

MAKERERE UNIVERSITY BUSINESS SCHOOL

REGULATORY COMPLIANCE IN UGANDAN PUBLIC PROCUREMENT:

A CASE OF CENTRAL GOVERNMENT PDEs

PLAN A

BY

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UNIVERSITY**

OCTOBER, 2012

DECLARATION

I, Opar Ongwen Geoffrey, hereby declare that this dissertation titled "Regulatory Compliance in Ugandan Public Procurement: A case of Central Government PDEs" is my original work and that it had never been published or presented to any university or institution of higher learning for the award of any academic qualification

Where it is indebted to the work of others, due acknowledgement has been made.

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APPROVAL

This is to certify that, this dissertation titled "Regulatory Compliance in Ugandan Public Procurement: A case of Central Government PDEs" has been submitted in partial fulfillment of the requirements of the award of a Master Degree in Procurement and Supply Chain Management of Makerere University with my approval as a University Supervisor.

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DEDICATION

I dedicate this book to my beloved mother Mrs. Santana Ongwen Thorach. Also, to my beloved wife Mrs. Rose Opar, lovely children; Vasco, Ivan, Joweria, Cotrida and Prudence for their tolerance and commitment in shouldering responsibilities while I was in school.

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LIST OF ABBREVIATIONS

CTB:	Central Tender Board
PPDA:	Public Procurement and Disposal of Public Asset Authority
PDEs:	Procurement and Disposal Entities
IGG:	Inspectorate of Government
DPP:	Directorate of Public Prosecution
LDC:	Least Developed Countries
UPF:	Uganda Police Force
CPAR:	Country Procurement Assessment Report
NAA:	National Association of Accountants
UD:	User Department
CC:	Contract Committee
SPSS:	Statistical Package for Social Scientists

ABSTRACT

The study sought to examine the relationship between ethical culture, ethical work climate, whistle blowing, and legitimacy of law enforcement authorities on compliance with the procurement law in PDEs in Uganda. A conceptual model was developed based on Victor and Cullen in the late 1980s to look at ethical orientation in an organization.

A quantitative cross-sectional survey was conducted using a sample of 134 Procurement and Disposal Entities from a population of about 148. Data collection was conducted using self administered questionnaires to get data from respondents. Overall, 194 usable questionnaires were obtained from the field. The unit of analysis was the Procurement and Disposal entities and the corresponding response rate was 76.9 percent. Correlation and regression analyses were used to answer the research questions.

The results of this study indicate that ethical climate, ethical culture, whistle blowing, and legitimacy to law are significant predictors of regulatory compliance. The findings also reveal a positive and significant relationship between ethical culture and ethical climate ($r=.22, p\leq 0.01$), ethical culture and legitimacy to law ($r=.25, p\leq 0.01$), ethical culture and whistle blowing ($r=.30, p\leq 0.01$), ethical climate and legitimacy to law ($r=.26, p\leq 0.01$), ethical climate and whistle blowing ($r=.29, p\leq 0.01$), legitimacy to law and whistle blowing ($r=.34, p\leq 0.01$), ethical culture and regulatory compliance ($r=.43, p\leq 0.01$), ethical climate and regulatory compliance ($r=.36, p\leq 0.01$), ethical climate and legitimacy to law ($r=.26, p\leq 0.01$), and legitimacy to law and regulatory compliance ($r=.42, p\leq 0.01$).

CHAPTER ONE

INTRODUCTION

1.0 Background to the study

In the recent past, the government of Uganda initiated several reforms geared towards improvement of public procurement. The Public Procurement and Disposal of Public Assets Act was passed into law in 2003 replacing the former system [The Central Tender Board (CTB)] which by its nature of being centralized was a key obstacle to service delivery and development (Agaba & Shipman, 2008). The current law established an autonomous regulatory body, the Public Procurement and Disposal of Public Assets Authority (PPDA). In spite of the existence of an improved procurement law, public procurement is one of the sectors most affected by non compliance. Millions of dollars get wasted due to inefficient and ineffective procurement structures, policies and procedures as well as failure to impose sanctions for violation of procurement rules thus resulting in poor service delivery (Ntayi, 2009). According to compliance audit check conducted by PPDA in May 2007 on Uganda Bureau of Statistics, the report shows that the entity did not have procurement notice board.

The rampant non-compliance with the procurement law could be attributed to the unethical culture and climate in procurement and disposing entities (PDEs). According to PPDA Audit report for Kyambogo University for financial year 2006/2007, there are instances when confirmation of funds on PP form 20 was approved by a delegated officer and without availability of funds. Victor and Cullen (1987) postulate that once in an organization, employees learn how to behave through formal and informal

socialization, they learn which values are held in high esteem, and which are rewarded. Appelbaum, S. H., Deguire, K. J. and Lay, M. (2005) postulate that ethical work climate is related to deviant work place behaviour. Decarolis (2011) extended study in Italy shows that it is normal for the highest bidder to lose the auction in public procurement due to ethically-bent considerations.

In a related study in the UK, Borry (2011) concludes that ethical work climates are linked to rule bending. However, the studies do not directly explain non-compliance with the procurement law in the context of the prevailing ethical work climates.

Non-compliance with the procurement law can also be attributed to ethical culture in procurement and disposal entities (PDEs). According to (Kaptein, 2008) ethical culture is defined as those aspects that stimulate ethical conduct. He further talks about ethical virtues as formulates of the ethical culture of organizations. He uses "the virtue based theory" of business ethics which holds that procurement officers as well as public organizations should have certain qualities such as virtues in order to shine morally. He asserts that these virtues are the organizational settings for ethical work culture and conduct and they are; virtue of clarity, virtue of congruency, virtue of feasibility, virtue of supportability, virtue of transparency, virtue of discussability and sanctionability. Therefore, absence of good ethical culture among the staff involved in public procurement may lead to neglect of moral standards giving room to non-compliance.

Non-Compliance with the law in public procurement can be as a result of lack of ethical working climate and culture for whistle blowing in an organisation. Despite a significant increase in whistle-blowing practices in work organizations, little is known about what differentiates whistle-blowers from those who observe a wrongdoing but chose not to report it. According to Uganda whistle blowers protection Act 2010, "whistleblower" means a person, who makes a disclosure of impropriety under this Act.

Miceli and Near (2005) argued that the most effective stakeholders for reducing the occurrence of unethical behaviors in organizations were the employees of the organizations. Whistle-blowing is defined as "the disclosure by organization members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action" (Near & Miceli, 1985:4). In Australia, this was brought into sharp relief by the Fitzgerald Inquiry into official corruption in Queensland (1987–89), which established that honest police officers had observed corruption but felt powerless to act. Even so, their honest evidence remained important in finally bringing corrupt officers to justice.

An important subject of inquiry in law enforcement has been legitimacy of enforcement authorities (Weiss & Enderson, 1995). Legitimacy has usually been perceived as the belief that authorities do their job well and are therefore entitled to be obeyed (Tyler, 1990). In Uganda, the police, the Inspectorate General of Government (IGG), the judiciary, the Director of Public Prosecutions (DPP) are some of the authorities

concerned with the enforcement of the procurement law. While various studies have attempted to provide a good understanding of public procurement compliance in Uganda, few have yet examined the variables involved in this study.

1.1 Problem statement

Compliance with the public procurement law is one of the most challenging areas in Ugandan public procurement despite the fact that reform in procurement system was carried out in 2003. PPDA compliance audits checks carried out between 2005-2010 in the areas of procurement structures, procurement planning, solicitation and bidding documents, evaluation procedure, contract award and management, reporting requirements, performance of contract committee, and record keeping indicated some level of non-compliance.

Procurement audits carried out by the PPDA during 2005/2006, 4 PDEs were assessed and non-compliance were 50% for structures, evaluation and contracts committee performance, 75% for planning, bidding document, reporting and record keeping. While contract award and management had 100%. The audit carried out during 2008/2009, 120 PDEs were assessed and non-compliance rate were 11% for structures, 17% evaluation, 18% contracts committee (CC) performance, 22% for planning, 21% bidding document, 46% reporting, 44% record keeping and contract award and management had 57%.

The non-compliance level reduced during the 2009/2010 assessment, were 61 PDEs were assessed. The assessment revealed 3%, 21%, 5%, 8%, 31%, 30%, 26% and

46% for structure, planning, evaluation, contract award and management, reporting, CC performance and record keeping respectively. All the above non compliance levels may be attributed to weak unethical culture, unethical work climate, lack of whistle blowing and legitimacy of law enforcement authorities.

1.2 Purpose of the study

This purpose of the study was to investigate the relationship between ethical culture, ethical work climate, whistle blowing and legitimacy of law enforcement authorities on regulatory compliance with the procurement law in Ugandan PDEs.

1.3 Research objectives

The objectives of the study were;

- i) To examine the relationship between ethical culture, ethical work climate whistle blowing and regulatory compliance.
- ii) To establish the relationship between ethical work climates and legitimacy of law enforcing authorities.
- iii) To establish the relationship between ethical work climates, legitimacy of law enforcing authorities and regulatory compliance.
- iv) To examine the predictive potential of ethical culture, ethical work climate, whistle blowing, legitimacy of the law enforcement authorities and regulatory compliance.

1.4 Research Hypothesis

H1: Ethical culture, ethical work climate and whistle blowing positively relates to regulatory compliance.

H2: Ethical work climate positively relates to legitimacy of law enforcing authorities.

H3: Ethical work climate, legitimacy of law enforcement authorities positively relates to regulatory compliance.

H4: Ethical culture, ethical work climate, whistle blowing, legitimacy of the law enforcement authorities positively relates to regulatory compliance.

1.5 Scope of the study

1.5.1 Geographical scope

The study was carried out in selected PDEs within central governments particularly those located Uganda. The PDEs comprised of all Ministries, Statutory bodies, State enterprises, Commissions, Hospitals, Councils, Boards and Government agencies. These PDEs were chosen because Central Government have more work load than Local Government PDEs. The study did not include Foreign Missions as these are located outside the country.

1.5.2 Conceptual scope

The study focused on ethical culture with emphasis on discussability, sanctionability, supportability, transparency or visibility; ethical work climate with emphasis on social caring, law and code, rule, instrumentality and independence; legitimacy of law enforcement authorities laying emphasis on system of norms, values, beliefs and definitions; while whistle blowing construct with emphasis laid on public interest motive, job performance, job commitment, job satisfaction, whistle blowing intention, ethical judgment and locus of control (as the independent variables) and regulatory compliance

with emphasis on non – discrimination, fairness, transparency, competitiveness (as dependent variable).

1.6 Significance of the study

- i. The study will provide key insights on the importance of ethical culture, ethical work climates, whistle blowing and legitimacy of law enforcement authorities in as far as compliance with the public procurement law is concerned.
- ii. The results of the findings are expected to benefit PPDA since they are the regulatory body especially when conducting compliance audits in various PDEs.
- iii. The study will also benefit institutions like Uganda Police Force (UPF) and inspectorate of government (IGG) while enforcing the relevant laws.
- iv. The findings will also benefit most public institutions since most of them are involved in procurement of goods, works and services for public consumption.
- v. Lastly, the research will help the public institutions to improve on procurement staff professional relationships with procurement law enforcement authorities.

1.7 Conceptual Framework

This is a critical review of the literature on the variables under study with the aim of finding the gaps in research. The conceptual model was developed as presented in figure 1 below. The model examines the relationship between ethical culture, whistle blowing and regulatory compliance in Uganda public procurement. It also looks at the relationship between ethical work climate, legitimacy of law enforcement authorities

and regulatory compliance in Uganda public procurement. The model also sought to examine the relationship between ethical culture, ethical work climate, legitimacy of law enforcement authority and regulatory compliance in Uganda public procurement.

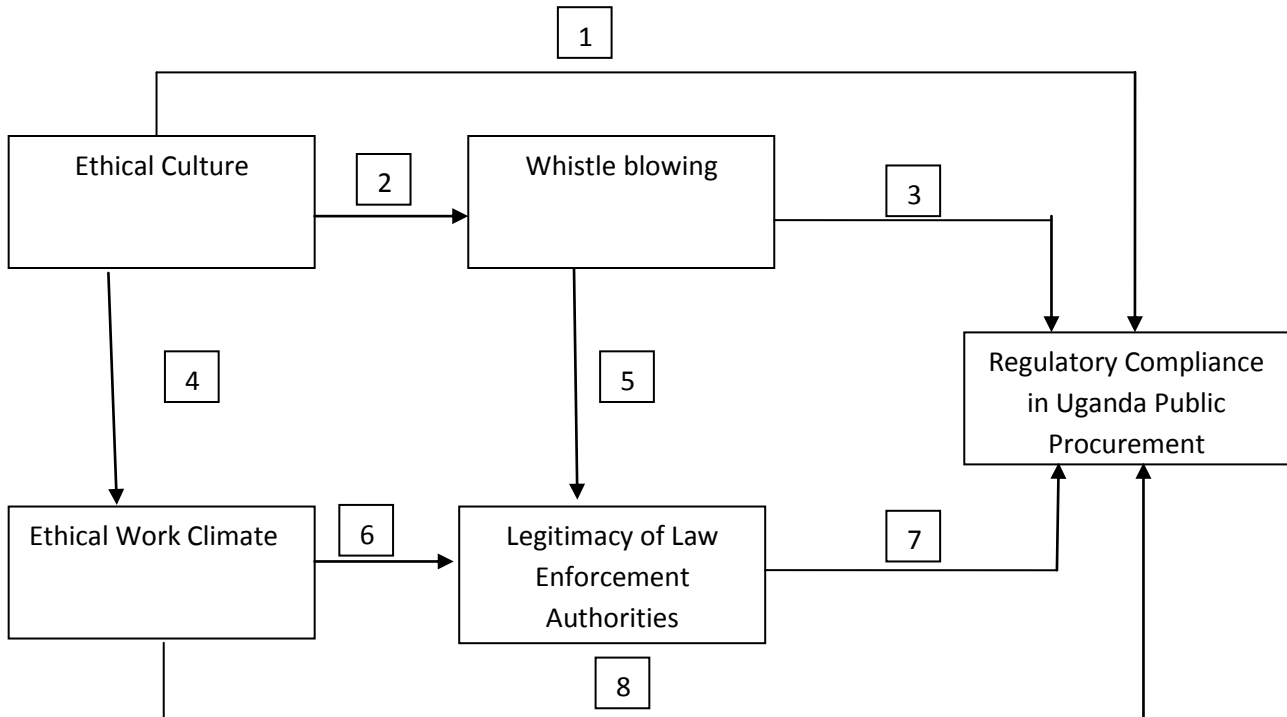


Figure 1: Conceptual model relating to Ethical culture, Ethical Work Climate, Legitimacy of law Enforcement authorities, Whistle blowing and Regulatory Compliance.

