



TOBACCO RESEARCH BOARD

KUTSAGA

CODE OF ETHICS

Policy Owner	Chief Executive Officer
Policy Administrator	Head of Human Resources
Approval by	The Board of Directors The Minister of Lands, Agriculture, Fisheries, Water and Rural Development
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FOREWORD

The Tobacco Research Board ('TRB') recognises that it must earn and maintain a reputation for integrity and quality that includes, but is not limited to, compliance with contractual obligations, national laws, regulations and due diligence. TRB recognises that even the appearance of misconduct or impropriety can be very damaging. Therefore, TRB shall strive at all times to maintain the highest standards of integrity and professionalism. To that end, TRB is dedicated to upholding the highest ethical standards furtherance of its mission. This Code is an embodiment of that commitment. Accordingly, this Code has been developed to inculcate in TRB staff, a culture of adherence to the highest standards of integrity and professional ethics.

Members of staff are required to uphold the highest ethical standards of the institution and of the broader society in which they coexist. TRB values excellence devotion to duty, integrity, transparency, accountability, social fairness, professionalism, prudent use of resources, client focus, teamwork and confidentiality, and shall strive to integrate these values into all of its activities and operations.

Mr Stanley Mutepfa

Chairman

Dr Dahlia Garwe

Chief Executive Officer



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1. Preamble

- 1.1. This Code is formulated to comply with section 26 and section 27 of the Public Entities Corporate Governance Act [Chapter [10:31]. It shall be read and interpreted with reference to the said Act and Constitution of the Republic of Zimbabwe. This policy shall also be read and interpreted in conjunction with existing TRB policies.
- 1.2. While it is not possible to devise a single set of rules to govern every conceivable ethical dilemma, this Code is intended to provide a starting point to help TRB staff members to identify and tackle ethical issues that they might face in dispensing their duties. Therefore, this Code contains general rules of ethics to be observed by TRB's staff members to maintain integrity and accountability.
- 1.3. TRB will look to those in senior positions to set an example in their conduct and to promote and support good ethical behaviour and protect those who report fraud, corruption, nepotism, maladministration or other criminal or prejudicial conduct,
- 1.4. All members of staff are required to familiarise themselves with, uphold and comply with this Code in particular. A breach of any of the provisions of this Code will constitute a breach of TRB's rules and regulations and shall lead to disciplinary action.
- 1.5. This Code is not a contract and it may be altered, amended, or modified by the TRB at any time without prior notice.

2. Definition and Interpretation of Terms

- 2.1. The headings in this Code are for convenience only and shall not be deemed to be part thereof or be taken into consideration in the interpretation or construction thereof.
- 2.2. In this Code, unless the context otherwise requires, reference to the singular includes the plural and vice versa, and reference to a gender includes the other gender.
- 2.3. References to a statutory provision include references to that statutory provision as, from time to time, amended, extended or re-enacted and any regulations made under it;
- 2.4. In this Code the following words and expressions shall have the meanings hereby assigned to them except where the context otherwise requires:
 - (i) '**Adverse Personnel Action**' means a management action that affects the Complainant's existing terms and conditions of employment in a material and negative way, including, but not limited to, failure to hire, demotion, suspension and or termination.
 - (ii) "**Board**" means Board of Directors of the Tobacco Research Board.



