

PROFESSIONAL CONDUCT GUIDELINES FOR PUBLIC EMPLOYEES WITHIN THE FRAMEWORK OF THE NATIONAL EDUCATION SECTOR'S CODE OF ETHICS IN ALGERIA

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Abstract

The Algerian legislator, similar to comparative legislation, has ensured that the performance of public employees is within a system of values and ethical principles governing their professional conduct. This positively impacts the quality of public service provided to the members of society. The legislator has assigned various ministerial sectors in the state the task of establishing a system for professional conduct principles and public service ethics.

In this context, and with the belief that public service not only requires structures, organizations, and legislative frameworks but also a value-based behavior and ethical code that unites various public servants to achieve solidarity, comprehensive development, and combat corruption, the Ministry of National Education in Algeria - similar to other ministerial sectors - has hastened to establish a code of conduct in the sector it oversees. This initiative recognizes the need for public facilities to have behavioral rules and ethical principles that help public employees navigate conflicting situations in their professional journey.

Keywords: *Ethics of Public Service, Professional Ethics Code, Administrative Corruption, Public Employee, Educational Community.*

INTRODUCTION

The lack of ethical principles has always been a source of social and cultural deviations. Human history has shown us that the absence of ethics has been the reason for the decline and fall of civilizations. Consequently, it has become an established fact that public service requires not only structures, organizations, and legislative frameworks but also value-based behavior and an ethical code that unites various public servants to achieve solidarity and comprehensive development.

Recognizing the need for public facilities to have behavioral rules and ethical principles that help public employees navigate conflicting situations in their professional journey, the Ministry of National Education in Algeria has hastened to establish a code of conduct in the sector, similar to other ministerial sectors.

It is evident that this code is based on the values and principles of Algerian society in its three dimensions: Islam, Arabism, and Amazigh identity. It also relies on fundamental ethical principles in their global dimension. Hence, the importance of studying this subject emerges through the research and analysis of legal texts dedicated to the principles of professional conduct and public service ethics. The aim is to highlight the rules of conduct and ethics in the public sector applicable to public employees in a comprehensive sense and in all public facilities in general, and in the facilities of the National Education sector in Algeria in particular. This leads us to pose the following problem:

What are the rules of conduct that public employees should adhere to while performing their duties to protect themselves from temptations and attempts that may lead to administrative corruption? And how effective are the conduct rules for employees within the framework of the National Education Sector's Code of Ethics in Algeria?

In answering this problem, we adopted a descriptive and analytical approach in most parts of the research, dividing the study into two main sections. The first section is dedicated to studying the



rules of conduct for public employees and public service ethics, while the second section addresses the Code of Ethics for the National Education Sector in Algeria.

Section One: Rules of Conduct for Public Employees and Ethics of Public Service

To support the fight against corruption, the state, through all its institutions, councils, and elected bodies, works to encourage integrity, honesty, and a sense of responsibility among its employees and elected officials. This ensures the proper, fair, and appropriate performance of public functions and electoral mandates¹. To elucidate this, we will discuss in this section: the meaning of public service ethics (first), the core values of public employee conduct (second), and the functional relationships of the employee within the framework of public service ethics (third).

First: The Concept of Public Service Ethics:

Public service ethics are associated with the moralization of public service, which refers to a set of rules, principles, values, and standards that form the foundation of commendable and desirable behavior for employees. These ethics are mandatory for employees to adhere to and not deviate from. Adhering to public service ethics binds the employee to the obligations and behavioral rules imposed by their job, which often cannot be stipulated in legal provisions due to their nature².

Public service ethics are defined as: "A pattern of professional behavior required and even imposed by the nature of governmental activities¹."

Ethics are also defined as: "A set of written or unwritten principles that command or prohibit certain behaviors under specific circumstances. They reflect the values that an individual adopts as standards governing their behavior²."

Additionally, professional ethics in administrative work are described as: "A set of rules and conduct that employees are guided by when performing their duties correctly, while avoiding improper and incorrect behavior. They are a comprehensive statement of the values and principles that should guide the daily work performed by public employees³." The latter are obligated to exercise diligence and integrity in performing their duties, and to keep their actions free from corruption and discrimination among citizens⁴.

