

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 1 OF 2018

The Teaching Profession Act, 2013
(Act No. 5 of 2013)

**The Teaching Profession (Code of Ethics)
Regulations, 2018**

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IN EXERCISE of the powers contained in section 45 of the Teaching Profession Act, 2013, the Teaching Service Commission in consultation with the Council, the following Regulations are made:

PART I

PRELIMINARY PROVISIONS

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| 1. These Regulations may be cited as the Teaching Profession (Code of Ethics) Regulations, 2018. | Title |
| 2. In these Regulations, unless the context otherwise requires—
“appropriate authority” means a principal, a head of school, a head of department or any other person in authority over a teacher in an educational institution or aided educational institution;
“corruption” has the meaning assigned to the word in the Anti-Corruption Act, 2012;
“grade” has the meaning assigned to the word in the Education Act, 2011; and
“parent” has the meaning assigned to the word in the Education Act, 2011. | Interpretation

Act No. 3 of 2012
Act No. 23 of 2011
Act No. 23 of 2011 |
| 3. (1) The following values and principles apply to teacher:
(a) integrity and honesty;
(b) impartiality and objectivity;
(c) excellence and professionalism;
(d) loyalty and respect;
(e) accountability;
(f) confidentiality;
(g) selflessness;
(h) dedication; and
(i) commitment

(2) The values and principles set out in sub-regulation (1) apply to—
(a) a teacher’s functions; and
(b) a teacher’s dealings with learners, fellow teachers and parents. | Values and principles |

PART II

DUTIES OF A TEACHER

- | | |
|--|-----------------|
| 4. A teacher shall uphold and foster the integrity and dignity of the profession by—
(a) using the teachers knowledge and skills for the enhancement and protection of learners, fellow teachers and an educational institution or aided educational institution; | Professionalism |
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- (b) striving to increase the competence and integrity of the profession;
- (c) offering support to an educational institution or aided educational institution, where necessary; and
- (d) not engaging in acts that undermine the dignity of the profession.
5. (1) A teacher shall participate in research and development within the profession.
- (2) A teacher shall keep updated with developments in theory and practice applicable to the subjects taught by that teacher.
6. A teacher shall use available resources, in an educational institution or aided educational institution, in an accountable and efficient manner.
7. (1) A teacher shall not give false or misleading information regarding that teacher's qualifications or employment.
- (2) A teacher shall not knowingly assist a fellow teacher to give false information for the purpose of—
- (a) securing registration as a teacher under the Act; or
- (b) securing employment in an educational institution or aided educational institution or other institution.
- (3) A teacher shall not knowingly assist a learner to give false or misleading information for the purpose of—
- (a) securing enrolment in an educational institution or aided educational institution; or
- (b) advancing in a grade at an educational institution or aided educational institution.
8. A teacher shall understand, support and implement the policies of an educational institution or aided educational institution and its administration regardless of the teacher's personal feelings or opinion.
9. (1) A teacher shall treat examination records and information at the teacher's disposal confidentially.
- (2) A teacher shall not aid or abet a person in an examination malpractice.
- (3) A teacher shall report to an appropriate authority, without delay, cases of examination malpractice.

Research
and
development

Resource
utilisation

False or
misleading
information

Policies of
educational
institution
or aided
educational
institution
and
administra-
tion

Examination
management

10. (1) A teacher shall act within the boundary of authority and responsibility delegated to the teacher by an appropriate authority within an educational institution or aided educational institution.

Institutional
management

(2) A teacher shall make decisions in line with authorised standards and procedures set out in an educational institution or aided educational institution.

(3) A teacher shall safeguard institutional funds and other property of an educational institution or aided educational institution entrusted to that teacher.

(4) A teacher shall not damage, lose or misappropriate funds or property of an educational institution or aided educational institution.

PART III

TEACHERS' RELATIONS

A Teacher and an Educational Institution or Aided Educational Institution

11. (1) A teacher is responsible for assessing, implementing and advising on education programmes and instructions in an educational institution or aided educational institution.

Educational
programmes
and
instructions

(2) A teacher shall not delegate the assessment, implementation or advice of an education programme or instruction to a person who does not hold a certificate of registration or practising certificate.

(3) Despite subregulation (2), a teacher may, with the express permission of that teacher's supervisor and with the teacher's direct supervision, delegate the assessment, implementation or advice of an education programme or instruction to a person who does not hold a certificate of registration or practising certificate.

12. A teacher shall not be absent from official duties during working hours, except where the teacher is on leave or on reasonable grounds, and with the express permission from an appropriate authority.

Absenteeism
from official
duties

13. A unionised teacher shall respect collective agreements entered into between the teacher's union and the teacher's employer.

Association,
union
or group
participation

14. A teacher shall not be a patron of learners' groups or associations recognised by law or recognised in an educational institution or aided educational institution.

Learner's
groups
or
associations

Advancement of political interests 15. A teacher shall not use that teacher's position in an educational institution or aided educational institution to—
 (a) secure votes for a political party in an election; or
 (b) advance that teacher's personal political interests.

Conduct of personal business 16. A teacher shall not conduct personal business in an educational institution or aided educational institution that undermines the teacher's professionalism and cordial relations with fellow teachers and learners.

A Teacher and Fellow Teacher

Relations with fellow teacher 17. (1) A teacher shall respect a fellow teacher in both formal and informal contacts with that fellow teacher.

- (2) A teacher shall not—
 (a) promote any form of discrimination against a fellow teacher;
 (b) engage in a physical confrontation with a fellow teacher;
 (c) make a derogatory remark or engage in slander or libel against a fellow teacher;
 (d) undermine the integrity of a fellow teacher;
 (e) make a false accusation against a fellow teacher; or
 (f) bring a charge, without reasonable grounds, against a fellow teacher.

