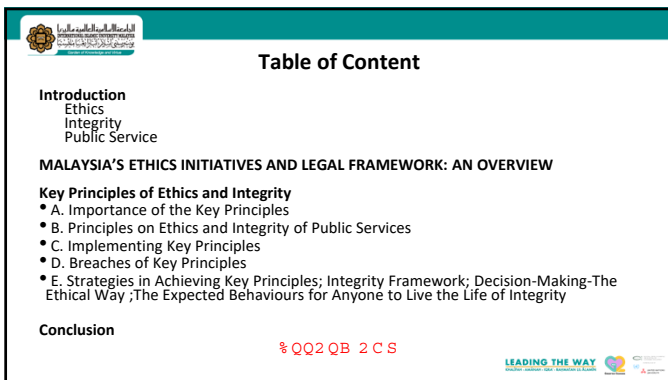


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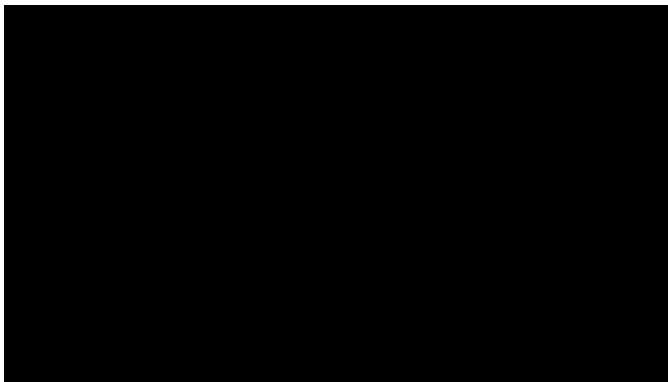


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What is Ethics?

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ethics - *ethos*

The term 'ethics' is derived from the Greek word *ethos* which can mean custom, habit, character or disposition.

The concept of ethics has been defined as "the attempt to arrive at an understanding of the nature of human values, of how we ought to live, and of what constitutes right conduct."

The definition of ethics

- i. the study or the science of morals; the branch of knowledge that deals with moral principles
- ii. moral principles that govern a person's behaviour.

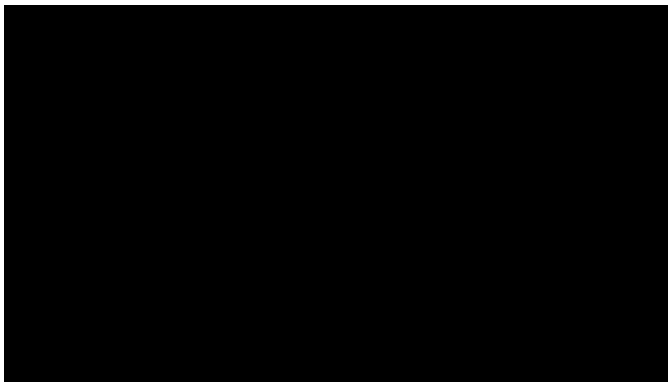
Morality is defined as "a sense of right and wrong", and being moral as "belonging or relating to the principles of good and evil, or right and wrong".

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integrity - *integritas*

The concept of integrity has been derived from the Latin "*integritas*" (wholeness). This suggests that for achieving integrity, something has to be whole and undivided.

It is defined as **consistency between beliefs, decisions and actions, and continued adherence to values and principles.**

When someone is described as a person of integrity, the suggestion is that such a person is not corruptible as a result of the "wholeness" and "connectedness" of the values and principles that such a person subscribes to.

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ethics – *ethos*
integrity - *integritas*

Ethics are principles that guide behaviour.

Integrity suggests that we should carry out ethical principles in our daily lives and activities, rather than espousing an ideal and then doing something contradictory.

Ethics is understood to be a system of principles that guide how people make decisions and lead their lives.

In contrast to ethics, **integrity** is understood as a consistent application of ethical principles, particularly honesty.

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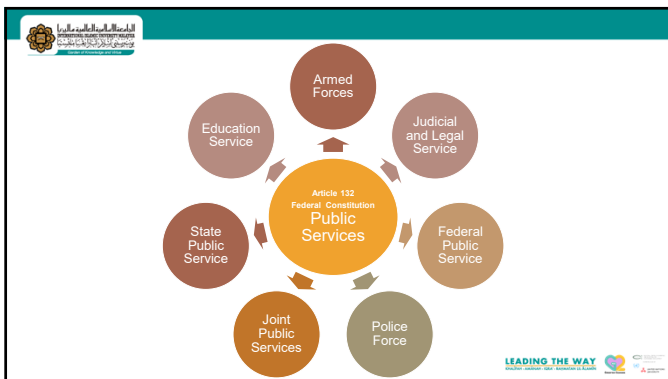
services