The vast majority of the research that has been conducted in ethical work climates is based upon the conceptual framework which was developed by Victor and Cullen in the late 1980s. Victor and Cullen (1987, 1988) developed a framework for measuring the perception of ethical orientation in organizations by combining the theoretical constructs of three ethical theories i.e. egoism, benevolence and principled ethical grounding.

Egoism represents organizational behavior that attempts to avoid punishment and seeks reward for the individual and the organization. This often leads to a climate in which the primary goal is individual and organizational efficiency and success. Benevolence is the approach that describes organizational behavior that seeks the greatest goodness or pleasure and the least pain for the members as a whole. The benevolence theory aims at fostering friendship, interpersonal relationship, group cohesion, and public good.

The final theory is called principle. Unlike the previous teleological-based theories, this approach emphasizes not only happiness or pleasure of the individual or group, but rather focuses on abstract of impersonal rules of conduct. These rules manifest themselves in the form of personal morality, organizational rules and procedures, legal and professional codes of conduct.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter deals with review of the related literature on ethical culture, ethical work climate, legitimacy of law enforcement authorities, whistle blowing and compliance with procurement law. It focuses on the relationship between different hierarchies in procurement units. The literature will also look at the level of impact of ethical culture, ethical work climate, legitimacy of law enforcement authorities and whistle blowing in this research with an attempt to find out the compliance level of public procurement officials in Uganda.

2.1 Ethical Culture, Ethical work climates and Compliance with procurement law

The procurement system in Uganda underwent several reforms because the government was losing huge sums of money in poorly managed procurement processes that cost the tax payer a lot of money (Eyaa & Oluka, 2011). The procurement reforms that were recommended in 2001 in Uganda in the Country Procurement Assessment Report (CPAR) recommended the enactment of the Public Procurement and Disposal of Assets Act which led to the PPDA Act (2003).

Wikipedia (en.wikipedia.org, February 2012), defines compliance as conforming to a rule, such as specification, policy, standard or law. Compliance with the procurement law is an area that needs attention in the face of increasing non-compliance in many

countries (Odhiambo & Kamau, 2003). In Uganda, the need for compliance with the procurement law is very urgent. This is because millions of dollars gets wasted due to failure to impose sanctions for violation of procurement rules thus resulting in poor service delivery (Ntayi, 2009). When compliance is mentioned, focus is on the unethical behavior of the procurement officers and other aspects of public procurement (Eyaa & Oluca, 2011). However, not much focus has been placed on explaining non-compliance in the context of ethical work climate, whistle blowing and legitimacy of law enforcement authorities such as the police, IGG, courts of law and the DPP.

In business ethics literature, the ethical organizational context as perceived by employees is represented primarily by two constructs: ethical climate and ethical culture (Trevino & Weaver, 2003). Ethical culture is usually defined as those aspects that stimulate ethical conduct (Trevino & Weaver, 2003). The Corporate Ethical Virtues Model as developed by Kaptein (1998) provides for the existence of seven unidimensional corporate ethical virtues.

The organizational virtue of clarity. The first organizational virtue is clarity of normative expectations regarding conduct of employees. To enhance ethical behaviour, these expectations should be concrete, comprehensive, and understandable. Otherwise, when employees are guided in line with organizational frame of reference, the higher the risks of unethical conduct (Kaptein, 1998).

The organizational virtue of congruency. This virtue looks at the influence of the conduct of management on employees' behaviour. If the behavior of management is

consistent with the normative expectations of the organization, the message to employees to comply with these expectations is reinforced. However, if management behavior contradicts expectations, employees are confronted with incongruent or inconsistent signals that can lead to unethical conduct because they are motivated by the example set by the supervisors, engaging in unethical and prohibited conduct (Kaptein, 1998; Brown *et al.*, 2005; Schminke *et al.*, 2005).

The organizational virtue of feasibility. This virtue refers to the extent to which the organization creates conditions which enable employees to comply with normative expectations. Kaptein (1998) for example, found that unethical conduct occurred when employees lacked adequate or sufficient time, budgets, equipment, information, and authority to fulfill their responsibilities.

The organizational virtue of supportability. This virtue deals with how an organization creates support among employees to meet normative expectations. More specifically, dissatisfied staff is more likely to behave unethically and those who feel that they are not taken seriously or not treated fairly might decide to cause damage to the organization (Boye & Jones, 1997).

The organizational virtue of transparency. Employees can only be held responsible if they know, or could have known, the consequences of their actions (Bovens, 1998). Employees who are not aware of the nature or seriousness of the outcomes of their conduct are deprived of the opportunity to account for, modify or alter their conduct. In

organizations with a high level of visibility or transparency, employees will succeed in modifying or correcting their behavior or that of their co-workers, supervisors, or subordinates (Kaptein, 1998).

The organizational virtue of discussability. Another factor that characterizes the virtuousness of an organization concerns the opportunity employees have to raise and discuss ethical issues. Kaptein (1998) identified many examples of unethical conduct by employees which were partly caused by an organizational culture with a low level of discussability or debatability. In such a closed culture, criticism is neither encouraged nor accepted.

The organizational virtue of sanctionability. Kaptein (1998) found a range of examples of unethical conduct that were preceded by similar forms of unethical conduct that were tolerated or even encouraged, in turn creating the perception among perpetrators that their conduct would go unpunished or that it would even be appreciated by management. Employees will fear to misbehave if they expect to be punished and if the severity of punishment outweighs the potential reward. When managers reward employees for unethical behavior or fail to punish them for engaging in such behavior, they send a clear message that unethical behavior is acceptable or desirable (Ball *et al.*, 1994).

2.2 The prevailing ethical work climates in PDEs

Public administration and management ethics have grown from the 1930s to the present. As ethics scandals became global news of the 19th century, there have been massive efforts to restore public and investor trust in government and organizational business through regulatory and corporate dictums. This led to the emergence of the subject of ethical work climates (EWC) which has recently been present in the management of public affairs (Eiras, 2003). Today's literature principally defines EWC as the shared perceptions of what ethically correct behavior is and how ethical issues should be handled within an organization (Olson, 1998; Babin, *et al.*, 2000; Schwepker, 2001). Existing literature considers an ethical climate as a normative construct of the shared behavioral perceptions of policies, procedures, systems and behaviors in an organization that direct organizational member's ethical actions and decisions (Agarwal & Malloy, 1999; Wyld & Jones, 1997; Key, 1999). These cumulative collections of shared practices and behavioral perceptions are observable and influence organizational members in the ethical decision making processes.

In a landmark study, Bart Victor and Johns Cullen uncovered five different types of ethical work climates. These climates varied from those in which ethical norms were seen as promoting a caring climate to others emphasizing laws and codes, rules, instrumentality, and independence (Crittenden, 1995). Five empirically derived dimensions or work climates are therefore described as: *caring, law and code, rule, instrumentality, and independence* (Victor & Cullen, 1988). It should be noted that

organizations have distinct types of ethical work climates and there is variance in the work climates within organizations by positions, tenure, and workgroup membership (Wyser, 2009).

Existing literature considers '*caring*' as the most prevalent ethical work climate (Wittmer & Coursey, 1996; Agarwal & Malloy, 1999; Crittenden, 1995). This was also proved to be the case in the pioneering study on EWC where the caring environment appeared most among the four firms studied (Crittenden, 1995). The caring climate is based on concern for others. In this atmosphere, individuals have a sincere interest in each other's well-being, as well as that of others within and outside of the organization who might be affected by their ethical decisions (Victor & Cullen, 1988).

In the ethical work climate called *Independent*, persons act according to their own personal moral belief based upon a set of well considered principles (Victor & Cullen, 1988). They are strongly guided by their own sense of right and wrong. In this climate, individuals are less likely to weigh the interests of others or rules, laws and codes when making decisions regarding ethical dilemmas (Barnett & Vaicys, 2000).

The '*law and code*' climate is one in which ethical decisions are based on rules and professional codes derived from sources external to the organization (Malloy & Agarwal, 2010). In decision making situations within a law and code climate, it is perceived that employees should make decisions based on the mandate of some external systems such as the law, or professional codes of conduct (Victor & Cullen, 1988).

'*Rules*' is a dimension which relates to the accepted rules of conduct determined by the firm. Organizational decisions are guided by a set of local rules or standards such as codes of conduct (Victor & Cullen, 1988). The differences between '*rules*' and '*law and code*' is the fact that in the former, rules are determined internally by the firm while the latter operates on rules that are externally determined.

Lastly, the instrumental climate is primarily based on the maximization of self-interest. Individuals believe that decisions are made to serve the organization's interests or to provide personal benefit (Victor & Cullen, 1988). In the individual ethical dimension, self-interest (egoistic tendency) is the normative expectation (Ntayi *et al.*, 2008) and egoism is associated with unethical behaviour (Markham *et al.*, 1997).

A number of studies analyze the influence of ethical work climate in the public domain. For example, Hodgkinson (1996) analyzes the perception of EWC in the government sector in the UK. It was found out in this study that, although government sector perceived '*social caring*', law, and code as very existing climates, the '*law and code*' was very strong EWC in the government sector. Laratta (2010) compares ethical climates in non-profit and government sectors in Japan and the United States. It was found out that there were strong perceptions of belonging to the *caring* climate type in all groups of respondents in the two countries. The primary concern of most respondents was the well-being of others, and the tendency among them was to do what was best for the users of the services and the community at large.

Very little research with a public sector focus considers the prevailing ethical work climates in PDEs particularly in Uganda, save for Hassan (2010) who analyses the relationship between stakeholder involvement, project ethical work climate, commitment to the project and performance of poverty eradication projects in Uganda. Ntayi and others (2008) also analyze the relationship between perceived work place discrimination, instrumental ethical climate, psychological wellness and task performance. The studies provide limited information regarding compliance with the procurement law. Moreover, there are no empirical studies that can be traced to explain EWC and legitimacy of law enforcing authorities in the context of PDEs in Uganda.

Whereas the construct of ethical culture has been developed meticulously and tested extensively by its originators (Kaptein, 1998; Trevino *et al.*, 1998), the issue has not been deeply studied in Uganda. This study takes up the challenge.

2.3 Legitimacy of law enforcement Authorities and Compliance with the law

For PDEs to be effective in establishing and maintaining mutually beneficial relationships with stakeholders, they must understand and negotiate the many environmental influences that impact their survival. Institutional theory suggests that organizational survival depends not just on material resources and technical information, but also on the organization's perceived legitimacy (Powell & DiMaggio, 1991). Suchman provides the following generic definition of organizational legitimacy: "*Legitimacy is a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and*

definitions”(1995). Legitimacy has usually been perceived as the belief that authorities do their job well and are therefore entitled to be obeyed (Tyler, 1990). In other words, it is a judgment people make about the status of the organization itself as a legitimate authority.

Legitimate authority, when it exists, has a unique and important advantage when it motivates voluntary cooperation that is not dependent on instrumental criteria (Tyler, 2008). In other words, it is not dependent upon people's judgments about the rewards or punishments that are likely to follow from engaging in cooperative behavior. Tyler contends that, when it exists, legitimacy leads people to feel that the actions of law enforcing authorities are appropriate, proper and just and ought to voluntarily be deferred to and followed (Tyler, 2007). In contrast to compliance based on fear of sanctions or the promise of rewards, legitimacy-based deference is motivated by people's internal values, and occurs irrespective of the immediate presence of legal authorities (Tyler, 2004). This explanation approves what was hypothesized by Weber (1968) that, people defer to and obey decisions by legitimate institutions because people respect (and accept) the institution's authority to make decisions and not because of the threat of sanction for disobedience.

Several research projects confirm the important of legitimacy of enforcement authorities in relation to compliance with the law. In his extensive study in California, Weber (1968) came up with a classical conclusion that people defer to and obey decisions by legitimate institutions because people respect (and accept) the institution's authority to

make decisions and not because of the threat of sanction for disobedience. In separate studies, Sykes (1958) and Muir (1977) both cited in Tyler & Huo (2002) analyze compliance with the law in prisons in the United States. They found out that, even in highly coercive environments, such as prisons, the authorities need and depend on the cooperation of those they seek to control. These results confirm what was previously concluded by Sparks, Bottoms and Hay (1996) cited in Tyler & Huo (2002) that, prisoners' views about the legitimacy of rules and authorities are central to gaining compliance with prison rules. In another examination of public compliance with the law (Tyler, 1990), emphasized the importance of legitimacy as an antecedent to voluntary compliance with the law in everyday life. That study found that the roots of legitimacy lie in the "procedurally just" treatment by legal authorities. A Gibson (2009) micro level analysis on compliance with the truth commissions in South Africa produced similar results. He examined legitimacy within the context of citizens' concerns for mechanisms of voluntary compliance. It was then found out although truth commissions do not typically require that citizens comply with commission actions and findings, legitimacy was crucial to the commission's credibility. In addition, credible institutions are more likely to be persuasive and to succeed in getting different stakeholders to accept their judgments and views (Tyler, 2006). The literature so far provides evidence that legitimacy is of primary importance in law enforcement though the studies were not conducted in relation to compliance with the procurement law.

Using regression analysis with two dependent variables (legitimacy & risk estimates) in the survey of New Yorkers, Sunshine and Tyler (2003) found that legitimacy was the significant variable that influenced compliance. Hinds and Fleming (2006) conducted the study on the relationship between police legitimacy and procedural justice in Australia. The authors collected survey data from 328 high school students aged 14 to 16 years. She was able to demonstrate that perceptions of police legitimacy predicted student's willingness to assist police. In the same country, Murphy and Gaylor (2010) examined the role that procedural justice might play in fostering youth support for police. Using survey data collected from 513 teenagers in Australia, significant results were found for the relationship between perceived police legitimacy and youth cooperative behaviors. The results demonstrated that young people who viewed the police as more legitimate were more likely to indicate that they would cooperate with police and would be more willing to report crime to police. This growing body of research demonstrates that individual cynicism from negative interactions with the law enforcement authorities.

2.4 Ethical culture and compliance with the procurement law

Organizational culture, good or bad, exists within all organizations. This culture has significant impact on the way in which an organization and those who make up that organization function. After all, the strength of an organization's ethical culture is the extent to which the organization makes doing the right thing a priority (Ethics Resource Center, 2009). Existing literature links ethical culture with compliance with the law. For example, Mollen (1994), in his report into police corruption in New York City, found that corruption flourished, among other reasons, because of a police culture that exalts

loyalty over integrity; and because of the silence of honest officers who fear the consequences of ratting on another cop no matter how grave the crime.

