



KIBABII UNIVERSITY COLLEGE
(A Constituent College of Masinde Muliro University of Science and Technology)

Corruption Prevention Policy

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Mandate of Kibabii University College

As established in the Legal Notice No. 115 of August, 2011, the Mandate of Kibabii University College is as follows:

- i. The University College shall engage in the discovery of new knowledge and skills for addressing the scientific, socio-economic and technological concerns nationally, regionally and internationally.
- ii. To produce graduates equipped with new knowledge, skills, attitudes and values critical to the posterity of human beings and society.
- iii. To undertake research innovation and extension aimed at generating new knowledge, skills and strategies that shall drive sustainable development and wealth creation for the benefit of the community.
- iv. To establish and maintain infrastructure and services
- v. To advance the intellectual and human resource capacity through training and team-building.
- vi. To Publicize University College programmes, activities and promote its public image.
- vii. To practice prudent financial management.

Philosophy

Kibabii University College embodies the view that Science, Technology and Innovation are critical for sustainable utilization of material and human resources for the posterity of the universe.

Vision

To be a global and dynamic University of excellence in Science, Technology and Innovation.

Mission

To achieve excellence in generation, transmission and enhancement of new knowledge in Science, Technology and Innovation through quality Teaching, Research, Training, Scholarship, Consultancy and Outreach programmes.

Motto

Knowledge for Development

Values

- i. Productivity
- ii. Professionalism
- iii. Excellence
- iv. Accountability
- v. Transparency
- vi. Equity
- vii. Integrity
- viii. Academic freedom
- ix. Social responsibility
- x. Innovation

DEFINITION OF TERMS

Corrupt conduct

Corrupt conduct occurs where:

Any person adversely affects the honest and impartial exercise of official functions (e.g. offer, provision or acceptance of a bribe to/by a KIBUCO staff member), or where:

A KIBUCO staff member:

- i. is dishonest or partial in the exercise of official functions (for example by improperly awarding a benefit to a relative or friend); or
- ii. breaches public trust (for example by using KIBUCO assets for private purposes without proper authority to do so); or
- iii. misuses information or material for personal gain or gain by another person (for example by improperly releasing personnel details or examination questions); and
- iv. The matter is sufficiently serious to constitute a criminal or disciplinary offence.

Corruption Prevention

Corruption prevention includes all organizational features designed to resist or limit fraud and corrupt conduct. These features include accountability, effective and efficient administration. Corruption prevention focuses on improving systems and procedures, changing the attitudes of staff and improving the overall integrity and performance of the organization. It involves management commitment, staff commitment, resources and networking.

Fraud

Fraud is the use of KIBUCO to obtain unfair advantage to the detriment of others. It may involve money, equipment or academic standing.

Fraud and Corruption Risk Assessment

Fraud and Corruption risk assessment is the overall process of fraud and corruption risk identification, analysis, evaluation and treatment.

Internal Control

Internal control is defined as a process that provides reasonable assurance of the achievement of the following:

- i. Effectiveness and efficiency of operations including business objectives and safeguarding of resources.
- ii. Reliability of financial reporting including operating information.
- iii. Compliance with applicable laws, regulations, policies and procedures.

Maladministration

Maladministration is defined as conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive, improperly discriminatory and based wholly or partly on improper motives.

Risk Management

Risk management is the culture, processes and structures that are directed towards realizing potential opportunities while managing adverse effects.

Serious and substantial waste refers to the uneconomical, inefficient or ineffective use of KIBUCO resources, authorized or unauthorized, which results in significant loss or wastage of the University College funds or resources.

CORRUPTION PREVENTION POLICY

1.1 Introduction

The KIBUCO Corruption Prevention Policy has been developed under the auspices of Kibabii University College to govern corruption prevention, detection and response in the University College.

Through the Corruption Prevention Policy, the University College stands to benefit in fighting the vice by receiving the complaints from the stakeholders regarding procurement, recruitment, research, accommodation, estates, catering and the entire academic process.

The drafting of this policy is an attempt to minimize and ultimately eradicate corruption within Kibabii University College.

1.2 Guiding Principles

The University College undertakes to abide by the following principles:

- i. Acceptance of corruption as a workplace challenge: Corruption starts with every individual in the University College and it is, therefore, the responsibility of each individual to fight it.
- ii. Respect for democratic principles of equality and equity
- iii. Respect for human and people's rights in accordance with Universal Human Rights and other relevant human rights instruments.
- iv. Transparency and accountability in the management of public affairs and service delivery
- v. Promotion of social justice
- vi. Condemnation and rejection of corruption, related offences and impunity.