providers
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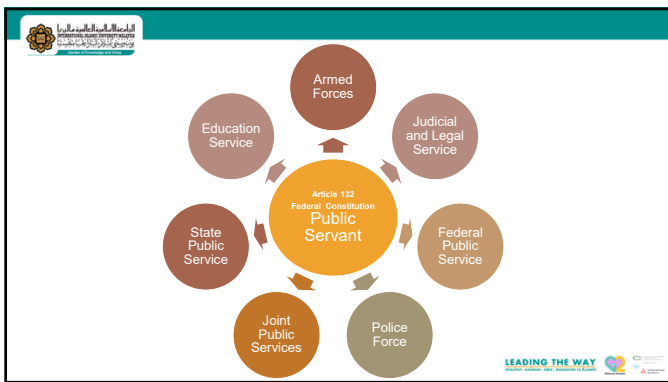
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Public Services - Public Servants
Doctrine Holding Office During the Pleasure

Federal Public Services	State Public Services
<p>Article 132 (2) The qualifications for appointment and conditions of service of persons in the public services is regulated by federal law and by the Yang di-Pertuan Agong.</p> <p>Article 132 (2A) A public servant in federal public services holds office during the pleasure of the Yang di-Pertuan Agong.</p>	<p>Article 132 (2) The qualifications for appointment and conditions of service of persons in the public service of any State is regulated by State law and by the Ruler or Yang di-Pertua Negeri of that State.</p> <p>Article 132 (2A) A public servant in public service of a State holds office during the pleasure of the Ruler or Yang di-Pertua Negeri.</p>

The English common law rule comprehensively expressed in the Latin expression "*durante bene placito*" (during pleasure) has been adopted in in this country.

Art. 132(2A) has adopted the English common law that every person who is a member of the public service of the Federal or of a State Government holds office during the pleasure of the Yang di-Pertuan Agong or the Ruler or Governor as the case may be.

HAJI ARIFFIN v GOVERNMENT OF PAHANG [1969] 1 MLJ 6

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Public Services - Public Servants
Doctrine Holding Office During the Pleasure

A public servant holds office during the pleasure of **the Yang di-Pertuan Agong or the Ruler** and he can be dismissed from the service of **the Yang di-Pertuan Agong or the Ruler** at pleasure.

Even if there exists any special contract between the Crown and the civil servant concerned, **the Yang di-Pertuan Agong or the Ruler** is not bound by it.

The civil servant is liable to be dismissed without notice and they cannot claim damages for wrongful dismissal or immature termination of service

The justification for the rule is that **the Yang di-Pertuan Agong or the Ruler** should not be bound to continue in public service any person whose conduct is not satisfactory.

This common law Doctrine is based on Public Policy.

The public policy is that a public servant whose continuance in office is not or is against the public interest must be relieved of it.

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AN OVERVIEW

MALAYSIA'S
 ETHICS INITIATIVES AND
 LEGAL FRAMEWORK

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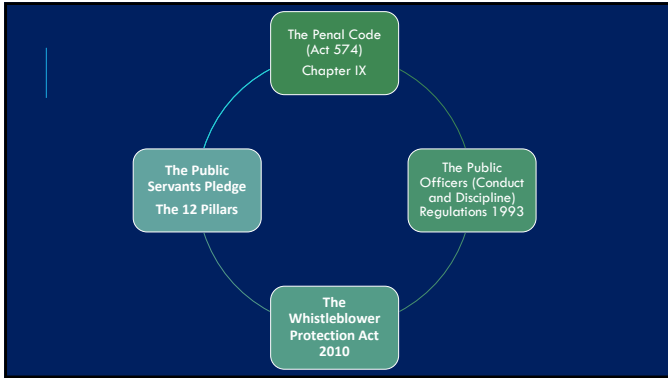
PUBLIC ADMINISTRATION IS NOT ONLY CONCERNED ABOUT THE **EFFICIENCY AND EFFECTIVENESS** OF PUBLIC SERVICE BUT ALSO THE **ETHICAL CONDUCT** OF THE PUBLIC SERVICE.