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- (iii) **“Board Member”** means a person appointed into the TRB Board by the Minister of Lands, Agriculture, Fisheries, Water, and Rural Development
- (iv) **“Code/Policy”** means to this Code of Ethics.
- (v) **“Confidential”** means information that shall be kept out of the general public domain and includes but is not limited to business strategies, pending contracts, announced services, unpublished research results, and biodata of employees.
- (vi) **“Constitution”** means the Constitution of Zimbabwe.
- (vii) **“Complainant”** means an employee, applicant for employment or a stakeholder who submits a complaint in terms of this Code
- (viii) **“Employee or Member of Staff”** refers to a means any person appointed, employed, or admitted to be part of TRB to render service.
- (ix) **“Favouritism”** means the practice of giving unfair preferential treatment to one person or group at the expense of another.
- (x) **“HOD/Head of Division”** means a staff member heading a division within TRB including a Station Manager.
- (xi) **“Illegal Order”** means a directive to violate or assist in violating legislation and or regulations or an order to work or cause others to work in conditions outside of their line of duty that would unreasonably threaten the health or safety of employees or the public.
- (xii) **“Nepotism”** means favouritism of an individual by virtue of being a relative
- (xiii) **“Officer”** means a staff member of TRB bestowed with authority in terms of the Tobacco Research Act [Chapter 18:21] or any other applicable enactment.
- (xiv) **“Relative”** means a person affiliated to another by birth and marriage, including a child, grandchild, parent, brother, or sister, and child, grandchild, parent, or sister of a spouse, or any other prescribed relative or degree of consanguinity
- (xv) **“Protected Disclosure”** means a good faith communication that discloses a breach of this Code, applicable laws and regulations and or internal policies and regulations. A Protected Disclosure may be made internally to the Complainant’s HOD or immediate supervisor.
- (xvi) **“Retaliation Complaint”** means a written complaint filed under this Code alleging that a staff member retaliated by taking an Adverse Personnel Action against the Complainant because the Complainant made a Protected Disclosure or refused to obey an Illegal Order.



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- (xvii) **"Staff/Staff member or member of staff"** means any person employed by the Tobacco Research Board and receiving or entitled to receive any remuneration in respect of such employment or work.
- (xviii) **"Stakeholder"** means a member of groups without whose support the organization (TRB) would cease to exist. These include the government, the employees of TRB, clients, customers and the wider public.
- (xix) **"TRB"** means the Tobacco Research Board.
- (xx) **"Senior Staff Member"** means HoD or Executive Director.

3. Authority

- 3.1. This policy is made under the Tobacco Research Act [Chapter 18:21] as read with sections 26 and 27 of the Public Entities Corporate Governance Act [Chapter [10:31] and section 194 of the Constitution of Zimbabwe.

4. Scope and Application

- 4.1. This Code applies to all members of the Board of Directors, full-time permanent, full-time contract and part-time or temporary part-time employees, contractors, subcontractors, consultants are bound by this policy and are required to adhere to the provisions thereof.

5. Purpose and Policy Principles

- 5.1. The purpose of this Code is to establish guidelines for the professional conduct and responsible behaviour of those acting for and on behalf of TRB, including executive officers, permanent staff members, employees on fixed-term contracts and temporary employees.
- 5.2. The Code requires TRB board members and employees to conduct themselves with dignity, honesty, integrity and respect when interacting with colleagues, clients or customers of TRB or the general public.
- 5.3. This Code is a shared statement of TRB's commitment to upholding the ethical professional and legal standards that will inform and guide decision making and the conduct of the TRB's business and activities.
- 5.4. New Board Members and all new members of staff, at all levels, shall sign such acknowledgement (of awareness of the Code) at the time of their appointment.

6. Objectives

- 6.1. To foster and promote high standards of professional ethics



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- 6.2. To impart general rules of acceptable conduct to be observed by staff members to maintain integrity and loyalty to the institution and to uphold the dignity of the institution's offices and positions to which members have been appointed.
- 6.3. To convey the obligations and standards of behaviour required of members and to guide them in resolving any ethical issues that may arise during the course of their duties and responsibilities.

