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SUPPLEMENTS No. 8

LEGAL NOTICES SUPPLEMENT
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Legal Notice No. 11 of 2012

THE EDUCATION SERVICE ACT, 2002

(Act No. 13 of 2002)

The Education Service (Teachers' Professional Code of Conduct)

Notice, 2012.

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THE EDUCATION SERVICE (TEACHER'S PROFESSIONAL CODE OF CONDUCT, 2012

(*Under Section 29 of the Education Service Act, 2002)*

IN EXERCISE of the powers conferred upon the Education Service Commission by Section 29(1) of the Education Service Act, 2002, this Legal Notice is made this 21st day of August, 2012.

PART 1—— PRELIMINARY

1. Title.
This Notice may be cited as the Teachers' Professional Code of Conduct, Notice, 2012.

2. Application.
The Teachers' Professional Code of Conduct applies to all teaching Personnel in the Education Service.

3. Interpretation
In this Code, unless the context otherwise requires —

"appropriate authorities" means the Permanent Secretary of the Ministry responsible for education and or his or her representatives:

"AIDS" means Acquired Immune Deficiency Syndrome;

"bribe" means anything given to induce or influence a teacher, member of staff, and Head Teacher or Principal in the discharge of his or her duties;

"class" means an activity where a teacher oversees the teaching or learning process;

"Code" means the Teachers' Professional Code of Conduct, 2012;

"Commission" means the Education Service Commission as established by article 167 of the Constitution;

"Head Teacher or Principal" means the head of a school, college or educational institution;

'HIV' means Human Immunodeficiency Virus;

"learner" means a person being taught by a teacher in an educational institution to which this Code applies;

"lessons" means any learning activity of theory or practice conducted by a teacher;

"misconduct" means professional conduct which is prejudicial to the physical, mental or moral welfare of a learner in a school;

"on duty" means carrying out administrative duties, teaching or demonstrating to the class in or out of the classroom;

"parent" means biological father, mother or legal guardian of a learner;

"profession" means the teaching profession;

"register" means the register of teachers established in accordance with the Education (Pre-Primary, Primary and Post Primary) Act 2008;

"riot" means causing tumult, disorder, unrestrained disturbance, causing a breach of the peace, and havoc to life and school property;

"service" means the Education Service;

"school" means an educational institution to which this Code applies and includes Colleges, and other Tertiary Institutions, other than the universities and other degree awarding institutions;

"school property" means property under a teacher's care such as money, exercise books, reference books, apparatus, equipment, furniture belonging to the school;

"teacher" means a person who has successfully completed a course of training approved by the Ministry responsible for Education and has been entered on the register of teachers;

"working hours" means time set in the school time-table for carrying out official duties

Part ll — Teachers.

4. Membership to the teaching profession.

(1) Membership to the teaching profession shall be open to ----

(a) a person who has completed an approved course of training as a teacher, leading to the award of a recognized certificate in teaching and whole name has been entered in the register of teachers in accordance with the provisions of the Education (Pre-Primary, Primary and Post Primary) Act, and

(b) a person who has been issued with a certificate of registration as a teacher by the Director of Education.

(2) A person who does not fulfill the requirements of regulation 1(a) above may join the Education Service if he or she meets the requirements for issuance of the statement of eligibility and a license to teach, in accordance with the provisions of the Education (Pre-Primary, Primary and Post Primary) Act.

PART lll — LEARNER

5. Relationship with the Learner;

(1) A teacher's chief responsibility is towards the learner under his or her care.

(2) The teacher shall guide the learner in order to develop the learner in body, mind, soul, character and personality;

(3) The teacher shall ----

(a) not divulge information about a learner received in confidence or in the course of his or her professional duties except as required by law or where in judgment of the teacher it is in the best interest of the learner;

(b) recognize that a privileged relationship exists between him or her and the learner and shall refrain from exploiting this relationship by misconduct;

(c) not sexually molest, harass or have sexual relationship with the learner;

(d) protect the learner from conditions that interfere with learning or are harmful to the learner's health and safety;

(e) provide an opportunity for the learner to explore his or her potential while attending or paying attention to the learner's abilities and disabilities;

(f) maintain a safe and challenging learning environment;

(g) refrain from using a learner's labour for private or personal gain; and

(h) not administer corporal punishment, or any act that inflicts Physical pain or causes physical harm to the learner;

PART IV - PROFESSIONAL CONDUCT AND RESPONSIBILITY

6. **Professional conduct.**

A teacher shall ---

(a) not conduct himself of herself in a manner which may bring the profession and the Education Service into disrepute;

(b) display basic competences and skills to educational methodology;

(c) teach conscientiously with diligence, honest and regularity;

(d) teaching objectively;

(e) not take advantage of his or her influence to indoctrinate the learner towards his or her tenet and dogma;

(f) prepare relevant schemes or work, lesson plans, teaching or learning aids as well as other instructional materials well in advance to ensure effective teaching and learning and he or she shall avail them to the Head teacher or Principal, Head of department for inspection whenever required;

(g) set adequate amount of written and practical exercises for effective teaching and learning, promptly mark the exercises and provide adequate and appropriate feedback to the learner;