'Integrity of the Public Service' Report
 The Corruption Prevention Ordinance 1950

The Corruption Prevention Act 1961
 The Anti-Corruption Agency (ACA) - 1967
 National Investigation Bureau (NIB) - 1973

The Anti-Corruption Act 1982
 The Anti-Corruption Agency (ACA) - 1982
 Malaysian Anti-Corruption Commission (MACC) - 2009

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Table 1: Malaysian ethics initiatives

Initiative	Year introduced
Work Ethics	1981
Look East Policy	1982
Instilling the Islamic values in service	1985
Excellent work culture	1989
12 Pillar	1992
The Values Program	2000
National Integrity Plan	2004
Government Transformation Program	2010
Public Service Ethos	2012

INSTITUT INTEGRITI MALAYSIA (IIM) - 2004

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KEY PRINCIPLES OF ETHICS AND INTEGRITY

The Key Principles

- A. Importance of the Key Principles
- B. Principles on Ethics and Integrity of Public Services
- C. Implementing Key Principles
- D. Breaches of Key Principles
- E. Strategies in Achieving Key Principles

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The Key Principles

Ethics

Integrity

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<p>What Is a Code of Ethics?</p> <p>A code of ethics is a guide of principles designed to help public servants or professionals to conduct business honestly and with integrity. A code of ethics document may outline the mission and values of the business or organization, how professionals are supposed to approach problems, the ethical principles based on the organization's core values, and the standards to which the professional is held.</p>	<p>What is a Code of Conduct?</p> <p>A code of conduct is a collection or set of principles, rules and policies about how employees can and cannot behave during working hours. A code of conduct is important in the workplace because it serves as a handbook on how employees act while performing their everyday tasks.</p>
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The Key Principles

Ethics - Code of Ethics

Integrity - Code of Conduct



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Code of Ethics vs. Code of Conduct

A code of ethics is similar to a code of conduct. Both are sets of professional standards to guide the behavior of an organization's members.

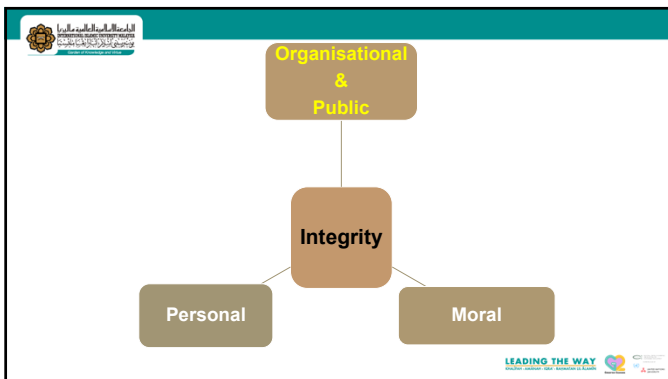
However, there are some subtle differences

A code of ethics is used to ensure that members have sound and unclouded judgment. Examples include the legal codes that prohibit lawyers from accepting cases where they have a conflict of interest or those that prevent brokers from trading against their clients.

A code of conduct, on the other hand, guides the specific actions of a company's employees. It may contain certain norms of professional responsibility, such as punctuality and accuracy.



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MORAL INTEGRITY

Moral integrity describes **adherence to moral values and principles.**

Moral integrity is **doing the right thing when no one is watching.** We know what is right and wrong, and we choose to do the right thing.

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PERSONAL INTEGRITY

Personal integrity refers to an individual being committed to personal values and principles.

Personal integrity is defined as **having strong morals or values and following those principles in both your words and actions.**

The concept of having integrity is really quite simple—living with integrity means you **uphold your values, no matter the situation or who is watching.**

You live to your own moral code.

An easy way to think about integrity is **matching up what you say with what you do.** For example, someone would show a lack of integrity if they say that honesty is one of their values but they're often dishonest or often don't share the entire truth with others.

If honesty (or personal integrity) is important to you, you'll find a way to be **transparent** with others, even when it's difficult to do.

You don't let others influence you easily, and you **stick to your principles** when it comes to what you want in life and the type of person you want to be.

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ORGANISATIONAL INTEGRITY

Integrity at the level of organizational structures and policies.

Organisational integrity refers to 'the ability of individual organisations to develop and implement an integrity management framework, and for employees to act in accordance with the values of the organization'.

Organizational integrity refers to 'the ethical integrity of the individual actors, the ethical quality of their interaction as well as that of the dominating norms, activities, decision making procedures and results **within a given organization.**

Anti-corruption **culture**

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The infographic is divided into three vertical sections. The top section contains three circular icons: a gear for 'System', a group of people for 'Culture', and a person with a checkmark for 'Accountability'. Below each icon is a colored box with text: a blue box for 'System' stating 'Having a system in place to reduce opportunities for corrupt behaviour', a dark blue box for 'Culture' stating 'Changing a culture to make corruption unacceptable socially', and a green box for 'Accountability' stating 'Making people accountable for their actions'. At the bottom is a large blue banner with the title 'PUBLIC INTEGRITY' in red, followed by a definition: 'PUBLIC INTEGRITY REFERS TO THE CONSISTENT ALIGNMENT OF, AND ADHERENCE TO, SHARED ETHICAL VALUES, PRINCIPLES AND NORMS FOR UPHOLDING AND PRIORITISING THE PUBLIC INTEREST OVER PRIVATE INTERESTS IN THE PUBLIC SECTOR.' To the right of the definition, it says '3 Pillars for Public Integrity'.