(3) A teacher shall, where necessary, collaborate with a fellow teacher in performing official duties.

Substitute teacher 18. A teacher shall, before relinquishing that teacher's position, organise records and other data for a substitute teacher, as are necessary to assist the substitute teacher carry out the work of that teacher.

Prohibition of plagiarism 19. A teacher shall acknowledge the work of a fellow teacher and shall not plagiarise a fellow teacher's work.

Dispute resolution 20. A teacher shall where a dispute occurs between that teacher and fellow teacher, resolve the dispute amicably using internal procedures set out in an educational institution or aided educational institution.

A Teacher and Learner

Relations with learner 21. (1) A teacher shall respect a learner's rights and dignity, and shall not discriminate against that learner based on gender, race, religion, tribe, colour, physical characteristic, disability,

(2) A teacher shall put in place reasonable measures to accommodate a learner with special education needs.

(3) A teacher shall, as far as practicable, protect a learner from conditions, that distract learning or are detrimental to the health and safety of the learner.

(4) A teacher shall ensure the holistic development of a learner through curricular and cocurricular activities.

(5) A teacher shall maintain an appropriate, morally and professionally acceptable relationship with a learner.

(6) A teacher shall be considerate of a learner's feelings and circumstances.

22. A teacher shall not disclose information about a learner given in confidence to that teacher except—

- (a) as required by law;
- (b) in the interest of a learner;
- (c) in the interest of a parent; or
- (d) in the public interest.

Confidentiality of learner's information

23. (1) A teacher shall exercise discipline over a learner in a just and fair manner.

Discipline of learner

(2) A teacher shall ensure that a learner behaves in a disciplined manner during the hours a learner is in an educational institution or aided educational institution.

(3) A teacher shall not, in exercising discipline over a learner—

- (a) ill-treat or abuse that learner; or
- (b) administer corporal punishment as a form of discipline.

24. (1) A teacher shall not humiliate, threaten, intimidate, harass or blackmail a learner.

Undue influence

(2) A teacher shall not cause a learner to—

- (a) submit to that teacher's ill motives; or
- (b) engage in sexual misconduct, illicit drug consumption and trafficking, cultism, human trafficking or other illegal activities.

25. A teacher shall not use that teacher's position to spread that teacher's political, or religious beliefs or other ideologies to a learner.

Political, religious or ideological influence

26. (1) A teacher shall not aid or abet a learner in corruption.

Prohibition against corruption

(2) A teacher shall not accept payment from a learner for services already paid for by an educational institution or aided educational institution.

(3) A teacher shall not accept gifts, favours or additional compensation, from a learner that might influence the teacher's professional decisions or actions.

A Teacher and Parent

Relations
with
parent

27. A teacher shall show courtesy and respect to a parent at all times.

(2) A teacher shall cooperate with a parent in dealing with a matter concerning a learner.

(3) A teacher shall communicate all affairs of a learner to a parent timely and regularly.

(4) A teacher shall provide a parent with relevant information concerning the activities of an educational institution or aided educational institution, and the progress and challenges of a learner when requested or required to do so by a parent.

(5) A teacher shall encourage a parent to participate in the activities of an educational institution or aided educational institution when invited to do so.

Confidentiality of
parent's
information
about
learner

28. A teacher shall not disclose information about a learner, given in confidence to that teacher by a parent except—

- (a) when required by law;
- (b) in the interest of that learner;
- (c) in the interest of a parent; or
- (d) in the public interest.

A Teacher and Society

Relations
with
society

29. A teacher shall, in upholding and fostering the integrity and dignity of the profession, actively participate in the development of that teacher's immediate and wider community.

PART IV

GENERAL PROVISIONS

Rights of
teacher

30. A teacher may seek redress against the actions of a learner, fellow teacher or administration of an educational institution or aided educational institution.

Collaborative
work

31. (1) A teacher shall work in collaboration with a learner, fellow teacher, parent, or society to achieve the educational goals, policies and decisions of an educational institution or aided

(2) A teacher shall, as far as practicable, accommodate the diverse views of a learner, parent or fellow teacher in carrying out the teacher's functions.

32. A teacher who contravenes a provision of these Regulations commits professional misconduct in terms of section 46 (e) of the Act. Professional misconduct

33. (1) A person who alleges that a teacher has contravened a provision of these Regulations, may lodge a complaint in accordance with section 47 of the Act. Complaint of professional misconduct

(2) A complaint lodged in accordance with section 47 of the Act shall be dealt with in accordance with the Act.

S. M'HANGO,
Chairperson

I. N. ANGASHE (MRS),
Vice-Chairperson

C. NGANDU,
Member

C. MWANZA,
Member

M. M. MKANDAWIRE (MRS),
Member

N. MALAMA,
Member

S. MULONDA,
Member

LUSAKA

9th January, 2018

[TSC.53/18/4]

(2) A teacher shall, as far as practicable, accommodate the diverse views of a learner, parent or fellow teacher in carrying out the teacher's functions.

32. A teacher who contravenes a provision of these Regulations commits professional misconduct in terms of section 46 (a) of the Act.

(3) A complaint lodged in accordance with section 47 of the Act shall be dealt with in accordance with the Act.

Z. Mthembu
Chairperson

I. N. Anekwe (Mrs)
Vice-Chairperson

C. Nkomo
Member

M. M. Makhware (Mrs)
Member

N. Malana
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Member

12th January, 2018
[sec 2(1)(d)]