7. Performance of Duties

- 7.1. In performing their duties, Staff members must:
 - (i) Do their best to achieve the objectives of the TRB cost-effectively and in the public interest,
 - (ii) Seek innovative ways to solve problems and to increase effectiveness and efficiency,
 - (iii) Be punctual in reporting for work and must work diligently during working hours,
 - (iv) Carry out their duties promptly, professionally competently and with due care,
 - (v) Keep proper records of what they do, particularly regarding financial matters
 - (vi) Avail themselves of continuous training and self-development throughout their careers,
 - (vii) Report fraud, corruption, nepotism, maladministration or other conduct which is criminal and prejudicial to the interest of the TRB or the public,
 - (viii) Give their superiors honest and impartial advice, based on all available relevant information, whenever required to give advice,
 - (ix) Not disclose confidential of information that they acquired in the course of their employment with the TRB except when authorized or required by the law to disclose it, or when disclosure is clearly in the public interest. must,
- 7.2. In discharging their duties, members of the Board of Directors must observe their fiduciary duties as defined in section 42 of the Public Finance Management Act [Chapter 22:19] and the common law.
 - 7.2.1. These duties include, but are not limited to the following:
 - (i) Always acting with fidelity, honesty, integrity, good faith and in the best interests of the institution;
 - (ii) Always bringing an independent mind to bear on all decisions made on behalf of the institution;
 - (iii) Exercising the utmost care to ensure reasonable protection of the assets and records of the public entity;



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- (iv) Acting within the confines of the powers vested by them in terms of the Tobacco Research Act [Chapter 18:21];
- (v) Act with care and due diligence;
- (vi) Avoiding a conflict of interests; and
- (vii) Not using the position or any confidential information obtained by virtue of the position, for personal gain or to improperly benefit another person.

8. Individual Responsibility and Accountability

8.1. A member of staff shall–

- 8.1.1. To the best of his/her ability carry out his or her duties and TRB's business efficiently, diligently, fairly, honestly and with integrity.
- 8.1.2. Not violate the rights and freedoms of other employees and the general public, in carrying out their duties.
- 8.1.3. Have a duty to advise with impartiality and without fear or favour.
- 8.1.4. Conduct his/her private affairs in such a way that upholds public confidence in the integrity of his/her offices and TRB.
- 8.1.5. Not use his/her office or place of work for soliciting funds, inducing favours, or collecting bribes.
- 8.1.6. Not bribe or attempt to improperly influence any person in a decision-making position regarding TRB matters.
- 8.1.7. Not create the impression that he/she has the power to influence the procedure concerning and/or the people entrusted with appointments, selection decisions, purchases, and the awarding of tenders and/or drawing up of quotations.
- 8.1.8. While representing TRB, create a positive impression by handling oneself professionally with courtesy and tact.
- 8.1.9. Treat colleagues and the general public with courtesy and respect and carry out their duties and responsibilities in a way that maintains public confidence in the integrity of their offices and positions.
- 8.1.10. Report immediately to his/her superior or other official authorities any attempt by another person to bribe or to improperly influence him/her.
- 8.1.11. Exercise responsibility appropriate to their position and delegated authorities.
- 8.1.12. Be responsible to each other, the institution and its stakeholders both for their actions and omissions.
- 8.1.13. Conduct the business of the institution following the ethical standards set out in this Code, exercising sound judgment and serving the best interests of the institution and the community.



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- 8.1.14. Must perform their duties honestly, in good faith and the best interest of the TRB.
- 8.1.15. Show integrity and complete honesty in their private dealings.
- 8.1.16. Be honest and accountable in dealing with public funds and must use the Tobacco Research Board's property and other resources effectively, efficiently and only for authorised official purposes.
- 8.2. HODs and senior management officers are expected to set high professional standards by conducting themselves in an exemplary and impeccable manner.
- 8.3. If an employee is a member of a professional body, he/she shall observe the ethical and professional requirements of that body.
 - 8.3.1. To the extent appropriate to one's office, employees shall endeavour to improve the standards of performance and level of professionalism and strive to carry out their work in a manner befitting their professions.

9. Relationship with Co-Workers

- 9.1. Members of Staff must;
 - (i) Co-operate fully with colleagues to advance the public interest and in particular, the interest of the TRB,
 - (ii) Carry out all lawful instructions given to them by their superiors,
 - (iii) Treat their subordinates with proper respect, and must never abuse their authority over them by inducing them to breach their duty to TRB or to do something against the law,
 - (iv) Not engage in nepotism, i.e. they must not employ their relatives or friends in the TRB or improperly influence or encourage the entity to employ their relatives or friends, or favour relatives or friends in work-related activities,
 - (v) Use the proper channels to air their grievances,
 - (vi) Deal fairly and professionally with their co-workers, regardless of their nationality, race, colour, tribe, place of birth, ethnic or social origin, class, religious belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status, and
 - (vii) Not engage in any party-political activities in the workplace.