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The slide features a header with the logo of the National Society for Human Rights and the title 'The Key Principles'. The content is organized into three sections: 'Personal Integrity' with bullet points 'Being consistent in all aspects of conduct in life;' and 'Adherence to principles of morality & ethical principles;'; 'Moral Integrity' with the bullet point 'Consistent with personal values & ethical standards'; and 'Organisational & Public Integrity' with bullet points 'Practicing Integrity Collectively' and 'Organizational Framework & Culture'. At the bottom right, there is a logo for 'LEADING THE WAY' and other smaller logos.

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 **A. Importance of Key Principles**

To establish a **dedicated, efficient and ethical civil service**

To **combat corruption** (because corruption attacks not only the economic and social fabric of society, but also the moral foundations of order)

People of high integrity (are not likely to commit corrupt practices in any circumstances)

Inculcation of noble and ethical values (accompanied by adherence to the oath of good governance) (are the most effective ways to fight corrupt practices in the civil service)

Preventing corruption (helps to raise city revenues, improve service delivery, stimulate public confidence and participation and win public support)

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 **B. Principles on Ethics and Integrity of Public Services**

The civil service, which serves the government & the people, is governed by the following principles:

Recognizing the dignity and sovereignty of individual

- Customers are to be treated humanely; respect, patience, diligence

The civil service is **impartial and independence**


- Serves without fear or favour; free from political or partisan standing

Principles of **Accountability & Responsibility**

- Ever willing to own up & to justify decision made

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 **B. Principles on Ethics and Integrity of Public Services**

Serving the public interest


- Maintain and strengthen the public's trust and confidence in government, by demonstrating the highest standards of professional competence, efficiency and effectiveness, upholding the Constitution and the laws, and seeking to advance the public good at all times.

Transparency


- Civil servants and public officials are expected to use powers and resources for public good, under government policy. They should be accountable for the decisions they make, and prepared to justify their actions.

Legitimacy

- Civil servants and public officials are required to administer the laws, and to exercise administrative power on behalf of the Government, or the Parliament, or other such authority.



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 **B. Principles on Ethics and Integrity of Public Services**

Fairness

- Civil servants and public officials should make decisions and act in a fair and equitable manner, without bias or prejudice, taking into account only the merits of the matter, and respecting the rights of affected citizens.

Responsiveness


- Serve the legitimate interests and needs of the Government, other civil servants, and all citizens, in a timely manner, with care, respect and courtesy.

Efficiency & Effectiveness


- Civil servants and public officials are required to obtain best value for public assets deployed in or through public management, and to avoid waste and extravagance in expenditure and the use of public asset

Citizen Charter

- Emphasizing on services as citizens have rights to services of many kinds



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 **B. Principles on Ethics and Integrity of Public Services**

Accountability

- Decisions made by civil servants and public officials should be made as transparent and open as possible that include providing reasons for official decisions.


Complaint Mechanism

- Availability of complaints mechanism for failure to perform and to receive appropriate remedies.


Control over Maladministration & Abuse of Power

- 'Maladministration' refers to the making of an official decision in a manner which is contrary to law, arbitrary, unreasonable, without proper justification, lacking in procedural fairness, or made without due consideration of the merits of the matter, or made corruptly.

Law against Corruption & Anti-Corruption Agency




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 **B. Principles on Ethics and Integrity of Public Services**

Other Principles

- Right to Information
- Right to Know (Reason of Decision)
- Right to Procedural Fairness
- Whistleblowing Protection
- Public Finance (management reforms) – stringent statutory controls to minimize corruption, waste and inefficiency; independent Auditor-General;
- Regulatory Reform - elimination of unnecessary red tape;
- Integrity Testing Integrity - tests are one of the measures for encouraging the observance of an organisation’s Code of Ethics / Code of Conduct.