Second: The Core Values of Public Employee Behavior:

These are a set of standards and general principles related to the job, determining what is desirable and undesirable behavior within the work environment. These principles include :

- **Integrity:** This means maintaining uprightness, avoiding any suspicions, and acting free from biases and personal interests.
- **Honesty and Trustworthiness:** Employees should perform their duties with precision, skill, and dedication, preserving public funds and prioritizing the public interest.
- **Objectivity and Neutrality:** Employees should carry out their job duties impartially and professionally, without favoritism or bias towards any party.
- **Justice and Equality:** The employee should provide service to clients in a fair and equal manner without favoritism.
- **Knowledge Exchange:** The employee should share their skills, knowledge, experiences, and expertise with other employees according to the organization's systems and requirements.
- **Team Spirit:** The employee should work with a team spirit and collective work, encouraging integration and solidarity in performing job duties.
- **Work Discipline:** The employee should respect work timings, complete tasks with dedication, and avoid any behavior that disrupts the workflow.
- **Spreading Positive Energy:** The employee should avoid negativity and contribute to creating an optimistic and motivating work environment to achieve the desired goals¹.

Thirdly, the employee's professional relationships within the framework of public service ethics:

A - The public servant's relationship with superiors: The employee should ensure the following:

1. Respecting their superiors, complying with their instructions, and executing them unless such instructions would result in an act punishable by law.
2. Informing their direct superior of any legal violations observed during work execution.



B - The public servant's relationship with subordinates: The employee should ensure the following:

1. Respect the rights of subordinates and cooperate with them without favoritism or discrimination.
2. Assist subordinates in developing their skills and provide proper guidance.
3. Serve as a role model, objectively evaluating the performance of subordinates.
4. Personally take responsibility for the orders given to subordinates.
5. Contribute to creating a healthy and friendly work environment and avoid any behavior that undermines the dignity of subordinates.

C - The public servant's relationship with colleagues: The employee should ensure the following:

1. Respect the privacy of colleagues and contribute to creating a healthy work environment.
2. Avoid any unethical behavior and any actions that compromise good morals.

D - The public servant's relationship with public service users:

1. Adhere to the duty of professional secrecy concerning information obtained in the course of performing their duties with public service users.
3. The public servant must refrain from making any statements or disclosing information or official documents through the media without prior and explicit permission from their superior.
4. The public servant must not exploit their position for political or partisan purposes.
5. The public servant must perform their duties with objectivity and neutrality.

E - Conflict of Interest, Asset Declaration, Acceptance of Gifts, and Parallel Activities:

1. If the public servant feels they are in a situation of conflict of interest, they must automatically inform their direct superior, who will then take appropriate measures¹.
2. The public servant is required to declare their assets in accordance with the law².
3. The public servant is prohibited from requesting, demanding, or accepting gifts or donations of any kind, for themselves or others, in exchange for providing a service within the scope of their duties³.
4. The public servant is not allowed to engage in any other activities unless permitted by the applicable laws.

Second Axis: The Ethical Charter of the National Education Sector in Algeria.

Codes of conduct and professional ethics for public employees are among the measures included in corruption prevention, as outlined in various international agreements and domestic legislation in Algeria⁴.

To encourage integrity, honesty, and a sense of responsibility among its employees, the Ministry of National Education, similar to other state ministries, has promptly established codes and conduct rules. These define the framework ensuring proper, honest, and appropriate performance of public duties in the education sector⁵. Therefore, this section will address the legal foundations of the charter (first), the general principles of the charter (second), and the rights and duties of the educational community members (third).

First - The Legal Foundations of the Charter: This charter is derived from a comprehensive set of fundamental legislative and regulatory texts applicable in Algeria, which are⁶:

1. The Constitution of the People's Democratic Republic of Algeria.
2. The Law on the Prevention and Combating of Corruption.
3. The General Basic Law for the Public Service.
4. The National Education Guiding Law¹.
5. Labor Laws.
6. Decrees concerning common corps and professional workers².
7. The Basic Law for Employees of the National Education Sector³.
8. Texts and international agreements ratified by Algeria⁴.