The findings of Hall (2002) are consistent with virtue of sanctionability. He observes that when employee's transgressions are not only not addressed, but actually concealed, they are not learning that they have acted inappropriately due to the blind support they have received from their peers. He also adds that, this support of negative behavior intensifies when it is a supervisor concealing the misconduct for an employee. This happens to be true because, when managers reward employees for unethical behavior or fail to punish them for engaging in such behavior, they send a clear message that unethical behavior is acceptable or desirable (Ball *et al.*, 1994). Positive organizational cultures have been linked to increased staff alignment, resulting in enhanced organizational effectiveness, heightened consensus regarding strategic direction, increased employee productivity, and advanced levels of employee commitment (Barney, 1986).

In terms of public procurement, Walker & Brammer (2007) examined sustainable procurement in the United Kingdom public sector. They found out that, organizational culture plays a significant role in the sector of public procurement and that the effectiveness of public procurement depended on the positivity of ethical culture in all organizations surveyed.

2.5 The effect of ethical work climate on compliance with the law

Ethical work climates within organizations are of major concern to practitioners and researchers alike. This is explained by the fact that actions of organizations are scrutinized by employees, customers, the media, government, and the public (Sims & Keon, 1997). Likewise, individuals within organizations are observed and assessed on the behaviors they emit. Several research projects confirm the major impact of Victor & Cullen's five empirical ethical climates on employee behaviour. For example, analyses of the relationship between organizational ethical climate and ethical behavior showed that instrumental ethical work climate is positively linked to unethical behavior and that caring, law and code, and rules are negatively linked to unethical behavior (Deshpande *et al.*, 2000). There is also unanimous agreement that an ethical climate of '*caring*' reduces ethically dysfunctional behaviour and in contrast, an '*instrumental*' ethical climate leads to the opposite (Martin & Cullen, 2006; Tsai and Huang 2007; Ambrose *et al.* 2008). In his study, Leung (2007) also observes a link between the ethical climate of '*caring*' and identifying with the organizational goals. He adds that employees in the climate of '*caring*' tend to follow organizational guidelines when executing their duties. The author confirms previous results in which Khuntia and Suar (2004) observe-with the help of factorial analysis- the emergence of two factors which have a significant impact on employees' attitude and behaviour: a '*caring*' climate that boosts personal values and an '*independent*' climate that reinforces manipulation, cheating, and violation of organization norms. The most recent research found that, employees in a law and code climate look to government rules or professional conventions to resolve

dilemmas ethically (Borry, 2011). This increases the likelihood of compliance with the law. The cases of the literature reviewed show how different types of ethical work climate influence ethical decision making. However, it does not provide any critical analysis of what is happening in PDEs in Uganda.

2.6 Whistle blowing and regulatory compliance

Internationally, there has been growing support for whistle blowing, particularly in the areas of good governance, public accountability and fight against corruption. In the recent past, as a result of so many highprofile corporate fraud, whistleblowing legislation has become a necessary choice for so many countries. Evidence of this can be found in a number of treaties/agreement entered between countries to fight corruption. For instance, the United Nations Convention against Corruption (UNCAC), European Council's Criminal Law Convention on Corruption (Article 22) and Inter-American Convention against Corruption (Article III).

It is estimated that u.s. organizations lose five percent of their annual revenues, equivalent to \$652 billion, to fraud (Association of Certified Fraud Examiners, 2006). This huge loss calls for the organizations and their various stakeholders need to monitor better those engaging in white-collar crime and other unethical practices in organizations. Miceli and Near (2005) argued that the most effective stakeholders for reducing the occurrence of unethical behaviors in organizations were the employees of the organizations. For instance, in a study conducted by the Association of Certified Fraud Examiners (2006), 'tips,' mainly from employees, were found to be the most

common means by which fraud was detected. However, another survey on workplace ethics (Hudson Employment Index, 2005) showed that almost one third (31 percent) of U.S. employees witnessing co-workers engaging in ethical misconduct, only half (52 percent) reported it to an authority.

There are different level factors in individual that are associated with the decision to blow the whistle. These factors include demographic characteristics such as age, gender and level of education, as well as personality variables such as locus of control, personal morality and one's attachment to the organization (Miceli & Near, 1992). Much as the already conducted research exists on the individual differences between whistle-blowers and inactive observers has been informative, several findings remain inconsistent.

Brewer and Seiden (1998) analyzed data from 1992 Merit Principles survey conducted by U.S. Merit System Protection Board database and concluded that federal whistle-blowers were motivated by concern for public interest and reported high levels of job security, job achievement, job commitment, and job satisfaction, though Somers and Casal (1994) provided evidence for a more complex relationship between commitment and whistle-blowing. They collected data from 613 management accountants who were members of the National Association of Accountants (NAA). Their analyses showed that the relationship between commitment and intent to report wrongdoing had the form of an inverted U, indicating that moderate levels of commitment were most likely to result in whistle-blowing. To the contrary, Sims and Keenan (1998)'s study involving college students uncovered that external whistle-blowing was not significantly predicted by

satisfaction or commitment. According to Global Integrity 2009 and Freedom House 2010, public and private employees are for now generally reluctant to report non-compliance for fear of reprisal and lack of actual protection in practice.

2.7 The predictive ability of ethical work climates, whistle blowing, legitimacy of the procurement law enforcing authorities on compliance with the procurement law

Previous research on the relationship between organizational ethical climate and ethical behavior showed that instrumental ethical work climate is positively linked to unethical behavior and that caring, law and code, and rules are negatively linked to unethical behavior (Deshpande *et al.*, 2000; Markham *et al.*, 1997). In another study, Borry (2001) evaluated how different dimensions of ethical work climate could predict rule bending. The results of a structural equation model show that the law and code climate is a significant predictor of rule bending: employees perceiving more law and code climate influences report less willingness to bend rules. One explanation could be that adherence to external laws and professional codes parallels one's predisposition to adhere to rules and regulations in general, indicating that adherence to regulation is valued regardless of the source of the rule or law.

Tyler (1990) tests a broader model of the consequences of legitimacy and came to conclude that legitimacy predicted compliance with the police. Kane (2005) examined whether indicators of police legitimacy explained variations in violent crime within New York City police precincts from 1975 to 1996. Integrating models of urban cultural

attenuation and procedural justice, the study hypothesized that variations in patterns of police legitimacy would predict variations in violent crime rates of communities characterized by concentrated structural disadvantage. Using a panel design and controlling for the relevant ecology of crime factors and spatial autocorrelation, the study found no significant relationships between the indicators of police legitimacy and violent crime in communities of low disadvantage. Piquero et al (2005) conducted a longitudinal study on a sample of 1355 juvenile offenders aged between 14 and 18 years from Philadelphia. They reported that legitimacy of police were positively associated with lower legal cynicism. This study was important, as it was the first to demonstrate that adolescents also put value on normative factors in shaping their view of the legal system and legal authorities. Recent research also suggests that lack of legitimacy of legal authorities can manifest itself in a larger cynicism towards the law (Kirk and Papachristos, 2011; Kirk and Matsuda, 2011). This growing body of research demonstrates that individual cynicism from negative interactions with the law enforcement authorities. Finally, Reisig and Lloyd (2009) surveyed 289 high school students from five schools in Jamaica. They found that perceptions of police legitimacy did not predict cooperative behaviour with police. Hence, police legitimacy did not appear to predict compliance with law enforcement authorities as has been shown regularly in the adult literature. Saving for Reisig and Lloyd's study, most of the findings suggest that legitimacy significantly predicts compliance with the law. However, all the studies considered are connected with compliance in connection with the police and are therefore silent about legitimation in other law enforcing authorities.

2.8 Conclusion

Different researches and theories tried very much to ascertain the relationship that exists between ethical climate, ethical culture, whistle blowing, legitimacy of the law enforcement authorities and compliance with procurement law. Some authors have also tried to relate ethical climate with compliance with procurement law especially in those developed countries. Since Uganda is one of the developing countries, the above variables need to be researched on.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This chapter discusses how the study was designed and carried out. It covers the research design, study population and sample size, sampling procedure, data source, data collection instruments, measurement of variables, validity and reliability of the instruments, data processing and analysis.

3.1 Research design

This study used descriptive and analytical design. A cross-sectional survey research design was used to gather data from the sample of the population, since it is the most commonly used method in social research (Amin, 2005). The design is widely preferred in social research because it assists the researcher to collect information from a wide spectrum of respondents in a short period of time hence reducing costs of the exercise.

3.2 Study Population and sample size

3.2.1 Study population

The study population consist of 148 PDEs from central government with in Uganda excluding 28 Foreign Commissions.

Table 1: Shows population and sample distribution of PDEs

Categories	Number of PDEs	Sample size
Ministries	19	14
Statutory bodies	29	24
State enterprises	24	19
Commission	11	10
Hospitals	16	14
Councils	4	10
Boards	7	10
Training institutions	18	14
Government agencies	20	19
Total	148	134

Source: Public Procurement and Disposal of Public Asset Authority (2011)

3.2.2 Sample size

From the population, a sample of 134 PDEs was selected for this research. This was arrived at basing on the Krejcie & Morgan (1970) sample size determination.

3.2.3 Sampling procedures

Random sampling was used to get the specific procurement and disposal entities to study since they appear under several categories. This guaranteed the desired

distribution among the selected subgroups of the population. The right strata were got and the PDEs were arranged in alphabetical order where simple random sampling was used to arrive at the final respondents. This helped reduce bias on the selection of the PDEs. All accounting officers, head of Procurement and Disposal Units and heads of User Department (UD) were the targeted personnel to represent their organisations since they have relevant knowledge in public procurement.

3.3 Data sources

Primary data was obtained from Procurement and Disposal Units, Accounting Officers and User Department.

3.4 Data collection instruments

The study used primary data to collect information from respondents using a self administered questionnaire and this created anonymity which led to valid responses as well as allowing respondents to fill the questionnaire freely. The questionnaire was designed in accordance to the objectives of the research and study variables in a closed-ended form and responses were anchored on a five point Likert scale ranging from 5 = strongly agree to 1 = strongly disagree.

3.5 Measurement of variables

- (i) **Ethical culture** - Ethical culture was measured using the works of Kaptein (1998). The dimensions such as discussability, sanctionability, supportability, transparency, or visibility were captured.

- (ii) Ethical work climate** - Ethical work climate was assessed based on the work of Victor and Cullen (1988) and the focus was on the dimensions of social caring, law and code, rule, instrumentality and independence.
- (iii) Legitimacy of the procurement law enforcement Authorities** - Legitimacy was measured using a scale developed by Newstrom and Ruth (1975) and construct such as system of norms, values, beliefs, and definitions were captured.
- (iv) Regulatory compliance** - Compliance was measured using a scale developed by Newstrom and Ruth (1975). Dimensions like non – discrimination, fairness, transparency, competitiveness were captured.
- (v) Whistle blowing** - Whistle blowing was measured using a scale developed by (Brewers & Selden, 1998 and Chiu, 2003). Dimensions like public interest motive, job performance, and job commitment, and job satisfaction, whistle blowing intention, ethical judgment, and locus of control were captured.

3.6 Instrument validity and reliability

Reliability analysis of scales in the research instrument was carried out by performing Cronbach's coefficient test (Cronbach, 1951) to establish their validity, detect vagueness, incompleteness and uncleanness. Five point likert scale from 5 = strongly agree to 1= strongly disagree was used on the respondents to test the relevance of the questions. This was done using the Content Validity Index (CVI). Alpha coefficient of above 0.6 for individual test variables was accepted. Though alpha coefficient of

above 0.70 is recommended as the accepted standard, the 0.6 cut off was adequate, given that the instrument was tested in a new environment. The validity of the content was checked and performed on the construct to ensure the scale items are meaningful to the sample and the issues that were captured were measured. The reliability and validity of the research was measured using the Cronbach Alpha and Content validity index as shown in table 2 below;

Table 2: Validity and Reliability Coefficients and Coefficient of variation of index

Variables	Cronbach Alpha Coefficient (α)	Content Validity Index (CVI)
Ethical Culture	0.775	0.84
Whistle Blowing	0.847	0.85
Ethical Work Climate	0.880	0.87
Legitimacy of Law Enforcement Authorities	0.787	0.90
Regulatory Compliance in Uganda Public Procurement	0.855	0.94

Source: Primary Data

3.7 Data processing and analysis

Data collected was compiled, sorted, classified and entered into the computer. Analysis was done using the Statistical Package for Social Scientists (SPSS). Cross tabulation and correlation analyses were carried out to present the background information against the research variables with the purpose of establishing the relationship between the variables. Multiple regression analysis was also used to determine variance in the dependent variable that is explained by the independent variables.

3.8 Limitations of the study

- i) Some of the respondents did not completely fill the questionnaire leaving some items undressed because majority claim they didn't have time to fill the questionnaire because it was a busy schedule for them. Nonetheless, since the questionnaire was Self-administered, i had to go back to those respondents for complete data.

- ii) Lack of cooperation from respondent, especially those who looked at confidentiality as a critical matter. For this matter, the researcher assured the respondents of the confidentiality of their information that it was purely for academic with a proof from an introductory letter from Makerere University Business School.

- iii) The findings presented here cannot also be generalized to the private sector; where there is no law to governing procurement; activities and procurement policies vary from firm to firm even within the same organization. On the other hand, some PDEs in the private sector do not even have procurement policies in place.

iv) The study used samples from each category of PDEs in Central Government except Foreign Missions yet Public Procurement and Disposal of Public Asset Authority gives one hundred and seventy six (176) Central Government PDEs. The results would have changed if the entire Central Government PDEs were studied.

v) In most of the PDEs most respondents served in of more than one procurement structure. For example, you find a user also serving as an evaluation committee member. To solve this problem I limited the number of questionnaires to only those personals who served different procurement roles and responsibilities.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION OF THE FINDINGS

4.0 Introduction

This chapter deals with presentation, analysis and interpretation of data collected from the respondents. The chapter covers the demographic information about respondents and results, factor analysis, correlation and regression analysis. This presentation was guided by the below objectives of the research;

- i) To examine the relationship between ethical culture, ethical work climate whistle blowing and regulatory compliance.
- ii) To establish the relationship between ethical work climates and legitimacy of law enforcing authorities.
- iii) To establish the relationship between ethical work climates, legitimacy of law enforcing authorities and regulatory compliance.
- iv) To examine the predictive potential of ethical culture, ethical work climate, whistle blowing, legitimacy of the law enforcement authorities and regulatory compliance.