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 **C. Implementing Key Principles**

Ensuring that **civil servants know the standards** that are expected of them by the stakeholders


Ensuring **civil servants are capable of identifying key ethical problems**

Ensuring that **combating corruption** is an important agenda in the interest of the service & nation as a whole


Able to appreciate that **the same rule may not apply in different type of services**

- Accepting gift may not be corruption in school but may be a corruption in a municipal council licensing unit

Code of conduct ensures that the minimum of ethical & moral values are observed




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 **C. Implementing Key Principles**

Peraturan-Peraturan Pegawai Awam (Kelakuan dan Tatatertib) 1993

- Come early to the office or on time
- Fulfill customer needs with friendly and prudent
- Not misuse of office equipment and facilities
- Eat and drink only at lunch break
- Do not go out of office without permission
- Conduct the task in earnest and diligent
- Do not accept / request bribe from customers
- Submit the claim honestly
- Perform work quickly, accurately and with integrity
- Use office vehicles for official business only



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D. Challenges in Implementing Key Principles

Individual employee needs to equip oneself with the knowledge on procedures and policies addressing integrity with each organization.
 Integrity normally requires sacrifices often at the expense of personal interest.
 To uphold integrity is not easy because of the various challenges to overcome such as:

- Condoning of misconduct by supervisors
- Varying work process and procedures
- Varying standards of enforcement of rules
- Unavailability of witnesses
- Insufficient evidence

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D. Challenges in Implementing Key Principles

Causes of Breach of Integrity

- Dishonest and acting without integrity
- Acting without integrity without being dishonest
- Losing control out of spite, or uncontrollable action
- Not able to accept reality that he/she is wrong, denial syndrome
- Acting out of self-interest
- Failure to admit his/her shortcoming
- Not telling the truth even though he/she has discovered the truth
- Lack of good work culture, the day to day aspect of personal integrity

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E. Strategies in Achieving Key Principles

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E. Strategies in Achieving Key Principles

The Punitive Strategy	The Preventive Strategy	The Community Strategy
a. Detection of Suspected Offences b. Investigation of Breach of Integrity Cases c. Prosecution of Offender	a. Detection of Loopholes b. Breach of Integrity c. Prevention Advice	a. Training and Education against Breaches b. Fostering Public Support in Combating Breaches of Integrity

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D. Integrity Framework

The Framework of Integrity consist of these elements:

- Codes of Ethics & Code of Conduct**
 - Comprehensive and clear guidelines which exist for members in the organisation to follow
- Reporting Channel**
 - Having a confidential channel set up to encourage the surfacing of dilemmas and reporting of questionable practices within the organization

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D. Integrity Framework

- Training and Internal Communication**
 - Having the means to convey specific kinds of ethical dilemmas that can arise in the course of the organisation's business and how to resolve these dilemmas with integrity
- Top Management Example**

Having senior executives live by the code of conduct, just as how they expect all others in the organisation to live by it.

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D. Decision-Making: The Ethical Way

Ask yourself the questions and your answers will become a guide to your decision:

- 1. The Legal Requirements**
 - Is my decision/action in keeping with the law?
- 2. Spiritual/Religious Convictions**
 - Is my decision/action conforming to spiritual and religious convictions?
- 3. The Policy Requirements/Employer's Code of Ethics**
 - Does my decision or action conform with the Institution's policies, procedures and codes of practice?

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D. Decision-Making: The Ethical Way

- 4. Personal Conscience**
 - Does my decision or action conflict with or jeopardize my personal values and beliefs?
- 5. Personal Interest/Self-interest**
 - Is my decision/action influenced by my own self-interest? Do I have a vested interest in the outcome?
- 6. The Welfare of Stakeholders/the Greatest Good**
 - Does my decision/action cause harm to the welfare of stakeholders and others? Is it beneficial to their welfare?

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D. The Expected Behaviours for Anyone to Live the Life of Integrity

Awareness
Conviction
Mastery
Role-model

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D. The Expected Behaviours for Anyone to Live the Life of Integrity

1. Awareness
This is the stage where we uphold our values in both our thinking and decision-making processes.

2. Conviction
This is the stage when our values are consistent in our daily lives and we believe that we can develop integrity and trustworthiness in ourselves and in others.

3. Mastery
This is the stage after being convinced that we can build and earn trust beyond immediate stakeholders

4. Role-model
This is the stage where we are ready to inspire trust and thereby demonstrate integrity always.

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INTEGRITY AND ACCOUNTABILITY

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Conclusion

-Ethics & Integrity in the Public Service-

- It is about one **personal control** based on clear ethical values regulated by sound code of conduct and wholesome principles of integrity
- It is about clear **guiding principles** to regulate & manage conduct & action of civil servants within existing **moral and legal framework**
- It is about effective **enforcement** of ethical conduct and integrity principles
- It is about reparation, damage control, efficiency & accountability

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INTEGRITY AND ACCOUNTABILITY

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