

INDIVIDUAL ACCOUNTABILITY AND ETHICS IN THE WORKPLACE: CASE STUDY OF SENIOR FIRM MANAGERS IN TANZANIA.

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INTRODUCTION.

Individual accountability simply means being accountable and accepting responsibility for your action in the course of performance. In a wider range can mean that, is the acknowledgment of responsibility for actions, consequences, decisions, and strategies including the administration, and execution within the scope of the employee position.

We depend on Managers to make mostly decision in the Firm and so it is required of them to observe compliances and ethical values. If tasks are not completed and functions of the job are not performed properly, then that individual will also be responsible for dealing with the repercussions.

Reasons circulating individual accountability.

1. **To monitor excessive powers**, that can be harmful as well as to protect the market by focusing on the intention of the business so to be able to control the compliances, identifying and assessing of threats.
2. **To fight any sort of misconduct**, that can arise by focusing on the standard of performances and taking reasonable steps to prevent all sort of breaches in our regulations so as to maintain faith and trust in the Firms business sector.
3. **To hold individual senior managers accountable**, when there is regulation breach and violations of the firm's constitution, and policies. Consequences can include formal regulatory sanctions, such as the disciplinary sanction of the courts or regulators, or the imposition of legal liability through civil suits.
4. **To achieve legitimacy**, Individual accountability is necessary to achieve legitimacy and in particular to legitimate power by ensuring that decisions are taken in an informed, balanced and open manner.

Roles of senior managements in the Firm.

Firms Managers are the ones that must ensure that all regulatory obligations imposed by the firm are complied. Hence senior management are expected to play a vital role in ensuring the compliances with the firms Regulations and their obligations.

In practice the expectations on senior management Roles can be briefed into the following:

1. To ensure that the workplace activities are under control, monitored and safe.
2. That each individual in the firm understand their duties and can be accountable for their action in case of violation.
3. To ensure that, competence and ethical values are present at workplace.
4. To ensure that each member are fit and proper for their roles.

Individual accountability and expectation of Senior Management in Tanzania Firms.

As the issue pertaining to individual accountability and management of Firms in Tanzania is concerned, apart from the express terms entered by the parties. The Contract Act [CAP 345 R.E 2019] provides the implied terms.

The law of contract Act *Section 190 (2)* provides the meaning of Firm and states that,

“Persons who have entered into partnership with one another are called collectively a “firm”, and the name under which their business is carried on is called the “firm name””

The individual accountability and expectation of senior management in the firm is impliedly provided in the act. The Act provides that, in the absence of any contract to the contrary, the rights and duties of the partners in relation to the partnership shall be determined by the following rules, just to mention the few *-Section 194 (a), (b) and (g) of the Act*, States that,

(a) Every partner has a right to take part in the management of the partnership business;

(b) Any differences arising as to ordinary matters connected with the partnership business may be decided by a majority of all the partners, but no change may be made in the nature of the partnership business without the consent of all existing partners;

(g) A partner shall indemnify the firm for any loss caused to it by his fraud or willful neglect in the conduct of the business of the firm.

Practically management of Firms in Tanzania is done by managing partner who undertakes daily to daily activities and monitoring the objective of the Firm. This being the case, Firms does not only involve managing partner but all associates who works under the delegation of the managing Partner. The managing partner sits at the top of the law firm hierarchy.

For example in the lawyers Firms, the leadership and reporting structure is built on seniority. Seniority for lawyers in the firms, mind you that here we are not talking about the seniority to address before the court or seniority to be called in the bar. Hence seniority for lawyers in the firm also called founding lawyers are the Managing partners that helps to establish and guide the firm's strategic visions.

Speaking of other kinds of Firms the seniority issue also apply but it is not confusing as on the part for lawyers which involves the privilege to address court or the call to the bar, other firms only involve the seniority on the founding partner.

Now, due to the situation of the firms to have more than one founding partner there has been the confusion of the staffs and delay in making decision. So, Firms has created organizational and accountability chart to create a clear leadership and accountability to the members of the Firm.

Things that senior managers may take into consideration in the course of management:

- 1) Senior managers must ensure that the *employees are competent, proper and fit* in their roles. For example, it is important for the law firms to observe the rule of competency in the division of the responsibility in the firm. The code of conduct for lawyers does prohibit a lawyer to act on such matters with no competence.

- 2) Senior managers must ensure that the *delegation is given to a proper person* so as to avoid any kind of default and contributory negligence to the part of the manager.
- 3) Senior managers must be able to *supervise and make evaluation to their staffs* so as to assess their progress and performances and to praise their accomplishment so as to be able to achieve firm objectives.
- 4) Senior managers must consider the *structure of the reporting system* at their firm so as to know who is to report to who and who is to make decision pertaining to the given matter. Hence the level reporting system in the firm must be made clear.
- 5) A firm must take into consideration *things that motivate the workforce* at the firm. In order to become the best Firm the satisfaction must start from the taskforce. As a manager you should ask yourself the question, as what is our Firm motivation, is it commission, allowances, or increase of salary ?. A manager focus must focus in achieving best result which can be attained from the comfortable and reliable staffs.
- 6) A senior manager has to make sure that *all risks are properly monitored* in relation to the activities under his control. This may be by getting involved and being updated in all activities under his supervision.
- 7) Senior manager must ensure that *firm core values are understood* by all employees so as to narrow what is required of them and the performance standard that has to be displayed by each individual in the firm.

Conclusion

While focusing on individual accountability: expectations of senior Management in a Firm, it is our understanding that each individual senior understand their role and accept responsibilities of their actions, it is also the best if senior Management can challenge themselves so to be sure they stand on the right foot.

Moreover good culture and ensuring compliances within Firms Regulatory requirements play a big role in its development as well as improving client's outcome but also reduces the risk of being liable and accountable against not just the firm but its individual person.

It is therefore important that senior management of firms and their regulations ensure they understand what is expected of them, and that they are alert to the serious risks to which they are exposed if they fail to meet the Firm's high standards of performance.

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