4.1 Sample Characteristics

4.1.1 Description of respondent distribution

The results in table 3 show how long the respondents had worked in PDEs, how long the PDE had been in operations, the age and gender of the respondents and

educational level of the respondents who participated in this study. Overall PDEs had been in operation for over 6 years. Majority of the respondents were male, age between 31-40 years. A good number of the respondents had attained a university degree and most of them had worked for less than 10 years in the PDEs.

Table 3: Descriptive statistics

	N	Minimum	Maximum	Mean	Std. Deviation	Interpretation
How long (years) has your Organization been operating?	194	1.00	5.00	3.2452	1.45602	Over 6 years
Sex	194	1.00	2.00	1.4985	.49226	Male
Age	194	1.00	3.00	1.4268	.52675	31-40 years
Level of Education	194	2.00	4.00	3.0823	.28581	Degree
How long (years) have you worked with the Organization?	194	1.00	3.00	1.2172	.42397	Less than 10 years
Valid N (list wise)	194					

Source: Primary Data

4.1.2 Category of PDEs

The results in table 4 show the category of Central Government PDEs who were sampled in this study. The table indicates that majority of the respondents came from Commissions with 26.3 percent and Educational Institutions with 18.0 percent

participation. Response from Authority and parastatal constituted 12.9 percent. Similarly, procurement and disposal entities under Ministry received 8.2 percent response. Council had 11.9 percent and Boards 5.7 percent. The least PDE with poor response was from Hospital with 4.1 percent. Details are provided in table 4 below.

Table 4: Category of PDEs

	Frequency	Percent	Cumulative Percent
Valid Ministry	14	8.2	8.2
Commission	33	26.3	34.5
Parastatal	15	12.9	47.4
Council	16	11.9	59.3
Boards	14	5.7	64.9
Hospital	5	4.1	69.1
Educational Institution	22	18.0	87.1
Authority	15	12.9	100.0
Total	134	100.0	

Source: Primary Data

4.1.3 Organization Age by respondent category distribution

The result in table 5 show the age of the organization as stated by the respondents who participated in this study. Majority of the respondents (30.9%) came from PDEs that have been in existence for more than 40 years. While PDEs that have been in existence for less than 10 years contributed to 14.4 percent. Similarly, PDEs (22.2%)

have been in existence for 11-20 years. The result also indicated that PDEs that have been in existence between 21-30 years comprised of 16.5 percent as compared to 16.0 percent of the PDEs which has been in existence between 31-40 years.

Table 5: How long (years) has your organization been in operation

		Frequency	Percent	Cumulative percent
Valid	Less than 10	19	14.4	14.4
	11 – 20	30	22.2	36.6
	21 – 30	22	16.5	53.1
	31 – 40	21	16.0	69.1
	More than 40	42	30.9	100.0
	Total	134	100.0	

Source: Primary Data

4.1.4 Gender by respondents distribution

The results in table 6 show the gender of the respondents who participated in this study. The results indicate that the majority of the respondents were males corresponding to 51.5 percent while female respondents contributed to 48.5 percent. Male employees were willing to respond to the questionnaire than the female counterpart.

Table 6: Sex by respondent distribution

	Frequency	Percent	Valid percent	Cumulative percent
Valid Female	94	48.5	48.5	48.5
Male	100	51.5	51.5	100.0
Total	194	100.0	100.0	

Source: Primary data

4.1.5 Age of respondents distribution

The results in table 7 below show the age of the respondent who participated in the study. The results indicate that the majority of the respondents were between 31-40 years of age contributing to 63.4 percent. Furthermore, respondents lying between 20-30 years of age bracket consisted of 34.0 percent. Similarly, 2.6 percent was for the respondents between the age brackets of 41-50 years. It was observed that the majority of the respondents were of 31-40 year age bracket with the least from 41-50 year age bracket.

Table 7: Age of the respondents by distribution

	Frequency	Percent	Valid percent	Cumulative percent
Valid 20 – 30 yrs	66	34.0	34.0	97.4
31 – 40 yrs	123	63.4	63.4	63.4
41 – 50 yrs	5	2.6	2.6	100.0
Total	194	100.0	100.0	

Source: Primary Data

4.1.6 Education level of respondent by distribution

The results in table 8 below show the highest level of education of the respondents who participated in this study. The results indicated that the majority of the respondents were degree holders from University (91.2 %) while only 8.2 percent had professional qualification as their highest level of education. Those that had Secondary education poorly responded to the study and only comprised of 0.5 percent indicating the least response.

Table 8: Education Level of respondents by distribution

	Frequency	Percent	Valid percent	Cumulative percent
Valid Secondary	1	.5	.5	.5
University	177	91.2	91.2	91.8
Professional	16	8.2	8.2	100.0
qualification	194	100.0	100.0	
Total				

Source: Primary Data

4.1.7 Years of service of the respondents

The results in table 9 below shows how long the respondents who participated in this study worked for an organization. The results indicate that the majority of the respondents had worked in the Organisation for less than 10 years showing 74.7 percent. Respondents who had worked between 11-20 years in the organisation contributed to 24.2 percent while the least correspondents had worked in the organisation for only between 21-30 years.

Table 9: How long (years) have you worked with the organisation?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Less than 10	145	74.7	74.7	74.7
11 – 20	47	24.2	24.2	99.0
21 – 30	2	1.0	1.0	100.0
Total	194	100.0	100.0	

Source: Primary Data

4.2 Descriptive statistics

Results from table 10 revealed that ethical culture exist in the surveyed PDEs (Mean = 3.56, SD = 1.17). The results also shows that the respondents strongly agree that ethical work climate do exist in PDEs studied (Mean = 4.88, SD 0.78), Hodgkinson (1996) analyzes the perception of EWC in the government sector in the UK, the results also revealed that legitimacy of the law either exist or does not exist (Mean = 3.1, SD = 0.83), Weber (1968) contends that, people defer to and obey decisions by legitimate institutions because people respect (and accept) the institution's authority. The results were also in strong agreement that whistle blowing exists in the surveyed PDEs (Mean = 5.58, SD = 0.59). The study also show that there is regulatory compliance within the PDEs surveyed (Mean = 3.90, SD = 0.89).

Table 10: Descriptive statistics

	Mean	Std. Deviation	N	
Ethical Culture	3.56	1.17429	194	Agree
Ethical Climate	4.88	.78098	194	Strongly agree
Legitimacy of the Law	3.11	.83388	194	Undecided
Whistle blowing	5.58	.59247	194	Agree
Regulatory Compliance	3.90	.88854	194	Agree

Source: Primary Data

4.3 Correlations analysis

The results in table 11 below were presented with the aim of establishing the nature of relationships that exists among the study variables and the Pearson (r) correlation coefficient was employed to do this.

Table 11: Relationship between the independent variables and dependent variables

Correlations					
	Ethical Culture	Ethical Climate	Legitimacy of the Law	Whistle blowing	Regulatory Compliance
Ethical Culture	1				
Ethical Climate	.215**	1			

Legitimacy of the Law	.251**	.255**	1		
Whistle blowing	.303**	.286**	.344**	1	
Regulatory Compliance	.430**	.352**	.419**	.381**	1
** . Correlation is significant at the 0.01 level (2-tailed); N = 97 PDEs					
* . Correlation is significant at the 0.05 level (2-tailed); N = 97 PDEs					

Source: Primary Data

4.3.1 The relationship between ethical culture and ethical climate

The results show a significant positive relationship between ethical culture and ethical climate ($r = .22, P \leq 0.01$). This implies that all the components of ethical culture were also positively related to ethical climate. The result shows that if there is adequate discussability, supportability, transparency in ethical culture, then ethical climate will improve. This is likely to enhance regulatory compliance in Ugandan PDEs.

4.3.2 The relationship between ethical culture and legitimacy to law

The results indicate that there is a significant and positive relationship between ethical culture and legitimacy to law ($r = .25, P \leq 0.01$). These results show that if there is good ethical culture within the PDEs, it should foster confidence and honest among the staff and will consequently contribute to regulatory compliance in Ugandan PDEs. For example, the PPDA as a regulatory body will reliably have confidence in the entity that they will deliver what is expected of them.

4.3.3 The relationship between ethical culture and whistle blowing

The result also reveal a positive and significant relationship between ethical culture and whistle blowing ($r = .30, P \leq 0.01$). The results show that the more emphasis is put on

ethical culture in a PDE, the more internal and external employees would disclose information about wrong doing. This will consequently translate into regulatory compliance in Ugandan PDEs. This implies that when ethical culture is improved, an environment for whistle blowing is created hence regulatory compliance is achieved.

4.3.4 The relationship between ethical culture and regulatory compliance

There is a significant positive correlation between ethical culture and regulatory compliance ($r = .43, P \leq 0.01$). This means that when there is an improvement in ethical culture, compliance will also improve. It was also noted that all the components of ethical culture that is clarity, congruence, feasibility, supportability, transparency, discussability and sanctionability were also positively related to regulatory compliance. These results imply that if there is enough support, transparency, and clarity in ethical culture, this is likely to enhance the regulatory compliance in Ugandan PDEs.

4.3.5 The relationship between ethical climate and legitimacy to law

The result indicate a positive and significant relationship between ethical climate and legitimacy to law ($r = .26, P \leq 0.01$). This implies that the dimensions of ethical climate of social caring, law and code, rule, instrumentality and independence is very instrumental in fostering legitimacy to law in PDEs. When ethical culture is improved, legitimacy o law is equally improved, hence regulatory compliance in Ugandan PDEs. If staffs in the PDEs are willing to comply with the law, the bidders will wish to work with the PDEs.

4.3.6 The relationship between ethical climate and whistle blowing

The result also reveal a positive and significant relationship between ethical climate and whistle blowing ($r = .29, P \leq 0.01$). The results show that the more emphasis is put on ethical climate in a PDE, the more the employees would disclose information about wrong doing. This will consequently translate into regulatory compliance in Ugandan PDEs. This implies that when ethical climate is improved, whistle blowing can easily take place leading to regulatory compliance in Ugandan PDEs.

4.3.7 The relationship between ethical climate and regulatory compliance

The results also show a significant positive correlation between ethical culture and regulatory compliance ($r = .35, P \leq 0.01$). This result shows that the components of ethical climate like caring, law and code, rule, instrumental and independence were also positively related. This means that when there is an improvement in ethical climate, compliance within the PDEs will also improve. Therefore, caring, law and code, rule, instrumental and independence in regulatory compliance may assist the PDEs to achieve the compliance level required.

4.3.8 The relationship between legitimacy to law and whistle blowing

The result also reveal a positive and significant relationship between legitimacy and whistle blowing ($r = .34, P \leq 0.01$). The results show that the more emphasis is put on legitimacy to law enforcement authority. The more law enforcement authority are empowered to do their job through norms, values, belief and definitions, the more employees will accept to report wrong doing. This will consequently translate into regulatory compliance in Ugandan PDEs. This implies that when legitimacy to law is

improved, whistle blowing can easily take place leading to regulatory compliance in Ugandan PDEs.

4.3.9 The relationship between legitimacy to law and regulatory compliance

The result here revealed that there is a significant positive correlation between legitimacy to law and regulatory compliance ($r = .42, P \leq 0.01$). These results show that if there is legitimacy of law enforcement officers, this will consequently translate into compliance of the regulatory compliance in Uganda public procurement hence value for money achieved. Therefore, when there is an improvement in legitimacy to law, compliance will also improve.

4.3.10 The relationship between whistle blowing and regulatory compliance

There is a significant positive correlation between whistle blowing and regulatory compliance ($r = .38, P \leq 0.01$). This means that when there is an improvement in whistle blowing, compliance will also improve. The results further revealed that the components of whistle blowing like public interest motive, job performance, job commitment, job satisfaction, whistle blowing intention, ethical judgment and locus of control has positive relations with regulatory compliance.

4.4 Regression model

Regression model showing the effect of ethical culture, ethical work climate, whistle blowing and legitimacy of law enforcement authority on regulatory compliance are shown in table 12 below.

Table 12: Hierarchical regression analysis with regulatory compliance as the dependent variable

Variables	Model 1	Model 2	Model 3	Model 4	Model 5
(Constant)	4.01**	2.29* *	1.14* *	.569	1.624*
Category Of PDE	- .245* *	- .126 *	-.112	-.112	-.098
Number of Employees	.073	.052	.053	.065	.069
Organizational age	.088	.060	.037	.030	.029
Ethical Culture		.598 **	.644 **	.683 **	.674* *
Ethical Climate			.186 **	.167 **	.192* *
Legitimacy of the Law				.171 **	.159* *
Whistle blowing					.133* *
R	.280	.649	.673	.693	.705
R square	.078	.421	.453	.480	.496

Adjusted R square	.062	.407	.437	.461	.476
F – statistics	4.922	31.39 4	28.44 2	26.27 1	23.938
Sig. F change	.003	.000	.002	.003	.019
R Square Change	.078	.342	.032	.027	.017
F change-statistics	4.922	102.2 20	10.05 9	8.893	5.650
Sig F Change	.003	.000	.002	.003	.019
<p>a. Dependent Variable: Regulatory Compliance, N=97 PDEs</p> <p>** . Correlation is significant at the 0.01 level (2-tailed); N = 97 PDEs</p> <p>* . Correlation is significant at the 0.05 level (2-tailed); N = 97 PDEs</p>					

Source: Primary Data

In model 2, the ethical culture variable was entered and results indicate that it accounts for 34.2% variation in compliance with procurement regulations. Model 2 is statistically significant in explaining compliance ($P \leq 0.01$, $F = 31.39$). In model 3, we added ethical climate and the model became statistically significant ($P \leq 0.01$, $F=28.44$) with R Square change of 3.2%. In model 4, legitimacy is added with the R Square change of 2.7%. Model 4 is statistically significant in explaining compliance ($P \leq 0.01$, $F = 26.27$). Model 5, whistle blowing was added and the model indicate a significant ($P \leq 0.01$, $F = 23.93$) with R Square change of 1.7 percent.

CHAPTER FIVE

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

This chapter presents the discussions, conclusions and recommendations drawn from the study findings of the previous chapter. The chapter is arranged in three sections. The first section deals with discussions related to the research objectives and conclusions. The second section looks at the recommendations while the last section presents areas for further study.

