Municipality.

It is noted that the aim of the study is to review public sector procurement in view of introducing new and efficient ethical procurement framework, and that the study will entail investigating a framework for the implementation of ethical procurement practices at City of Tshwane Metro through interviewing both the management and employees who are directly and or indirectly involved in procurement. The City of Tshwane approves the use of its name in the title of the study and further notes that all ethical aspects of the research will be covered within the provisions of UNISA Research Ethics Policy. You will be required to sign a confidentiality agreement with the City of Tshwane prior to conducting research.

Relevant information required for the purpose of the research project will be made available as per applicable policies, laws, regulations, and institutional standards operating procedures. The City of Tshwane is not liable to cover the costs of the research. Upon completion of the research study, it would be appreciated that the findings in the form of a report and or presentation be shared with the City of Tshwane.

Yours faithfully,


PEARL MAPONYA (Ms.)
DIRECTOR: KNOWLEDGE MANAGEMENT