Second - General Principles of the Charter:

Based on the spirit of the fundamental texts mentioned above, and considering Algeria's accumulated experience in educational policy and management, a consensus has been reached among the members of the educational⁵ community on five principles, which are:



1. **Integrity and Honesty:** The educational system cannot achieve its goals unless its members demonstrate integrity and honesty in all their behaviors, avoiding all forms of harassment and violence.
2. **Role Model and Exemplarity:** The teaching profession is not limited to imparting educational knowledge only; it also includes a moral dimension. The teacher is expected to be proficient in their work and to be a role model in fairness, tolerance, citizenship, dedication, and a sense of responsibility.
3. **Mutual Respect:** The relationship among the members of the educational community should be characterized by mutual respect, which practically manifests in the necessity of listening to one another.
4. **Competence Development:** All members of the educational community must exert sufficient efforts to develop and enhance their acquired competencies, driven by a strong desire to improve the quality of work.
5. **Stability within Educational Institutions:** The psychological stability of students and educators is essential for a good educational experience. This can only be achieved by creating an atmosphere of trust and solidarity among the members of the educational community, ensuring permanent stability in educational institutions.

Third - Rights and Duties of the Educational Community Members:

Adopting the aforementioned ethical principles requires everyone to recognize the rights and duties of the educational community and the necessity of respecting them. This recognition leads to three commitments:

1. All members of the educational community must respect the principles outlined in this charter, especially in their relations with students. They must also take all appropriate measures to ensure that students are protected from any form of discrimination.
2. Ensure that the operation and organization of the school comply with the standards set out in legislation and regulations, particularly in the fields of security and health.
3. Provide appropriate guidance and advice to students according to their abilities to exercise the rights established by this charter.

A - Rights and Duties of Students:

Students are the foundation of the educational system, as the national education policy focuses on them, as stated in the Algerian National Education Guideline Law¹.

1. Rights:

- The dignity of the student is to be absolutely respected, and any harm to their person is prohibited.
- Students with special needs have the absolute right² to a decent school life that preserves their dignity, and medical follow-up is also a right for all students.
- Other parties must provide students with opportunities to participate in cultural and sports association activities and provide suitable facilities and equipment in all educational institutions.

2. Duties:

Students must adhere to various rules of discipline and continuously apply etiquette rules in their interactions with other students, teachers, and staff. They must also avoid any violent practices in their relationships with others and participate in organized sports and cultural activities within the institution unless there are clear and confirmed reasons preventing them from doing so.

B - Rights and Duties of Educators:

Educators refer to all staff in the institution who engage in educational and pedagogical activities for the benefit of students, including teaching, supervision, administration, pedagogy, guidance, and support staff.

1. Rights:

- The educator must be respected by society and all administrative bodies. The social value of their role must be recognized, and any harm to the educator's dignity is prohibited. They must be treated with absolute respect.
- The educator must be protected while performing their duties and assured the right to express themselves freely.



- The educator should benefit from continuous training¹.
- The educator has the right to participate in the life of the institution through various councils.

2. Duties:

- The educator must continuously strive to improve their professional competence by relying on their own abilities and participating in training activities¹.
- The educator should be knowledgeable about the legislative and regulatory texts related to the life of the educational community and adhere to them.
- The educator must actively contribute to the proper organization and management of the institution, promote a climate of solidarity, cooperation, and tolerance within the institution, keep the school free from political, ideological, and partisan influences, and avoid any discrimination towards any member of the educational community.
- The educator should instill a sense of nationalism in the students, in addition to their teaching duties, and seek to develop it, while also fostering a spirit of tolerance according to national and Islamic principles.

C-Rights and Duties of Administrative Employees and Professional Workers:

1. Rights:

-Administrative employees and professional workers benefit from all the rights and protections established by legislation. All members of the educational community must respect them.

– They have the right to receive training, assistance, and support in performing their duties.

2 - Duties:

Considering that professional ethics are part of the broad concept of responsibility, administrative staff and professional workers must: – Submit the performance of their activities to regular and self-evaluation, exhibit polite and respectful behavior in their relationships with members of the educational community, respect the application of laws governing the educational system by administrative staff, and abstain from all forms of preventing the circulation of information and exhibit wisdom and a spirit of solidarity within the applicable regulations.

– Administrative staff should adopt a preventive attitude towards conflicts that may arise in educational institutions and resort to dialogue to resolve disputes.

– Respect the duty of neutrality in performing their tasks, and no discrimination is allowed.