5.1 Discussion of research findings

In this section, a discussion on the findings as related with the views expressed by different scholars from the literature reviewed in this study.

5.1.1 The relationship between ethical culture and ethical climate

The result of the analysis indicates a significant positive relationship between ethical culture and ethical climate. This findings suggests that PDE staff who are supported and transparent are willing to follow the right culture and these employees will put in great deal of effort to ensure that regulatory compliance is achieved and this will enhance value for money. The findings indicate that for PDE employees to be ready to comply with public procurement law, there is need to develop the discussion habit of the culture within the PDE that are able to control their habit at work place while performing their duties. Looking at the dimensions of ethical culture, sanctionability portrays a significant positive relationship between ethical culture and ethical climate.

This indicate that employees who are aware of the action to be taken for being non-compliance have more ability to perform amidst the challenges faced at work place.

5.1.2 The relationship between ethical culture and legitimacy to law

The analyses in this study indicate a significant positive relationship between ethical culture and legitimacy to law. This implies that employees with good ethical culture background in terms of sanctionability, they are ready to adopt what the law enforcement authority believe is right when executing their activities. The finding shows that perceived ethical culture positively encourages the employees to follow the law. The findings of Hall (2002) are consistent with virtue of sanctionability. He observes that when employee's transgressions are not only addressed, but also actually concealed, they are not learning that they have acted inappropriately due to the blind support they have received from their peers.

5.1.3 The relationship between ethical culture and whistle blowing

The finding shows a positive and significant relationship between ethical culture and whistle blowing. The predictors like public interest motive, job commitment, job satisfaction and ethical judgment were very instrumental in enhancing relationship between ethical culture and whistle blowing. This implies that the more ethical culture is put in place; whistle blowing on unethical behaviour is encouraged hence regulatory compliance in Uganda PDEs. This view is empirically supported by section 8 of Article III of the Inter-American Convention against Corruption that emphasizes the importance of whistleblower protection as one of anti-corruption instruments/tools. This is supported by an inquiry in Australia, this was brought into sharp relief by the Fitzgerald Inquiry

into official corruption in Queensland (1987–89), which established that honest police officers had observed corruption but felt powerless to act.

5.1.4 The relationship between ethical climate and legitimacy to law

The results from the findings show that there is a positive and significant relationship between ethical climate and legitimacy to law. According to the study, ethical climate is a strong contributing predictor for the legitimacy of law enforcement authority. The dimension of caring and law and code climate where ethical decision is taken based on rules and professional codes derived from external sources of the organization. This was further confirmed by Hodgkinson (1996) who analyzes the perception of ethical work climate in the government sector in the UK. It was found out in this study that, although government sector perceived 'social caring' and 'law and code' as very existing climates, the 'law and code' was very strong ethical work climate in the government sector. In the same spirit, Laratta (2010) compares ethical climates in non-profit and government sectors in Japan and the United States. It was found out that there were strong perceptions of belonging to the *caring* climate type in all groups of respondents in the two countries. The primary concern of most respondents was the well-being of others, and the tendency among them was to do what was best for the users of the services and the community at large.

5.1.5 The relationship between ethical climate and whistle blowing

Analyses of the study also reveal that there is a strong positive and significant relationship existing between ethical climate and whistle blowing. This implies that strong and good ethical climate promotes whistle blowing. This analysis is in line with

(Borry, 2011) most recent research which found out that, employees in a law and code climate look to government rules or professional conventions to resolve dilemmas ethically. Basing on that study, it can therefore be concluded that law and code is the key determinant for regulatory compliance in PDEs. However, these employees need to follow rule ethical climate dimension which relates to the accepted rules of conduct within the PDE.

5.1.6 The relationship between legitimacy to law and whistle blowing

The results from the findings show that there is a positive and significant relationship between legitimacy to law and whistle blowing. The construct of norms, belief, value and definition were also found to be positively related to whistle blowing. This implies that when the whistle blowers believe in what the law enforcement agency are doing is right there is compliance with procurement law. Similarly, when the staff has the belief and confidence that the law enforcement agency exists and what they are doing is true, hence compliance with procurement law. This is supported by (Tyler, 1990) who says Legitimacy has usually been perceived as the belief that authorities do their job well and are therefore entitled to be obeyed (Tyler, 1990). In other words, it is a judgment people make about the status of the organization itself as a legitimate authority. This explanation approves what was hypothesized by Weber (1968) that, people defer to and obey decisions by legitimate institutions because people respect (and accept) the institution's authority to make decisions and not because of the threat of sanction for disobedience.

5.1.7 The relationship between ethical culture and regulatory compliance

The findings reveal that ethical culture is a significant predictor of regulatory compliance. This implies that a strong ethical culture enhances regulatory compliance in a PDE. The organizational virtue of feasibility is very strong factor in determining regulatory compliance in that employees work in a condition which enables them to comply with procurement law. This is in agreement with Walker and Brammer (2007) who examined sustainable procurement in the United Kingdom public sector. They found out that, organizational culture plays a significant role in the sector of public procurement and that the effectiveness of public procurement depended on the positivity of ethical culture in all organizations surveyed.

5.1.8 The relationship between ethical work climates and compliance with procurement law.

The findings reveal that ethical work climate is a strong significant predictor of regulatory compliance in Uganda public procurement. This implies that promotion of good ethical climate in central government PDEs will enhance regulatory compliance.

These findings are in line with Deshpande *et al.* (2000) who assert that, the relationship between organizational ethical climate and ethical behavior showed that instrumental ethical work climate is positively linked to unethical behavior.

5.1.9 The relationship between ethical work climates and legitimacy of the procurement law enforcing authorities.

The findings indicated a significant and positive relationship between ethical work climate and legitimacy of the procurement law enforcing authority. This implies that when ethical work climate in PDEs are conducive it will have a positive impact on legitimacy to law. This is supported by the study of Leung (2007) who observes the link between the ethical climate of 'caring' and organizational goals. He adds that employees in the climate of 'caring' tend to follow organizational guidelines when executing their duties. This is supported by the previous results in which Khuntia and Suar (2004) observe with the help of factorial analysis, the emergence of two factors which have a significant impact on employees' attitude and behaviour: a 'caring' climate that boosts personal values and an 'independent' climate that reinforces manipulation, cheating, and violation of organization norms. The study can be linked to most recent research by Borry (2011) who found out that, employees in a law and code climate look to government rules or professional conventions to resolve dilemmas ethically and this increases the likelihood of compliance with the law.

5.1.10 The relationship between ethical work climates, legitimacy of the procurement law enforcing authorities and regulatory compliance.

The findings reveal that ethical work climate, legitimacy of the procurement law enforcement authority are a significant predictors of regulatory compliance. This implies

that ethical work climate is a key in enhancing legitimacy of law enforcement agency and this eventually leads to regulatory compliance in Uganda public procurement.

These findings are in line with the argument by Sunshine & Tyler (2003) who conducted a survey using regression analysis with two dependent variables (legitimacy & risk estimates) in New Yorkers. He found out that legitimacy was the significant variable that influenced compliance. While Hinds & Fleming (2006) conducted the study on the relationship between police legitimacy and procedural justice in Australia. The authors collected survey data from 328 high school students aged 14 to 16 years. She was able to demonstrate that perceptions of police legitimacy predicted student's willingness to assist police. This is supported by the work of Murphy & Gaylor (2010) who examined the role procedural justice play in fostering youth support for police. Using survey data collected from teenagers in Australia, significant results were found for the relationship between perceived police legitimacy and youth cooperative behaviors.

5.1.11 The relationship between whistle blowing and regulatory Compliance

The findings reveal that whistle blowing is a significant predictor of regulatory compliance. This implies that a strong whistle blowing culture in central government PDEs will enhance regulatory compliance. The different level factors in individual that are associated with the decision to blow the whistle like demographic characteristics such as age, gender and level of education, as well as personality variables such as locus of control, personal morality and one's attachment to the organization are good

predictors of regulatory compliance. This finding is in line with Miceli and Near (2005) who argued that the most effective stakeholders for reducing the occurrence of unethical behaviors in organizations were the employees of the organizations. For instance, in a study conducted by the Association of Certified Fraud Examiners (2006), 'tips,' mainly from employees, were found to be the most common means by which fraud was detected. The findings is further supported by another survey on workplace ethics (Hudson Employment Index, 2005) which showed that almost one third (31 percent) of U.S. employees witnessing co-workers engaging in ethical misconduct, only half (52 percent) reported it to an authority.

5.2 Conclusions

Broadly, this study has examined regulatory compliance in Uganda public procurement in procurement and disposal entities in particular narrowing to the Central Government entities. Specifically, the study examined the ethical culture dimensions of discussability, sanctionability, supportability, transparency or visibility. The dimensions of ethical work climate like social caring, law and code, rule, instrumentality and independence were also examined. The study also looked at legitimacy to law with the aim of examining dimensions like norms, values, beliefs and definitions.

Lastly, the study also examined the dimensions of whistle blowing specifically looking at public interest motive, job performance, job commitment, job satisfaction, whistle blowing intention, ethical judgment and locus of control. All these were found to have a positive and significant relationship with regulatory compliance.

Finally, the linkages between ethical culture, ethical work climate, legitimacy to law and whistle blowing is clear in that when all of them are improved, regulatory compliance will improve and value for money can be realised by the Government.

5.3 Implications of the research findings

Ethical misconduct constitutes serious costly risks to the continuity and survival of PDEs. Literature reveal that breakdowns of integrity collectively cost businesses billions of dollars in litigation, fraudulent financial acts, increased costs, fines, reputation and image damage, customer/client trust. There has been a long history of government excesses and subsequent legal, public and political reaction on non-compliance with public procurement rule. Response to criminal misconduct has resulted in legal sanctions, governance practices, compliance standards and cultural transformation.

Governments and governing bodies around the globe that understand the importance of ethics and values to the overall well-being of an organization are developing regulations and guidelines to help steer organizations to the right conclusions. International bodies and associations such as the World Bank and the Organisation for Economic Co-operation and Development have recommended governance principles that include the ethical relationships of employees and management.

The results of the World Business Environment Survey show that important dimensions of the climate for business operation and investment can be measured, analyzed, and compared across countries, and that important aspects of governance are centrally related to the business environment and investment climate.

5.4 Recommendations

In light of the research findings, the following recommendations are made;

(i) Ethical culture; the research findings suggest that PDEs place a high level of importance on ethical culture in their entities. By encouraging discussability which is a characteristic of an open culture, unethical behaviour is discouraged through intense communication where criticism and acceptance of ideas is encouraged. This implies that ethical culture can literally break the compliance level in PDEs. When ethical culture is improved, the level of compliance also increases.

(ii) Ethical climate; Special attention should also be paid to examining the antecedents of caring, law and code, rule, independent and instrumentality because ethical culture, as one of the most important compliance factors, apparently does not play a major role in regulatory compliance. Ethical culture has been found to create positive and strong effects on PDEs staff to continue being compliance with procurement law.

(iii) Legitimacy of the law; Regulatory compliance involves a set of variables that come together to reach goals that none of them alone can reach separately. Therefore developed legitimacy dimensions like norms, values, beliefs and definitions do become an integral part of ensuring regulatory compliance. Although some studies have portrayed legitimacy of the law negatively, head of PDEs should generally appreciate to largely reduce the negative aspects.

(iv) Whistle blowing; The study suggest that whistle blowing is another way regulatory compliance can be improve by making known any wrong doing in PDEs. By developing job commitment, job satisfaction, ethical judgment and locus of control, a stronger compliance should emerge. This in itself could be self perpetuating, because if job satisfaction, job commitment ultimately improve regulatory compliance, it is possible that the effect will be reciprocated. Therefore, it is important that PDEs act on whistle blowers information perhaps through job commitment, job satisfaction, ethical judgment and locus of control, a stronger compliance, job commitment, job satisfaction, ethical judgment and locus of control, a stronger compliance. Demographic characteristics factors such as age, gender and level of education, as well as personality variables such as locus of control, personal morality and one's attachment to the organization should not be ignored in enhancing regulatory compliance.

5.5 Areas of further study

- (i) A Study of the Relationship of Ethical Work Climate and Organizational Culture In Uganda Public Procurement.
- (ii) Ethical culture, ethical climate, trust, legitimacy of law enforcement authority and compliance with procurement law.
- (iii) Organisational climate and its effect on compliance to Uganda Public Procurement: A case study of Local Government PDEs.
- (iv) Compliance by Ugandan PDEs to the procurement reforms
- (v) Regulatory compliance with the PPDA Act: findings, problems and Prospects
- (vi) Detection probability and compliance with the PPDA Act.

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APPENDICES

APPENDIX 1: KREJCIE, ROBERT V., MORGAN, DARYLE W TABLE FOR DETERMINING SAMPLE SIZE FROM A GIVEN POPULATION

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	246
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	205	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

Note: "N" is population size

"S" is sample size.