(h) undertake such remedial teaching where he or she is called upon to do so;

(i) observe the regulations and instructions regarding coaching and private instruction issued from time to time by the appropriate authorities;

(j) not engage in activities that adversely affect the quality of his or her teaching;

(k) not teach while under the influence of alcohol or drugs and shall not come to school while intoxicated;

(l) conduct all internal and external examinations in accordance with the prescribed regulations in force;

(m) not involve himself or herself in examination malpractices;

(n) follow the programme that is approved by the head of the department and shall cooperate with the head of department and other teachers in carrying out this programme;

(o) allow inspection by the appropriate authorities while teaching;

(p) shall while teaching use proper channels of communication and ensure flow of information;

(q) maintain and keep in a safe manner records of learners' performance with regard to examination, coursework and co-curricula activities to enable him or her report factually and objectively on each learner's progress;

(r) take advantage of all professional development opportunities and use modern and accepted teaching methods;

(s) endeavour to improve his or her own academic and professional standard, but he or she shall not do so at the expense of the learners;

(t) teach principles of good citizenship, good morals, peace and social responsibility;

(u) display basic knowledge in First Aid, safety and precautionary measures, primary health care, HIV/AIDS, environment and gender awareness; and

(v) conduct appropriate and ethical research to inform and improve the profession.

7. Professional responsibility,
A teacher shall——

(a) devote adequate time to his or her duties as is required by the nature of his or her profession;

(b) not engage in private or personal activities where he or she is expected to teach or supervise learning and other curricular activities;

(c) not be an accomplice to any activity likely or intended to cause disturbance or riot within the school;

(d) not demand for a bribe from the learners or the public in relation to the discharge of his or her duty;

(e) conduct his or her lessons and teach without discrimination or bias against any learner in his or her class regardless of the learner's race, religion, tribe, place of origin or sex; and

(f) maintain and keep in safe manner all records of school property under his or her care and account for such property where asked to account by the head of department , head teacher or principal.

PART V —— THE TEACHER'S PERSONAL CONDUCT

8. Personal responsibility.
A teacher shall —

(a) dress appropriately, decently and smartly while on duty;

(b) attend to his or her personal appearance, ensuring a neat and pleasant outlook while on duty as well as in the community;

(c) not write, circulate or cause to be written or circulated any anonymous letter or any document with malicious intent;

(d) assist in the implementation of school rules established by the governing body;

(e) be a positive role model at school and in the community; and

(f) respect the rule of law and provide a positive example in the performance of civil obligations, such as sex education, marriage and parenthood.

9. Relationship with colleagues.

A teacher shall ——

(a) treat others with courtesy and respect, valuing the input of his or her colleagues, sharing expertise and knowledge in collaborative contexts;

(b) not censure or criticize other teachers or their work in the hearing or learners; and

(c) not make an adverse report to anyone on the work or conduct of another teacher without first acquainting that teacher with the nature and contents of the report.

10. Relationship with parents.

A teacher shall ——

(a) be respectful and courteous to parents;

(b) consider the parents' perspective when making decisions which have an impact on the education or wellbeing of a learner;

(c) communicate and consult with parents in a timely manner; and

(d) take appropriate action when responding to parental concerns.

11. The teacher and the employer.

A teacher shall ——

(a) endeavour to know the terms of his or her employment and shall honour those terms;

(b) apply for vacant posts advertised by the Commission, through the normal official channels and shall not lobby; or canvass for appointment; and

(c) be responsible for the successful implementation of education reforms and programs.

12. The teacher and the community.
A teacher shall ——

(a) project a good image in the community where he or she lives by participating where required in activities of the community;

(b) be law-abiding;

(c) attend, where practically possible, religious functions of his or her persuasion and respect other recognized religions within the school where he or she is teaching;

(d) through his or her own conduct be a good example to the community and the school;

(e) encourage parents and work closely with the community to ensure that all children in the community access, attend and complete school; and

(f) participate in networks and partnerships, both formal and informal, which have as their focus curriculum delivery and the learner's well-being.

PART VI - THE HEAD TEACHER OR PRINCIPAL

13. A Head Teacher or Principal

(1) A Head teacher or Principal is bound by the Code and shall set a good example in the strict observance of all provisions of the Code.

(2) A Head teacher or Principal shall enforce the observance of the Code by all teachers under him or her in accordance with the Laws, regulations and provisions relating to the Education Service and shall promptly deal with all breaches of the Code.