10. Relationship with Stakeholders

- 10.1. Board members and staff must:
 - (i) Serve the public in a professional, transparent, unbiased and impartial way to create confidence in TRB, be courteous, polite, helpful and reasonably



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accessible in their dealings with the public, treating members of the public as customers who are entitled to receive high standards of service,

- (ii) Respect the needs and concerns of the public in performing their duties, must treat all members of the public with equal respect, regardless of their nationality, race, colour, tribe, place of birth, ethnic or social origin, class, religious belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status,
- (iii) Not abuse their position to promote or prejudice the interest of any political party or interest group, and
- (iv) Recognize the public's right to obtain information about the TRB, apart from information that is specifically protected by the law.

11. Relationship with the State

TRB board and staff members, shall:

- (i) Be faithful to the Republic and honour the Constitution;
- (ii) Put the public interest first in the execution of his or her duties;
- (iii) Loyally executes the policies of the Government of the day in the performance of his or her official duties as contained in all statutory and other prescripts;
- (iv) Strive to be familiar with and abide by all statutory and other instructions applicable to his or her conduct and duties; and
- (v) Co-operate with public institutions established under legislation and the Constitution in promoting the public interest.

12. Compliance with Applicable Laws

- 12.1. Compliance with the law is not optional and TRB must transact its business in compliance with applicable laws.
- 12.2. Accordingly, members of staff are expected to familiarise themselves with the laws and regulations bearing on their areas of responsibility and to comply with all legal requirements that apply in their respective areas of employment.

13. Compliance with Internal Policies and Procedures

- 13.1. TRB policies and procedures are designed to set minimum standards and to give members of staff notice of expectations.
- 13.2. Members of staff are expected to transact all TRB business in conformance with policies and procedures and accordingly, must become familiar with those that apply to their areas of responsibility.



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- 13.3. Each member is expected to seek clarification on a policy or other TRB's directives he or she finds to be unclear, outdated or at odds with TRB's objectives. It is not acceptable to ignore or disobey policies if one is not in agreement with them or to avoid compliance by deliberately seeking loopholes.

14. Contractual, Grant and Other Obligations

- 14.1. The acceptance of an agreement including sponsored project funding may create a legal obligation on the part of TRB to comply with the terms and conditions of the agreement.
- 14.2. Therefore, only the CEO or individuals who have been authorised by the CEO may enter into agreements on behalf of the institution.
- 14.3. TRB business is to be conducted in conformance with the contractual commitments of the institution.

15. Confidentiality, Privacy and Information Security

- 15.1. Members of staff, in the course and scope of their employment, receive and generate various types of confidential regulated proprietary and private information on behalf of the TRB.
- 15.2. They are expected to comply with all applicable rules, laws and regulations, contractual obligations and policies about the use protection and disclosure of this information.

16. Financial Responsibility and Internal Controls

- 16.1. Staff members, particularly HODs, are expected to employ sound business practices and exercise prudent financial management in their stewardship of institutional resources.

17. Conflict of Commitment/Conflict of Interest

- 17.1. Staff members owe their primary professional allegiance to TRB and its mission as set out in the TRB Act.
- 17.2. A conflict of commitment can arise when a person's external activities interfere with the person's responsibilities to the TRB, especially concerning time allocation.
- 17.3. Staff members are required to ensure that their outside activities do not interfere with the performance of their duties and with the time allocated for the performance of those duties.
 - 17.3.1. Staff members with other professional or financial interests shall disclose them in compliance with applicable conflict of interest/commitment policies.