PDE CATEGORISATION

CENTRAL GOVERNMENTS (176)

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
MINISTRIES				
1.	Ministry of Agriculture, Animal Industry & Fisheries			
2.	Ministry of Defence			
3.	Ministry of East African Community Affairs			
4.	Ministry of Education and Sports			
5.	Ministry of Energy & Mineral Development			
6.	Ministry of Finance, Planning & Economic Development			
7.	Ministry of Foreign Affairs			
8.	Ministry of Gender, Labor & Social Development			
9.	Ministry of Health			
10.	Ministry of Information and Communications Technology			
11.	Ministry of Internal Affairs			
12.	Ministry of Justice & Constitutional Affairs			
13.	Ministry of Lands, Housing and Urban Development			
14.	Ministry of Local Government			
15.	Ministry of Public Service			
16.	The Ministry of Trade, Industry and Cooperatives			
17.	The Ministry of Tourism, Wildlife and Antiquities			
18.	Ministry of Water & Environment			
19.	Ministry of Works and Transport			
STATUTORY BODIES				
20.	Auditor General			
21.	Directorate of Public Prosecutions			
22.	Inspectorate of Government			
23.	Diary Development Authority			
24.	Electricity Regulatory Authority			

25.	National Agricultural Advisory Services (NAADS)			
26.	National Agricultural Research Organization			
27.	National Animal Resource Genetic Centre and Databank			
28.	National Agricultural Advisory Services (NAADS)			
29.	Capital Markets Authority			
30.	Civil Aviation Authority			
31.	Cotton Development Organization			
32.	National Drug Authority			
33.	National Environment Management Authority (NEMA)			
34.	National Forest Authority			
35.	Rural Electrification Agency			
36.	National Information Technology Authority Uganda			
37.	National Medical Stores			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
38.	National Planning Authority			
39.	National Social Security Fund			
40.	Public Procurement and Disposal of the Public Assets Authority			
41.	Uganda Coffee Development Authority			
42.	Uganda Communications Commission			
43.	Uganda Investment Authority			
44.	Uganda National Roads Authority			
45.	Uganda Revenue Authority			
46.	Uganda Road Fund			
47.	Uganda Registration Services Bureau			
48.	Uganda Wildlife Authority			
STATE ENTERPRISES				
49.	Amber House Company Ltd			
50.	Bank of Uganda			
51.	Micro Finance Support Centre			
52.	Kilembe Mines			

53.	Nakivubo Stadium			
54.	Nambole Stadium			
55.	National Enterprise Corporation			
56.	National Housing & Construction Company			
57.	National Water & Sewerage Corporation			
58.	Nile Hotel			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
59.	Post Bank			
60.	Posta Uganda			
61.	Pride Microfinance			
62.	Private Sector Foundation			
63.	Uganda Air Cargo			
64.	Uganda AIDS Commission Secretariat			
65.	Uganda AIDS Commission Secretariat			
66.	Uganda Electricity Distribution Company			
67.	Uganda Electricity Generation Company			
68.	Uganda Electricity Transmission Company			
69.	Uganda Printing & Publishing Corporation			
70.	Uganda Property Holdings			
71.	Uganda Railways Corporation			
72.	Uganda Wildlife Education Centre			
COMMISSIONS				
73.	Amnesty Commission			
74.	Education Service Commission			
75.	Electoral Commission			
76.	Health Service Commission			
77.	Judicial Service Commission			
78.	Law Reform Commission			
79.	Local Government Finance Commission			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
80.	Public Service Commission			
81.	Uganda Human Rights Commission			
82.	Uganda Insurance Commission			
83.	Uganda Land Commission			
HOSPITALS				
84.	Arua Hospital			
85.	Butabika Hospital			
86.	Butabika School of Psychiatric Nursing			
87.	Fort Portal Hospital			
88.	Gulu Hospital			
89.	Masaka Referral Hospital			
90.	Mbale Referral Hospital			
91.	Mbarara Referral Hospital			
92.	Hoima Referral Hospital			
93.	Jinja Hospital			
94.	Kabale Referral Hospital			
95.	Moroto Referral Hospital			
96.	Mubende Referral Hospital			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
97.	Mulago Hospital Complex			
98.	Lira Referral Hospital			
99.	Soroti Referral Hospital			
COUNCILS				
100.	National Council for Children			
101.	National Council for Higher Education			
102.	National Council for Science & Technology			
103.	National Council of Sports			
BOARDS				
104.	Uganda Exports Promotions Board			
105.	Uganda National Examinations Board			
106.	Uganda Nurses and Midwives			

	Examination Board			
107.	Uganda Tourism Board			
108.	Uganda Veterans Assistance Board			
109.	Uganda Business and Technical Examination Board			
110.	Uganda Allied Health Examination Board			
TRAINING INSTITUTIONS				
111.	Busitema University			
112.	East African Civil Aviation Academy Soroti			
113.	Gulu University			
114.	Mbarara University of Science and Technology			
115.	Hotel and Tourism Training Institute			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
116.	Joint Clinical Research Centre			
117.	Kabale National Teachers College			
118.	Kaliro National Teachers College			
119.	Kyambogo University			
120.	Mubende National Teachers College			
121.	Law Development Centre			
122.	Makerere University			
123.	Makerere University Business School			
124.	Management Training & Advisory Centre			
125.	Mulago School of Nursing & Midwifery			
126.	Muni National Teachers College, Arua			
127.	Uganda Management Institute			
128.	Unyama National Teachers College , Gulu			

GOVERNMENT AGENCIES				
129.	National Curriculum Development Centre			
130.	Office of the President			
131.	Office of the Prime Minister			
132.	Courts of Judicature			
133.	Parliament of Uganda			
134.	Population Secretariat			
135.	Privatization Unit			
136.	Directorate of Ethics and Integrity			

NO.	ENTITY	DONE CC	FOLLOW ED UP	NEVER DONE CC
137.	Directorate of National Citizenship and Immigration control			
138.	External Security Organization			
139.	Internal Security Organization			
140.	State House			
141.	Uganda Bureau of Statistics			
142.	Uganda Cancer Institute			
143.	Uganda Development Bank			
144.	Uganda Heart Institute			
145.	Uganda Industrial Research Institute			
146.	Uganda National Bureau of Standards			
147.	Uganda Police Force			
148.	Uganda Prisons Service			

FOREIGN MISSIONS (28)		
149.	Uganda Mission at the United Nations, New York	
150.	Uganda High Commission in the United Kingdom	
151.	Uganda High Commission in Canada	
152.	Uganda High Commission in India	
153.	Uganda High Commission in Egypt	
154.	Uganda High Commission in Kenya	
155.	Uganda High Commission in Tanzania	

156.	Uganda High Commission in Nigeria	
157.	Uganda High Commission in South Africa	
158.	Uganda Embassy in the United States of America	
159.	Uganda Embassy in Ethiopia	
160.	Uganda Embassy in China	
161.	Uganda Embassy in Rwanda	
162.	Uganda Embassy in Geneva	
163.	Uganda Embassy in Japan	
164.	Uganda Embassy Libya	
165.	Uganda Embassy in Riyadh	
166.	Uganda Embassy in Denmark	
167.	Uganda Embassy in Belgium	
168.	Uganda Embassy in Italy	
169.	Uganda Embassy in Democratic Republic of Congo	
170.	Uganda Embassy in Sudan	
171.	Uganda Embassy in France	
172.	Uganda Embassy in Germany	
173.	Uganda Embassy in Iran	
174.	Uganda Embassy in Russia	
175.	Uganda Embassy in Australia	
176.	Uganda Embassy in Juba	

MAKERERE UNIVERSITY BUSINESS SCHOOL

Dear respondent,

As partial fulfillment of the award of Master of Procurement and supply chain management of Makerere University, I am conducting a survey on Public Procurement State in Uganda. I request you to spare a few minutes of your busy schedules to fill this questionnaire to enable me accomplish this task. Your honest and sincere responses are highly appreciated and shall be treated with utmost confidentiality. I thank you for your cooperation.

PART 1: BACKGROUND INFORMATION ON THE ORGANISATION

1. Name of the organization.....

2. Category of PDE

Ministry:

Commission: Parastatal:

Council:

Boards: Hospital:

Educational institution: Authority:

3. How many suppliers' are in the organization list of providers?

Number of suppliers	
Less than 5	1
Between 5 and 10	2
Between 10 and 15	3
Over 15	4

4. How long has your organization been operating?

Duration	
Less than 5 year	1
Between 5 – 10 years	2
Between 10 – 15years	3
Between 15 – 20 years	4
More than 20 years	5

5 How many employees are working in your organization?

Number of employees	
Less than 50	1
Between 50 and 100	2
Between 100 and 200	3

Over 200	4
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6 What is the common type of procurement method in your PDE"s.....

7 What is your approximate total monthly expenditure on procurement.....

8 What is the approximate procurement expenditure of your organization in a month under the following procurement methods?

Less than UGX 50,000,000	MP1	Less than UGX 100,000,000	RP1
Between UGX50,000,000 – 100,000,000	MP2	Between UGX 200,000,001 – 300,000,000	RP2
Between UGX 100,000,001 – 200,000,000	MP3	Between UGX 300,000,001 – 400,000,000	RP3
Above UGX 200,000,000	MP4	Above UGX 400,000,000	RP4
Less than UGX 100,000,000	QP1	Less than UGX 100,000,000	OP1
Between UGX 100,000,001 – 200,000,000	QP2	Between UGX 200,000,001 – 300,000,000	OP2
Between UGX 300,000,001 – 400,000,000	QP3	Between UGX 300,000,001 – 400,000,000	OP3
Above UGX 400,000,000	QP4	Above UGX 400,000,000	OP4

PART 11: BACKGROUND INFORMATION OF THE RESPONDENT

1. Sex: Male: Female:

2. Age: 20-30 years:

31-40 years:

41-50 years:

51-60 years:

60 and above:

3. Level of education; Primary: Secondary: University:

4. Position Held

Principal Procurement Officer: Senior Procurement Officer:

Procurement Officer: Assistant Procurement Officer:

Contracts committee member

5. Have you had any training in procurement/ purchasing management?

Yes:

No:

6. How long have you worked with the organization

Procurement Ethical climate		Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
EI = Egoistic/individual climate.						
EIC1	In this organization, people are mostly out for themselves (EI).	(1)	(2)	(3)	(4)	(5)
EIC2	There is no room for one's own personal morals or ethics in this organization ®	(1)	(2)	(3)	(4)	(5)
EIC3	In this organization, people protect their own interest above other considerations (EI).	(1)	(2)	(3)	(4)	(5)
EIC4	People in this organization are very concerned about what is best for themselves (EI).	(1)	(2)	(3)	(4)	(5)
EC = Egoistic/cosmopolitan climate.						
ECC1	The major responsibility for people in this organization is to consider efficiency first (EC).	(1)	(2)	(3)	(4)	(5)
ECC2	The most efficient way is always the right way, in this organization (EC).	(1)	(2)	(3)	(4)	(5)
ECC3	In this organization, each person is expected, above all, to work efficiently (EC).	(1)	(2)	(3)	(4)	(5)
ECC4	Efficient solutions to problems are always sought here (EC).	(1)	(2)	(3)	(4)	(5)
PL = Principle/local climate.						
PLC1	It is very important to follow strictly the organization's rules and procedures here (PL).	(1)	(2)	(3)	(4)	(5)
PLC2	Successful people in this organization strictly obey the organizational policies (PL).	(1)	(2)	(3)	(4)	(5)
PLC3	Everyone is expected to stick by organizational rules and procedures (PL).	(1)	(2)	(3)	(4)	(5)

	Procurement Ethical climate	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
PLC4	Successful people in this organization go by the book (PL).	(1)	(2)	(3)	(4)	(5)
	PC = Principle/cosmopolitan climate.					
PCC1	The first consideration is whether a decision violates any law (PC).	(1)	(2)	(3)	(4)	(5)
PCC2	People are expected to comply with the law and professional standards over and above other considerations (PC).	(1)	(2)	(3)	(4)	(5)
PCC3	In this organization, the law or ethical code of the profession is the major consideration (PC).	(1)	(2)	(3)	(4)	(5)
PCC4	In this organization, people are expected to strictly follow legal or professional standards (PC).	(1)	(2)	(3)	(4)	(5)
	EL = Egoistic/local climate.					
ELC1	People are expected to do anything to further the organization's interests (EL).	(1)	(2)	(3)	(4)	(5)
ELC2	Work is considered sub-standard only when it hurts the organization's interests (EL).	(1)	(2)	(3)	(4)	(5)
ELC3	People are concerned with the organization's interests – to the exclusion of all else (EL).	(1)	(2)	(3)	(4)	(5)
ELC4	Decisions here are primarily viewed in terms of contribution to profit (EL)	(1)	(2)	(3)	(4)	(5)
	BC = Benevolent/cosmopolitan climate.					
BCC1	It is expected that you will always do what is right for the public (BC).	(1)	(2)	(3)	(4)	(5)
BCC2	People in this organization have a strong sense of responsibility to the outside community (BC).	(1)	(2)	(3)	(4)	(5)
BCC3	It is expected that you will always do what is right for the public (BC).	(1)	(2)	(3)	(4)	(5)
BCC4	People in this organization are actively concerned about the public interest (BC).	(1)	(2)	(3)	(4)	(5)
BCC5	The effects of decisions on the public are a primary concern in this organization (BC).	(1)	(2)	(3)	(4)	(5)
	BI = Benevolent/individual climate.					

	Procurement Ethical climate	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
BIC1	What is best for each individual is a primary concern in this organization (BI).	(1)	(2)	(3)	(4)	(5)
BIC2	It is expected that each individual is cared for when making decisions here (BI).	(1)	(2)	(3)	(4)	(5)
BIC3	In this organization, people look out for each other's good (BI).	(1)	(2)	(3)	(4)	(5)
BIC4	In this organization, our major concern is always what is best for the other person (BI).	(1)	(2)	(3)	(4)	(5)
	PI = Principle/individual climate.					
PIC1	In this organization, people are expected to follow their own personal and moral beliefs (PI).	(1)	(2)	(3)	(4)	(5)
PIC2	Each person in this organization decides for himself what is right and wrong (PI).	(1)	(2)	(3)	(4)	(5)
PIC3	The most important consideration in this organization is each person's sense of right and wrong (PI).	(1)	(2)	(3)	(4)	(5)
PIC4	In this organization, people are guided by their own personal ethics (PI).	(1)	(2)	(3)	(4)	(5)
	BL = Benevolent/local climate.					
BLC1	Our major consideration is what is best for everyone in the organization (BL).	(1)	(2)	(3)	(4)	(5)
BLC2	The most important concern is the good of all the people in the organization (BL).	(1)	(2)	(3)	(4)	(5)
BLC3	People in this organization view team spirit as important (BL).	(1)	(2)	(3)	(4)	(5)
BLC4	People are very concerned about what is generally best for employees in the organization (BL).	(1)	(2)	(3)	(4)	(5)

Ethical culture

		Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
	Ethical culture					
EC1	Management in this organization disciplines unethical behavior when it occurs.	(1)	(2)	(3)	(4)	(5)

		Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
EC2	Employees in this organization perceive that people who violate the professional code of ethics still get formal organizational rewards (R) *.	(1)	(2)	(3)	(4)	(5)
EC3	Penalties for unethical behavior are strictly enforced in this organization	(1)	(2)	(3)	(4)	(5)
EC4	Unethical behavior is punished in this organization	(1)	(2)	(3)	(4)	(5)
EC5	The top managers of this organization represent high ethical standards.	(1)	(2)	(3)	(4)	(5)
EC6	People of integrity are rewarded in this organization	(1)	(2)	(3)	(4)	(5)
EC7	Top managers of this organization regularly show that they care about ethics.	(1)	(2)	(3)	(4)	(5)
EC8	Top managers of this organization are models of unethical behavior (R)	(1)	(2)	(3)	(4)	(5)
EC9	Ethical behavior is the norm in this organization.	(1)	(2)	(3)	(4)	(5)
EC10	Top managers of this organization guide decision making in an ethical direction.	(1)	(2)	(3)	(4)	(5)
EC11	Ethical behavior is rewarded in this organization.	(1)	(2)	(3)	(4)	(5)
EC12	Professional ethics code requirements are consistent with informal organizational norms.	(1)	(2)	(3)	(4)	(5)
EC13	This organization demands obedience to authority figures, without question.	(1)	(2)	(3)	(4)	(5)
EC14	People in this organization are expected to do as they are told.	(1)	(2)	(3)	(4)	(5)
EC15	The boss is always right in this organization.	(1)	(2)	(3)	(4)	(5)

The statements below describe various ways you may act with your customers. For each statement please indicate to what extent you behave that way . . . : 1 = "never" - "always")

	Ethical procurement behavior	1 = "never"	2	3	4	5="always"
ESB1.	If I am not sure a product is right for our organization, I will still	(1)	(2)	(3)	(4)	(5)

	apply pressure to get the supplier to supply it.					
ESB2.	I stretch the truth about the product specifications and performance in order to purchase a product from my preferred supplier	(1)	(2)	(3)	(4)	(5)
ESB3	I lie about the availability of the product in order to procure a product	(1)	(2)	(3)	(4)	(5)

Reward system (scale: percentage of fixed salary in compensation plan. . .)