1.3 Responsibility Structures

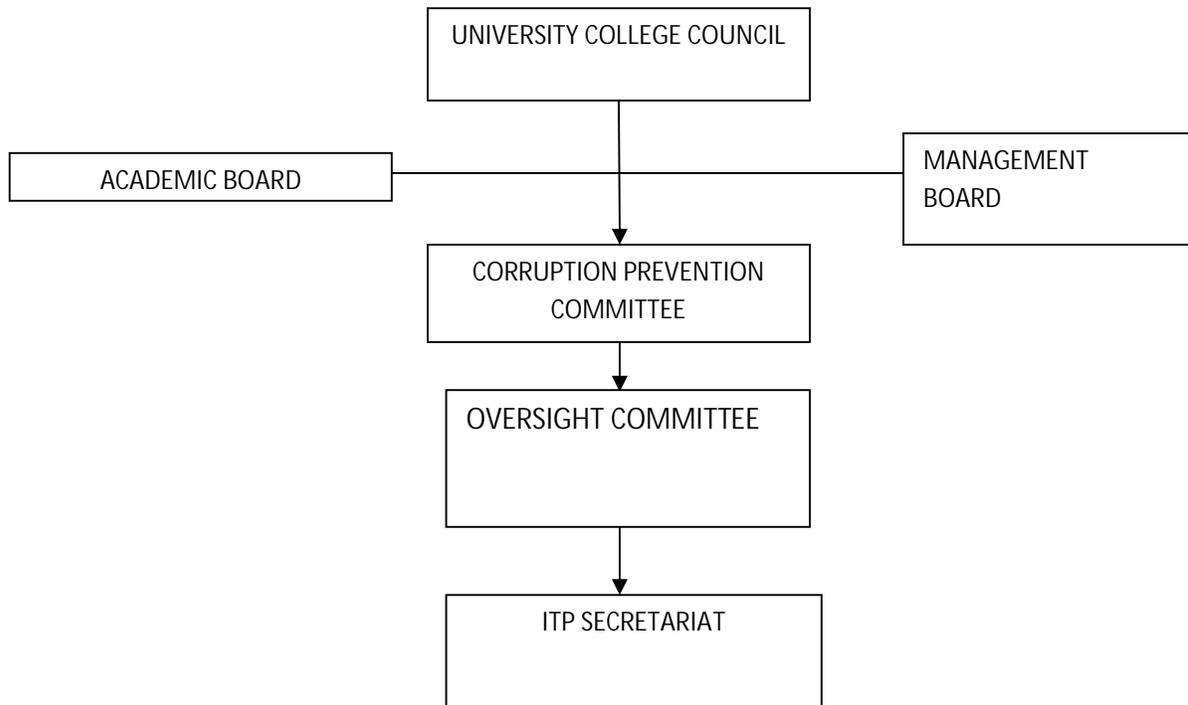
The KIBUCO **Corruption Prevention Committee** shall be responsible for ensuring the currency of the policy and procedures on corruption prevention. It shall provide advice to the Principal on the effectiveness of the policy and strategy. A corruption control management plan shall be

prepared annually by the **Corruption Prevention Committee** and shall outline actions in implementing and monitoring fraud and corruption prevention, detection and response initiatives.