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- 17.4. Must not, without the written permission of the Board, be directly or indirectly engaged for gain by or have a proprietary interest in any business which conflicts with that of the TRB.
- 17.5. Must declare interest in dealings involving organisations that they have a direct or indirect proprietary interest own or are related or if they have interest in a business in direct competition with the TRB.
- 17.6. must not accept any form of remuneration, reward or benefit from any organization or business which supplies the TRB with goods or services without permission from the Board.
- 17.7. Outside professional activities, private financial interests or the receipt of benefits or gifts from third parties can cause an actual or perceived conflict of interest relationship between TRB and its suppliers, clients, sponsors or customers must be free of any real or perceived impropriety or favouritism.
- 17.8. The policies and procedures regarding purchases and solicitation of quotes and tenders, as amended from time to time, must be strictly adhered to at all times.
 - 17.8.1. Participation by a member of staff in the purchasing process, collection or evaluation of quotes, granting of tenders or the appointment of consultants where a spouse, relative by blood or marriage, family friend or business associate of the member has an interest or is involved as a third party is not permitted.
 - 17.8.2. A staff member shall immediately disclose in writing to his/her immediate supervisor any possible conflict of interest/commitment and withdraw from the particular decision-making process.
 - 17.8.3. All tenders, quotations and purchases to be made where a member has withdrawn from the decision-making process shall be submitted to the CEO for final approval.
- 17.9. A member with involvement and/or personal interest in any person with whom TRB has entered into a contract shall make this fact known to his/her supervisor immediately.

18. Consequences of Violation

- 18.1. Confirmed violations will result in appropriate disciplinary action.
- 18.2. In some circumstances, civil or criminal charges and penalties may apply.

19. Reporting Violations and Protection from Retaliation

- 19.1. Adherence to this Code also requires that any suspected violations of applicable standards policies, laws or regulations be brought to the attention of the appropriate HOD.



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- 19.2. Members of staff are, therefore, strongly encouraged to report all known or suspected violations of this Code, applicable laws, contractual obligation, grant requirements, policies and procedures.
- 19.2.1. This reporting should normally be made initially through standard management channels, beginning with the immediate supervisor or HOD.
- 19.2.2. HODs and other staff members in supervisory roles are required to report allegations presented to them to their respective Executive Directors and or the CEO.
- 19.2.3. If for any reason it is not appropriate to report suspected violations to the immediate supervisor (e.g. the suspected violation is by the supervisor or HOD), or the employee is uncomfortable doing so, the individual may go to a higher level of management.

19.3. Reporting to Management

- 19.3.1. If for any reason the individual seeking to report a violation is not comfortable making a direct report to management, the individual may make the report anonymously using the suggestion box system.

20. Non- Retaliation and Whistle-Blower Protection

- 20.1. TRB is committed to providing a work environment where employees are free to report suspected violations of this Code, applicable laws, contractual obligations, grant requirements, policies, procedures or conditions that significantly threaten the health or safety of employees or the public without fear of retribution and where employees can be candid and honest without reservation.
- 20.1.1. Raising such concerns is a service to TRB and shall not jeopardize the reporting staff members' position or employment.
- 20.1.2. This Code prohibits retaliation against an individual who in good faith reports or provides information, about concerns or suspected violations.
- 20.1.2.1. A staff member may not:
- (i) Retaliate against a staff member or applicant for employment who has made a protected disclosure,
 - (ii) Retaliate against an employee who has refused to obey an Illegal Order, or
 - (iii) Directly or indirectly make Use of Official Authority or Influence to interfere with an employee's or applicant's right to make a Protected Disclosure.
- 20.1.2.2. TRB will investigate thoroughly any Retaliation Complaints filed, provide appropriate relief to any complainant harmed by retaliatory actions, and



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take appropriate action against employees who engage in retaliatory actions in violation of this Code.

- 20.1.3. False accusations made with the intent of harming or retaliating against another person may subject the accuser to disciplinary action.

ADOPTED AND APPROVED BY THE BOARD OF DIRECTORS OF THE TOBACCO RESEARCH BOARD.

CHAIRPERSON

02/03/22

DATE

CHIEF EXECUTIVE OFFICER

02/03/22

DATE

APPROVED BY THE MINISTER OF LANDS, AGRICULTURE, FISHERIES, WATER AND RURAL DEVELOPMENT

HON. MINISTER (DR) ANXIOUS JONGWE MASUKA

19/04/2022

DATE