RE		Daily (1)	Weekly (2)	Monthly (3)	Quarterly (4)	Annually (5)
RE1.	Present pay period	(1)	(2)	(3)	(4)	(5)
RE2.	Last pay period	(1)	(2)	(3)	(4)	(5)

How heavily do you think your manager relies on these kinds of measures in evaluating your performance?

	Subjective Input Evaluation (CS1)	1="doesn't use at all" to	2	3	4	5="uses extensively"
CSI	Attitude	(1)	(2)	(3)	(4)	(5)
CSI	Ability	(1)	(2)	(3)	(4)	(5)
CSI	Effort	(1)	(2)	(3)	(4)	(5)

Whistle blowing

	Awareness of legislative environment	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
ARB1	Aware of statutory duties to whistle-blow	(1)	(2)	(3)	(4)	(5)
ARB2	Aware of legislation to protect whistleblowers	(1)	(2)	(3)	(4)	(5)
ARB3	If I were forced to "blow the whistle", I am confident that current employment legislation would protect me	(1)	(2)	(3)	(4)	(5)
ARB4	If I discovered serious wrongdoing I would pursue the matter until it was fully corrected regardless of whether specific legislative protection existed or not	(1)	(2)	(3)	(4)	(5)

Proportion of employees with direct evidence of wrongdoing

	Wrongdoing type	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)

	Wrongdoing type	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree (5)
WDT 1	Covering up poor performance	(1)	(2)	(3)	(4)	(5)
WDT 2	Bullying of staff	(1)	(2)	(3)	(4)	(5)
WDT 3	Favoritism in selection or promotion	(1)	(2)	(3)	(4)	(5)
WDT 4	Incompetent or negligent decision-making	(1)	(2)	(3)	(4)	(5)
WDT 5	Improper private use of agency facilities/resources	(1)	(2)	(3)	(4)	(5)
WDT 6	Routing overtime or leave provisions	(1)	(2)	(3)	(4)	(5)
WDT 7	Inadequate record keeping	(1)	(2)	(3)	(4)	(5)
WDT 8	Failure to follow correct staff selection procedures	(1)	(2)	(3)	(4)	(5)
WDT 9	Waste of work funds	(1)	(2)	(3)	(4)	(5)
WDT 10	Theft of property	(1)	(2)	(3)	(4)	(5)
WDT 11	Drunk or under influence of illegal drugs at work	(1)	(2)	(3)	(4)	(5)
WDT 12	Use official position for personal services/favors	(1)	(2)	(3)	(4)	(5)
WDT 13	Failure to correct serious mistakes	(1)	(2)	(3)	(4)	(5)
WDT 14	Misuse of confidential information	(1)	(2)	(3)	(4)	(5)
WDT 15	Acting against org. policy, regulations or laws	(1)	(2)	(3)	(4)	(5)
WDT 16	Giving unfair advantage to contractor etc	(1)	(2)	(3)	(4)	(5)
WDT 17	Allowing dangerous or harmful working conditions	(1)	(2)	(3)	(4)	(5)
WDT 18	Sexual harassment	(1)	(2)	(3)	(4)	(5)
WDT 19	Theft of money	(1)	(2)	(3)	(4)	(5)
WDT	Intervening on behalf of friend or relative	(1)	(2)	(3)	(4)	(5)

	Wrongdoing type	Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree
20)			
WDT 21	Downloading pornography on a work computer	(1)	(2)	(3)	(4)	(5)
WDT 22	Racial discrimination against staff member	(1)	(2)	(3)	(4)	(5)
WDT 23	Making false or inflated claims for reimbursement	(1)	(2)	(3)	(4)	(5)
WDT 24	Racial discrimination against member of public	(1)	(2)	(3)	(4)	(5)
WDT 25	Endangering public health or safety	(1)	(2)	(3)	(4)	(5)
WDT 26	Reprisal against whistleblowers	(1)	(2)	(3)	(4)	(5)
WDT 27	Unfair dismissal	(1)	(2)	(3)	(4)	(5)
WDT 28	Negligent purchases or leases	(1)	(2)	(3)	(4)	(5)
WDT 29	Misleading or false reporting of agency activity	(1)	(2)	(3)	(4)	(5)
WDT 30	Stalking (unwanted following or intrusion)	(1)	(2)	(3)	(4)	(5)
WDT 31	Bribes or kickbacks	(1)	(2)	(3)	(4)	(5)
WDT 32	Unlawfully altering or destroying official records	(1)	(2)	(3)	(4)	(5)
WDT 33	Covering up corruption	(1)	(2)	(3)	(4)	(5)
WDT 34	Improper involvement of a family business	(1)	(2)	(3)	(4)	(5)
WDT 35	Producing or using unsafe products	(1)	(2)	(3)	(4)	(5)
WDT 36	Hindering an official investigation	(1)	(2)	(3)	(4)	(5)
WDT 37	Failing to declare financial interest	(1)	(2)	(3)	(4)	(5)
WDT 38	Sexual assault	(1)	(2)	(3)	(4)	(5)

please indicate Wrongdoing considered to be most serious by employees by choosing the most appropriate response for the items in the table below

		Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree
WPE 1	Misconduct for material gain	(1)	(2)	(3)	(4)	(5)
WPE 2	Conflict of interest	(1)	(2)	(3)	(4)	(5)
WPE 3	Improper or unprofessional behavior	(1)	(2)	(3)	(4)	(5)
WPE 4	Defective administration	(1)	(2)	(3)	(4)	(5)
WPE 5	Waste or mismanagement of resources	(1)	(2)	(3)	(4)	(5)
WPE 6	Perverting justice or accountability	(1)	(2)	(3)	(4)	(5)
WPE 7	Personnel & workplace grievances	(1)	(2)	(3)	(4)	(5)
WPE 8	Reprisals against whistleblowers	(1)	(2)	(3)	(4)	(5)

How do reporters of wrongdoing first provide their information? Please tick the most appropriate response in the table below

		Strongly disagree (1)	Disagree (2)	Uncertain (3)	Agree (4)	Strongly Agree
RPI1	I decided to report it, without anyone asking me to do so / employees decide to report wrongdoing, without anyone asking them to do so	(1)	(2)	(3)	(4)	(5)
RPI2	I reported it / employees report it after being asked to provide information about the matter by a supervisor or manager	(1)	(2)	(3)	(4)	(5)
RPI3	I was / employees are approached to assist in an existing investigation into the wrongdoing	(1)	(2)	(3)	(4)	(5)
RPI4	I was / employees are formally directed or compelled to provide information in an official	(1)	(2)	(3)	(4)	(5)

investigation or hearing					
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Please circle the most appropriate response category for wrongdoing in organizations

How did you find out about this activity?	It was directed at me (1)	I was invited to participate in it (2)	I observed it (3)	I came across direct evidence (e.g. documents) – (4)	It was reported to me in my official capacity (5)-
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Position of wrongdoers relative to reporters	Employee (s) below my level (1)	Employee(s) at my level – (2)	My immediate supervisor(s) (3)	High-level manager(s) (4)	Outside contractor/vendor(s) – (5)
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Please answer the following questions about the justice perception of supplier in term of how it really is in the particular purchase in PDE's. Kindly tick the number which best represents your answer.

		(1) Strongly disagree	(2) Disagree	(3) Neither agree nor disagree	(4) Agree	(5) Strongly agree
PJ1	All bidders have the same chance of being pre qualified by procurement and disposing entities (PDE's).	(1)	(2)	(3)	(4)	(5)
PJ2	The pre qualification procedures are applied consistently to all bidders by PDE's.	(1)	(2)	(3)	(4)	(5)
PJ3	Pre qualification procedures used by PDE's are based on accurate information.	(1)	(2)	(3)	(4)	(5)
PJ4	In developing the shortlist for a procurement requirement of single source the PDE's uses the authority register.	(1)	(2)	(3)	(4)	(5)
PJ5	In developing the short listing or single source the PDE's uses their own knowledge of the prevailing market to facilitate the preparation.	(1)	(2)	(3)	(4)	(5)
PJ6	The pre qualification notice which is used by PDE's to invite all bidders is often published to at least in one publication of wide circulation.	(1)	(2)	(3)	(4)	(5)

PJ7	The information required by PDE's during the pre qualification encourages us to submit our expression of interest.	(1)	(2)	(3)	(4)	(5)
PJ8	The pre qualification in PDE's is based on the capabilities and resources of bidders.	(1)	(2)	(3)	(4)	(5)
PJ9	The prequalification notice that is provided by PDE's carries all the necessary information to bidders.	(1)	(2)	(3)	(4)	(5)
PJ10	Sometimes we lodge appeals to the PDE's due to unfairness resulted by pre qualification procedure.	(1)	(2)	(3)	(4)	(5)
PJ11	The prequalification procedure that is used by PDE's upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ12	We have a stake in the preparation of procurement specification for PDE's.	(1)	(2)	(3)	(4)	(5)
PJ13	The technical specification provided by PDE's clearly defines the scope, purpose and objective of the proposed procurement of supplies.	(1)	(2)	(3)	(4)	(5)
PJ14	No specification is issued by PDE's with reference to a particular trade mark, brand name, patent, type, specific origin, manufacturer, catalogue or number of item.	(1)	(2)	(3)	(4)	(5)
PJ15	The term of references used for procurement of service by PDE's reflect the objectives and requirement of the assignment.	(1)	(2)	(3)	(4)	(5)
PJ16	The term of references used for procurement of service by PDE's provides clear and sufficient information to enable bidders to prepare proposal that are realistic and competitive that meet the PDE's needs.	(1)	(2)	(3)	(4)	(5)
PJ17	The period for the assignment and expected completion of the procurement of works which is defined by PDE's in term of references enables bidders to accomplish the assignment within the prescribed time.	(1)	(2)	(3)	(4)	(5)
PJ18	The statement for requirement of procurement of works which is prepared by PDE's present clear statement of the required standards of workmanship, material and performance of the related supplies and services to enable bidders to understand the type and complexity of the work involved.	(1)	(2)	(3)	(4)	(5)
PJ19	The specifications developed by PDE's require all goods and material to be new and should	(1)	(2)	(3)	(4)	(5)

	incorporate all recent improvement and design.					
PJ20	The list of specification and drawings which is inserted in the statement of requirement by PDE's form part of any resulting contract.	(1)	(2)	(3)	(4)	(5)
PJ21	Sometimes we lodge appeals to the PDE's due to unfairness resulted by specification.	(1)	(2)	(3)	(4)	(5)
PJ22	In PDE's the specification that is used upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ23	The PDE's issues the standard solicitation document to all bidders according to the type of procurement purchase.	(1)	(2)	(3)	(4)	(5)
PJ24	In drafting the solicitation document, the PDE's change the instruction to bidder, general terms and condition stated in the standard document.	(1)	(2)	(3)	(4)	(5)
PJ25	The PDE's statement of requirements defines precisely the requirements in a manner that leaves no doubt to all bidders.	(1)	(2)	(3)	(4)	(5)
PJ26	The basis of the prices and cost required by PDE's are adequately defined so that they can be meaningfully compared to represent the full cost of the procurement requirement.	(1)	(2)	(3)	(4)	(5)
PJ27	Sometimes we lodge appeals to the PDE's due to unfairness resulted by instruction provided in the solicitation document.	(1)	(2)	(3)	(4)	(5)
PJ28	In PDE's the preparation of solicitation document upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ29	The bidding procedures used by PDE's are applied consistently to all bidders.	(1)	(2)	(3)	(4)	(5)
PJ30	The bidding procedures used by PDE's are based in accurate information.	(1)	(2)	(3)	(4)	(5)
PJ31	The method for selecting bidders used by PDE's is in accordance to the estimated value of the procurement.	(1)	(2)	(3)	(4)	(5)
PJ32	The PDE's at least publish a bid notice in at least one newspaper which is widely circulated to prospective bidders to ensure effective competition.	(1)	(2)	(3)	(4)	(5)
PJ33	In single sourcing the PDE's uses their own list of pre qualified bidders or authority register of bidders.	(1)	(2)	(3)	(4)	(5)
PJ34	In PDE's there is a rotation of different bidders on the successive shortlist.	(1)	(2)	(3)	(4)	(5)