(3) The Head teacher or Principal shall ---

(a) be the custodian of good educational standards in his or her school and shall aim at high educational standards;

(b) enroll learners into the school without discrimination and within the regulations and provisions of the laws in force in Uganda;

(c) collect and receive relevant school dues, gifts, donations and endowments;

(d) account for all the money and assets collected and received on behalf of the school;

(e) implement policies issued from time to time by the relevant authorities;

(f) keep all school records in his or her custody in safe condition and ensure all that such records contain correct information;

(g) not connive with members of staff or any other person to commit an offence, or any act that will bring the profession into disrepute within or outside the school;

(h) not conceal any act of misconduct committed by a member of his or her staff or by any learners of the school, whether committed within or outside the school;

(i) not receive a bribe in relation to the discharge of his or her duties;

(j) ensure that punctuality is observed by all teachers and learners alike;

(k) report factually and objectively on members of his or her staff with regard to matters related to Annual Performance Appraisal Reports or when assessing a teacher's capability in regard to a post of responsibility applied for or when reporting any breach of the Code or any regulations issued from time to time by the appropriate authorities;

(l) report factually and objectively on all matters concerning learners without fear, favour, bias or discrimination;

(m) not carry out or transact any private business within or outside the school premises while on official duty;

(n) not physically punish a teacher involved in the breach of this Code or any other regulations in force, but shall use all avenues open to him or her to report such breaches to the appropriate authorities for action;

(o) be present at the school as much as possible, and whenever he or she is out of the school, he or she shall leave information pertaining to his or her whereabouts with his Deputy or any other person authorized to act in his or her place;

(p) ensure that learners and staff have the opportunity to communicate regularly with the Head teacher or Principal and approach him or her for redress of any grievances;

(q) support the development of and participation of learners in appropriate extra curricula activities; and

(r) ensure that government reforms and programs are implemented.

PART Vll —— ENFORCEMENT OF THE CODE

14. Enforcement of the Code

(1) It is the duty of every teacher to observe and respect this Code and to report any breach of the Code to the appropriate authorities.

(2) All matters or cases involving breach of the Code shall be reported to the Commission and shall be dealt with in accordance with the Education Service Act, 2002, and the Education Service Commission Regulations, 2012.

(3) All matters dealt with by the appropriate authority shall be kept confidential and shall not be divulged to unauthorized persons.

(4) Teachers who breach the Code shall be liable to sanctions specified in the Uganda Public Service Standing Orders, the disciplinary actions specified in the Education Service Commission Regulations and Administrative instructions issued from time to time.

(5) The following sanctions shall apply for breach of the Code ---

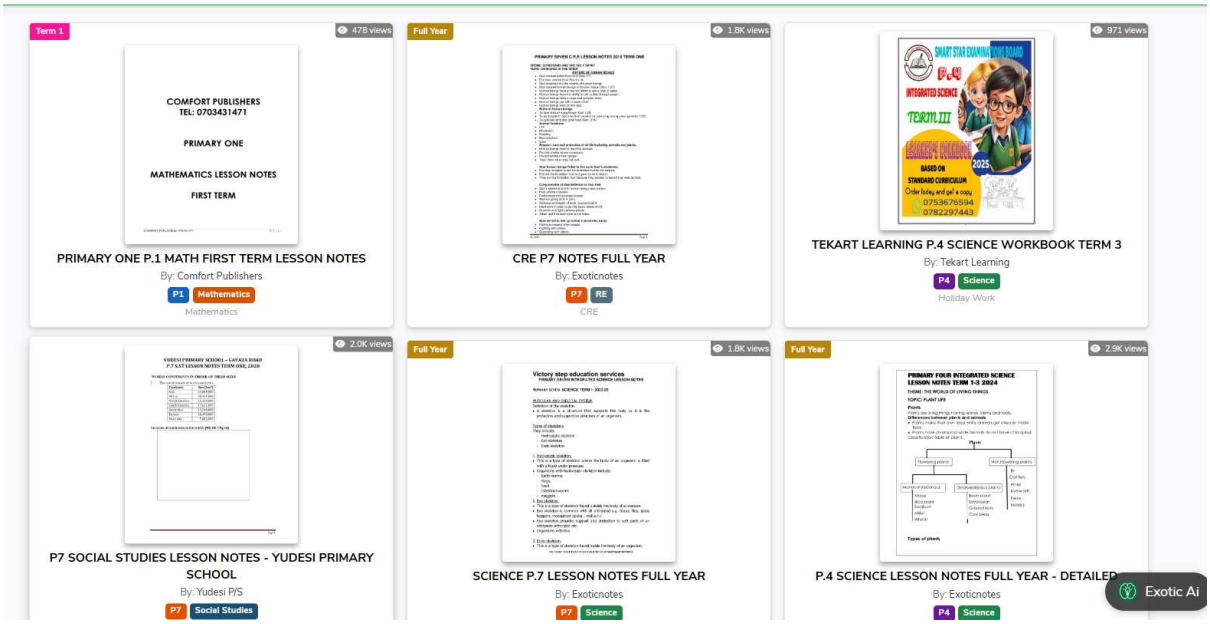
(a) warning or reprimand;
(b) suspension of increment;
(c) withholding increment or deferment of increment;
(d) stoppage of increment;
(e) surcharge or refund;
(f) making good of the loss or damage of public property/assets;
(g) reduction in rank;
(h) removal from the service in public interest; and
(i) dismissal.

HAJ BADRU LUBEGA WAGWA,
Chairperson, Education Service Commission

Cross References

The Education (Pre-Primary and Post Primary) Act,
Act No. 13 of 2008
The Education Service Act, Act No. 6 of 2002
The Education Service Regulations, 2012

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