D - Rights and Duties of Students' Parents:

Parents of students can help establish more effective communication and greater understanding between teachers and students. They can monitor their children's work to contribute to their academic success. Given their active role, they have rights and duties:

1 - Rights:

- Parents have the right to be informed about the conditions of the institution and the progress of their children's schooling to provide the necessary material assistance.
- Parents are informed through meetings that include their representatives and the institution's legal entities, or by organizing meetings that gather parents and the concerned teachers, as well as through the grade book and correspondence book which are regularly communicated to parents, or via modern technological means.
- Parents can legally contribute to the implementation of extracurricular activities proposed for students and social activities.
- Encourage parents to participate in monitoring their children's learning, guiding them, and avoiding any negative practices that might affect their education and learning.
- Addressing problems raised by parents' associations at the national and local levels through consultation and coordination.

2 - Duties:

- Parents must be aware of their children's schooling progress and participate in informational meetings proposed by teachers or the institution's official entities regularly or exceptionally.
- Respect teachers and all staff in the institution and treat them with respect.



- Actively contribute to the operation of the parents' association in the institution and ensure its proper functioning.

E - Rights and Duties of Social Partners:

Social partners refer to state institutions, local communities, accredited unions and their branches at the level of provinces, districts, municipalities, educational institutions, accredited parents' associations, and components of the associative movement directly related¹.

1 - Rights:

- The right to obtain information related to the educational system and the educational institutions with which they are affiliated.
- The educational system's officials, within a legal framework, must respond to requests for meetings and information submitted by representatives of social partners and hold regular meetings with them.
- Addressing professional and social issues raised by unions.
- Ensuring the provision of working tools for unions.
- Contributing to improving supervision through training.
- Fair treatment of social partners.
- Ensuring continuous coordination and consultation with social partners in implementing educational policies and issues related to the career paths of sector employees.
- Establishing a dialogue and building trust between the administration and social partners.

2 - Duties:

- Practicing union activities through persuasion and accepting differing opinions.
- Contributing to the preservation of school facilities placed at their disposal.

Conclusion:

To support the efforts of the Algerian state in preventing and combating administrative corruption, public institutions and bodies work to promote integrity, honesty, and a sense of responsibility among their employees. This is particularly achieved by establishing codes of conduct that public employees should adhere to while performing their duties, shielding them from temptations and attempts that may lead to various forms of corruption.

Aware of the need for public facilities in the Algerian education sector to adopt ethical principles and behavioral standards to help public employees navigate conflicting situations in their professional careers, the Ministry of National Education, like other state sectors, hastened to establish a code of conduct for the sector. The study concluded with a set of findings and suggestions, the most important of which are outlined below:

Results:

- The Algerian legislator has ensured that the performance of public employees is within a framework of values and ethical principles governing their professional and functional conduct, which positively impacts the members of society. The legislator has tasked the various ministerial sectors of the state with establishing a system of professional conduct principles and public service ethics.
- The Charter of Ethics and Conduct for the National Education Sector in Algeria emphasizes general principles derived from global standards and values specific to Algerian society.
- This charter serves as a mobilization tool and a reference point for outlining the major landmarks that guide the educational system. It also represents a foundation from which laws regulating ethics, conduct, and established organizational forms are derived.
- The charter aims to create an atmosphere of mutual trust among the different components of the educational community, sector actors, and their social partners. This should result in everyone respecting the roles assigned to each party within the educational system and establishing a climate of tranquility and stability necessary for the sector.
- The failure of the ministry and its partners to periodically evaluate the implementation of this charter and update it limits its effectiveness and its ability to keep pace with new developments.

Suggestions:

It is essential to build a legal framework for public service that balances the scientific aspect of administrative work with its ethical dimension, following a comprehensive strategy. This is because

reinforcing and developing public service ethics cannot occur in isolation from the general framework of the state's and society's direction.

Update the Ethics Charter of the Education Sector in Algeria to align with new developments, such as the spread of informal educational activities, prevention of discrimination and hate speech, combating these issues, maintaining the integrity of exams and competitions, the duty of discretion, and the use of social media.

Working on the actual implementation of the charter will establish a solid foundation for partnership, which is the only guarantee for mobilizing the members of the educational community to ensure the sector's stability, which remains the ultimate goal of society.

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