PJ35	The short listed pre qualified bidders in PDE's fully satisfy the eligibility of requirements of competence, capacity, resources and experience required.	(1)	(2)	(3)	(4)	(5)
PJ36	The solicitation information to bidders is displayed on the PDE's notice board by PDE's not later than the date of issue of the invitation and remains on display until after the closing date for submission of bids.	(1)	(2)	(3)	(4)	(5)
PJ37	The advertising period provided by PDE's gives potential bidders sufficient time to respond to a bid notice and obtain solicitation document from the PDE's prior to commencement of the bidding period.	(1)	(2)	(3)	(4)	(5)
PJ38	The PDE's sell the solicitation document to bidders who request the document only.	(1)	(2)	(3)	(4)	(5)
PJ39	We are allowed to inspect the solicitation document prior to purchase and the PDE's provide proof of a signed receipt or confirmation of the documents to the bidder to whom bought the bid.	(1)	(2)	(3)	(4)	(5)
PJ40	In case a bidder seek clarification of the solicitation document, the PDE's promptly provide a clarification including description of the enquiry in writing and the response is copied to all bidders obtained the bid document from the PDE.	(1)	(2)	(3)	(4)	(5)
PJ41	The bidder's initiative commonly causes the PDE's to change the solicitation document by issuing addendum.	(1)	(2)	(3)	(4)	(5)
PJ42	In PDE's the pre bid meeting is done in every procurement activities in order to allow potential bidders purchased the bid document to seek clarification or access the project sites where applicable.	(1)	(2)	(3)	(4)	(5)
PJ43	In PDE's the potential bidders are normally given sufficient notice of a pre bid meeting in order to enable them to take any additional information into account in preparing the bid.	(1)	(2)	(3)	(4)	(5)
PJ44	In PDE's after the pre bid meeting the copies of the minutes recorded is provided to all bidders who purchased or issued with the bidding document.	(1)	(2)	(3)	(4)	(5)
PJ45	In PDE's the bid document normally contain clear instruction to bidders on the format and document	(1)	(2)	(3)	(4)	(5)

	required in bidding.					
PJ46	In PDE's the bid validity period provide sufficient time for bidder to challenge the award decision before a contract is formed.	(1)	(2)	(3)	(4)	(5)
PJ47	In PDE's the bid security is released promptly to unsuccessfully bidder upon expiry of the term of the security or upon the formation of contract with the successful bidder.	(1)	(2)	(3)	(4)	(5)
PJ48	In PDE's the proposed release of a bid security is communicated to the bidder after a corresponding performance security received from successful bidder.	(1)	(2)	(3)	(4)	(5)
PJ49	In PDE's the solicitation document clearly provide instruction to bidders on the procedure for signing and authorizing bids.	(1)	(2)	(3)	(4)	(5)
PJ50	In PDE's the bid document clearly provide the instruction to bidders on the number of copies of bids to be submitted and its respective mark.	(1)	(2)	(3)	(4)	(5)
PJ51	In PDE's the bid document provide a clear instruction to bidders on the method of bid submission to be used in bid opening.	(1)	(2)	(3)	(4)	(5)
PJ52	In PDE's the bid document clearly provide instruction to bidder who wishes to withdraw, resubmit or modify his or her bids before the deadline for submission of bids.	(1)	(2)	(3)	(4)	(5)
PJ53	In PDE's the process of signing receipt of bid received, stating the date and time received of bid is managed properly by officer before the deadline of bid submission.	(1)	(2)	(3)	(4)	(5)
PJ54	In PDE's the solicitation document provide clear instruction to bidders on the date, time and location of the bid opening.	(1)	(2)	(3)	(4)	(5)
PJ55	In PDE's the bidding is closed at the time and date prescribed in the advert and bids that arrive at the location of submission after the deadline for submission are not accepted.	(1)	(2)	(3)	(4)	(5)
PJ56	In PDE's the solicitation document provide a clear instruction to bidder on the information to be read out and recorded in the bid opening.	(1)	(2)	(3)	(4)	(5)
PJ57	In PDE's the public bid opening is conducted in full view of bidders' representative.	(1)	(2)	(3)	(4)	(5)
PJ58	Sometimes we lodge appeals to the PDE's due to unfairness resulted by bidding process.	(1)	(2)	(3)	(4)	(5)

PJ59	In PDE's the bidding procedure upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ60	In PDE's the bid evaluation is conducted in accordance with the methodology and criteria stated in the bid document consistently to all bidders.	(1)	(2)	(3)	(4)	(5)
PJ61	In PDE's the bidding evaluation procedures are based in accurate information.	(1)	(2)	(3)	(4)	(5)
PJ62	In PDE's the choice of evaluation method criteria is determined by the type, value and complexity of the procurement and disposal.	(1)	(2)	(3)	(4)	(5)
PJ63	In PDE's the choice of bid evaluation is conducted in three sequential stages such as preliminary examination, commercial and technical responsiveness and financial comparison.	(1)	(2)	(3)	(4)	(5)
PJ64	In PDE's only bidders that are eligible, administrative complaint to the basic instruction and requirement of the solicitation document are considered further for technical and commercial detailed evaluation.	(1)	(2)	(3)	(4)	(5)
PJ65	Only bidder that are substantially responsive commercially and technically are considered for detailed evaluation of financial comparison by PDE's.	(1)	(2)	(3)	(4)	(5)
PJ66	The negotiation with the best evaluated bidder in resolving the difference is done before the award contract is made by PDE's.	(1)	(2)	(3)	(4)	(5)
PJ67	In order to ascertain the bidders capabilities and resources to carry out the performance contract the PDE's normally undertake the post qualification of the best evaluated bidder.	(1)	(2)	(3)	(4)	(5)
PJ68	The independent reference from bidders and the result of reference checks is used by PDE's to determine the award of contract.	(1)	(2)	(3)	(4)	(5)
PJ69	Sometimes we lodge appeals to the PDE's due to unfairness resulted by bid evaluation.	(1)	(2)	(3)	(4)	(5)
PJ70	In PDE's the bid evaluation upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ71	In PDE's a notice of best evaluated bidder is displayed within five days after the decision of the contract committee to award contract is made.	(1)	(2)	(3)	(4)	(5)
PJ72	In PDE's the award of contract is done after elapse of the period of the notice of best	(1)	(2)	(3)	(4)	(5)

	evaluated bidder and confirmation that there is no administrative review lodged.					
PJ73	After the award of contract to the successful bidder is done, the unsuccessful bidders are notified of the award and their bids are rejected by PDE.	(1)	(2)	(3)	(4)	(5)
PJ74	The contract is signed to the successful bidder by PDE's after the accounting officer or an officer with delegated authority confirm in writing that a required fund have been committed for the proposed contract.	(1)	(2)	(3)	(4)	(5)
PJ75	Sometimes we lodge appeals to the PDE's due to unfairness resulted by procedure used for awarding the contract.	(1)	(2)	(3)	(4)	(5)
PJ76	In PDE's the procedure used to award contract upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ77	We agree on contract pricing and payment structure with PDE's and thereafter it is comprehensively defined in the contract.	(1)	(2)	(3)	(4)	(5)
PJ78	The performance or delivery obligation is done accordingly by PDE's in accordance with the terms and condition specified in the contract.	(1)	(2)	(3)	(4)	(5)
PJ79	All payment and other obligation are done by PDE's in accordance with the terms and condition specified in the contract.	(1)	(2)	(3)	(4)	(5)
PJ80	All the contract obligations are completed prior to the closure of the contract file by PDE's.	(1)	(2)	(3)	(4)	(5)
PJ81	Sometimes we lodge appeals to the PDE's due to unfairness resulted by contract management.	(1)	(2)	(3)	(4)	(5)
PJ82	In PDE's the contract management procedure upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
PJ83	There are staffs with appropriate skill and experience in PDE's to manage bidders to meet their required performance and delivery obligation in time.	(1)	(2)	(3)	(4)	(5)
PJ84	In PDE's the post evaluation of contract is done based on completion of all contract obligation,	(1)	(2)	(3)	(4)	(5)
PJ85	We are given feedback of our contract performance by PDE's.	(1)	(2)	(3)	(4)	(5)
PJ86	Sometimes we lodge appeals to the PDE's due to unfairness resulted by contract performance evaluation.	(1)	(2)	(3)	(4)	(5)

PJ87	In PDE's the contract performance evaluation procedure upheld ethical and moral standard.	(1)	(2)	(3)	(4)	(5)
DJ1	In this organization the best PDE's is justified by it is ability of processing payment within the payment period specified in contract.	(1)	(2)	(3)	(4)	(5)
DJ2	We meet the procurement specification provided by PDE's.	(1)	(2)	(3)	(4)	(5)
DJ3	The cost or value of the procured items used by bidders always reflects the actual situation of the prevailing market in order to meet the demand required by PDE's.	(1)	(2)	(3)	(4)	(5)
DJ4	We are satisfied with the bidding process used by PDE's.	(1)	(2)	(3)	(4)	(5)
DJ5	We are satisfied with the evaluation methodology criteria which are used by PDE's to get best bidder.	(1)	(2)	(3)	(4)	(5)
DJ6	We are satisfied with how award of contract is communicated by PDE's to best evaluated bidder.	(1)	(2)	(3)	(4)	(5)
DJ7	The contract pricing and payment is appropriate with the quality of work that we complete and submit to the PDE's.	(1)	(2)	(3)	(4)	(5)
DJ8	The contract performance evaluation reflect the effort that supplier has put in the procurement purchase.	(1)	(2)	(3)	(4)	(5)
ITJ1	In this organization PDE's are treated in a polite manner.	(1)	(2)	(3)	(4)	(5)
ITJ2	In this organization PDE's are treated with dignity.	(1)	(2)	(3)	(4)	(5)
ITJ3	In this organization PDE's are treated with respect.	(1)	(2)	(3)	(4)	(5)
ITJ4	In this organization improper remarks or comments are repeated regularly.	(1)	(2)	(3)	(4)	(5)
IFJ1	In this organization the document used for bidding is tailored to specific need of procurement purchase for each PDE's.	(1)	(2)	(3)	(4)	(5)
IFJ2	In this organization PDE's are involved in the preparation of procurement specification.	(1)	(2)	(3)	(4)	(5)
IFJ3	In this organization the document used for bidding provides clear information to PDE's.	(1)	(2)	(3)	(4)	(5)

IFJ4	In this organization PDE's are allowed to inspect and verify our document prior to acceptance and similarly the organization provide prompt clarification when needed.	(1)	(2)	(3)	(4)	(5)
IFJ5	In this organization the performance of the contract is based on accurate information indicated in the solicitation document.	(1)	(2)	(3)	(4)	(5)
IFJ6	In this organization the delivery of procurement items is done in time to PDE's.	(1)	(2)	(3)	(4)	(5)
IFJ7	In this organization PDE's submit all required documentation in accordance with the terms and condition of the contract.	(1)	(2)	(3)	(4)	(5)
IFJ8	In this organization PDE's are given feedback of the contract performance progress.	(1)	(2)	(3)	(4)	(5)

The Legitimacy of the law enforcement agency constructs. Please indicate the degree to which respondents felt an obligation to obey the public procurement authority (PPDA), law and regulations; felt trust and confidence in PPDA, law and regulations.

		Strongly disagree (1)	Disagree (2)	Neither agree (3)	Agree (4)	Strongly agree (5)
Leg1	The public procurement law enforcement agents are legitimate authorities and we should obey their decisions;	(1)	(2)	(3)	(4)	(5)
Leg2	we should accept the decisions made by the procurement law enforcement agents, even when we disagree with them;	(1)	(2)	(3)	(4)	(5)
Leg3	it is our duty to obey all procurement law enforcement agents, even when we do not like the way they treat us;	(1)	(2)	(3)	(4)	(5)
Leg4	we trust these procurement law enforcement agents to make decisions that are good for everyone when they are investigating and prosecuting procurement related corruption;	(1)	(2)	(3)	(4)	(5)
Leg5	there are times when it is ok for us to ignore what the procurement law enforcement agents tell us to do;	(1)	(2)	(3)	(4)	(5)
Leg6	it is all right to go against the procurement law and regulations if we think it is wrong;	(1)	(2)	(3)	(4)	(5)
Leg7	Sometimes we have to bend the procurement law and regulations to get things to come out right.	(1)	(2)	(3)	(4)	(5)

		Strongly disagree (1)	Disagree (2)	Neither agree	Agree (4)	Strongly agree

Compliance with the Public Procurement Law

		Strongly disagree (1)	Disagree (2)	Neither agree	Agree (4)	Strongly agree
Cpl1	The Contracts Committee is in place & performing its roles.	(1)	(2)	(3)	(4)	(5)
Cpl2	Procurement & Disposal Unit, is staffed to perform its roles	(1)	(2)	(3)	(4)	(5)
Cpl3	Procurement & Disposal Unit is facilitated to perform its functions	(1)	(2)	(3)	(4)	(5)
Cpl4	Procurement & Disposal Unit is performing its roles	(1)	(2)	(3)	(4)	(5)
Cpl5	Standard public procurement forms are filled in the PDE	(1)	(2)	(3)	(4)	(5)
Cpl6	Standard Bidding Documents are used in this PDE	(1)	(2)	(3)	(4)	(5)
Cpl7	In this PDE there is a Procurement Office and facilities	(1)	(2)	(3)	(4)	(5)
Cpl8	Procurement and disposal files for all contracts awarded are available and safely kept	(1)	(2)	(3)	(4)	(5)
Cpl9	In this PDE, Public procurement Reference numbers are used in the right format recommended by the PPDA.	(1)	(2)	(3)	(4)	(5)
Cpl10	Public procurement reference numbers which are used in this PDE are in the right format recommended by the PPDA.	(1)	(2)	(3)	(4)	(5)
Cpl11	In this PDE, departmental procurement plans are in existence	(1)	(2)	(3)	(4)	(5)
Cpl12	In this PDE, the Master Procurement plan is in existence.	(1)	(2)	(3)	(4)	(5)
Cpl13	In this PDE, Micro-procurements records are being kept	(1)	(2)	(3)	(4)	(5)
Cpl14	In this PDE, Monthly procurement reports are made	(1)	(2)	(3)	(4)	(5)

		Strongly disagree (1)	Disagree (2)	Neither agree (3)	Agree (4)	Strongly agree (5)
Cpl15	In these PDEs, Monthly procurement reports are submitted to the Public Procurement and Disposal of Public Assets Authority.	(1)	(2)	(3)	(4)	(5)
CPL16	In this PDE, Delegation of any procurement activity and/or function is in writing.	(1)	(2)	(3)	(4)	(5)
CPL17	In these PDEs, A copy of the Act, Regulations and Guidelines is available.	(1)	(2)	(3)	(4)	(5)
CPL18	In this PDE a list of pre-qualified Providers' is available.	(1)	(2)	(3)	(4)	(5)
Cpl19	A list of prequalified service providers is reviewed after 3 years.	(1)	(2)	(3)	(4)	(5)
CPL20	In this PDE, procurement Methods are approved by contracts committee.	(1)	(2)	(3)	(4)	(5)
Cpl21	In this PDE, procurement thresholds are adhered to.	(1)	(2)	(3)	(4)	(5)
CPL22	The PDE has Notice board and it is being utilized.	(1)	(2)	(3)	(4)	(5)
CPL23	Independence of roles and responsibilities of all persons involved in the procurement process is being upheld.	(1)	(2)	(3)	(4)	(5)
CPL24	This PDE has a procurement ethical code of conduct as stipulated in the PPDA regulations and guidelines for both the staff & providers.	(1)	(2)	(3)	(4)	(5)
CPL25	This PDE procurement ethical code of conduct stipulated in the PPDA regulations and guidelines for both the staff & providers is adhered to.	(1)	(2)	(3)	(4)	(5)