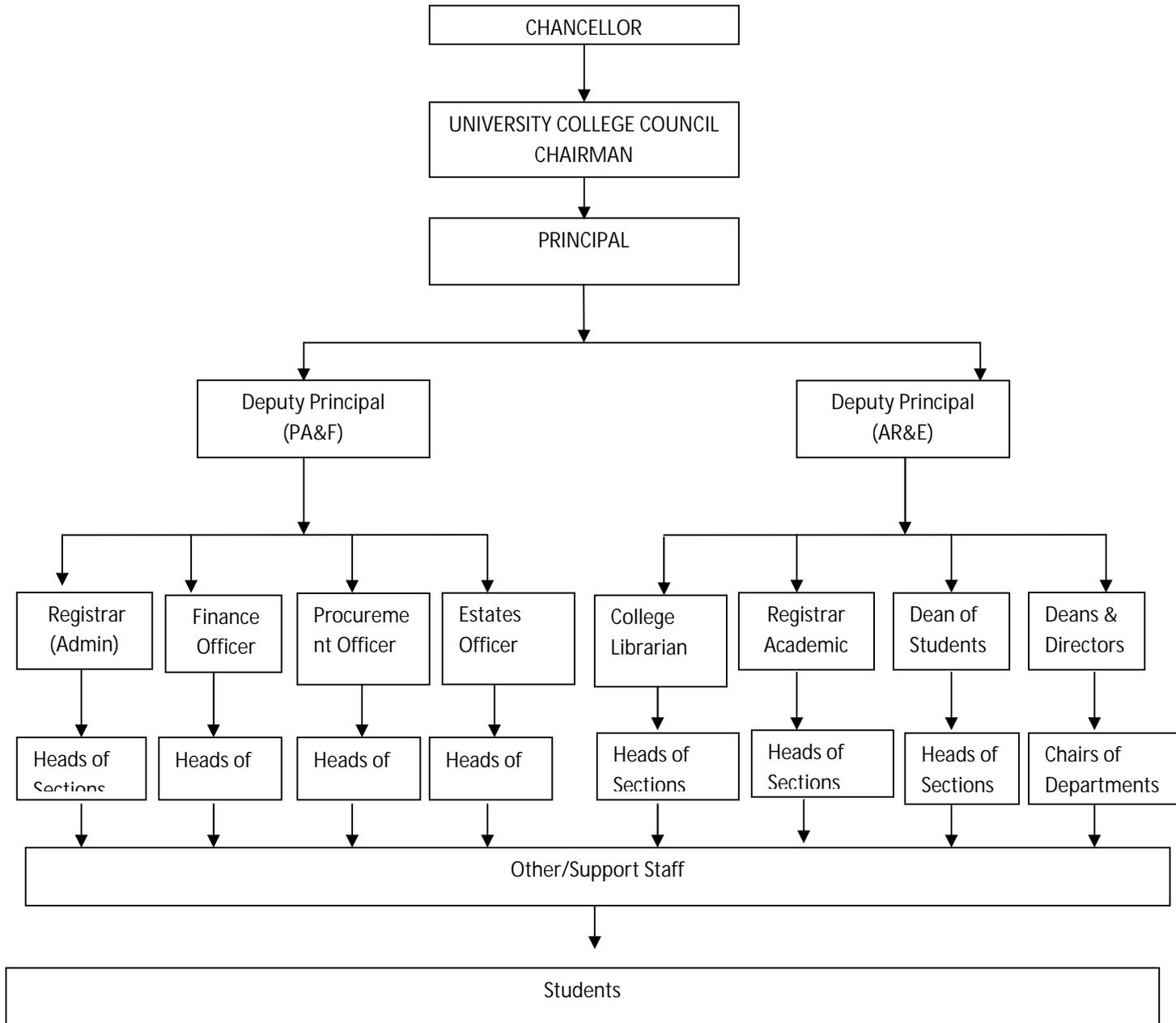
All staff and other stakeholders of the University College have a role in corruption prevention. There are some positions, groups and committees (listed below) with specific responsibilities that are outlined in sections 1 to 4:

- i. KIBUCO **Corruption Prevention Committee**
- ii. Oversight Committee
- iii. KIBUCO Audit Committee of the University College Council
- iv. Internal Audit Department
- v. Administration and Human Resource Department
- vi. Nominated Disclosure Officers
- vii. Deans, Chairpersons and Heads of departments
- viii. All staff, including staff on casual terms.
- ix. All external stakeholders

Kibabii University College Corruption Prevention Organogram



Kibabii University College Corruption Prevention Management Structure



2. PREVENTION

2.1 Corruption Risk Assessment

Corruption can occur whenever a person supplies or has access to resources or information or has responsibility for KIBUCO decision making. Since this describes almost any workplace activity, all activities should be designed with an awareness of the corruption risks which arise in the activity and the management controls that can reduce the risk to an acceptable level. Additional resources useful in the identification of corruption risks and controls include:

- ISO 31000:2009 Risk Management – Principles and Guidelines
- *KIBUCO Code of Conduct and Code of conduct for public Universities*

2.2 Employee Awareness

All staff of the University College has a responsibility to contribute to eliminating fraud and corruption. In particular, staff who have the responsibilities for resources, decision making or information need to be aware of the behaviours that could result in actual or perceived fraud and corrupt conduct.

All staff, including students of the University College can develop an understanding through:

- i. Provision of information on KIBUCO corruption prevention relating to fraud and corruption risks and controls
- ii. Ongoing awareness of the relevant conduct standards that have been issued by KIBUCO, including the *KIBUCO Code of Conduct*
- iii. Participation in fraud and corruption awareness and ethics training conducted by the Audit Directorate
- iv. Participation in ethics surveys of all staff conducted by the Audit Directorate; and
- v. Use of *KIBUCO Corruption Risk Guide* to assist in identifying the fraud and corruption risks inherent in work activities and the controls to address them
- vi. Involvement of staff in risk assessment activities including those conducted in conjunction with the Internal Audit Department
- vii. Inclusion of questions on ethical issues and ethical practice in staff selection interviews;

- viii. Reference to the Fraud and Corruption Prevention Policy and Control Procedures in staff induction resources
- ix. Inclusion of fraud and corruption prevention strategies in performance agreements where applicable.

2.3 Customer, Community and Supplier Awareness

The University College shall:

- i) Educate customers, suppliers and the community about acceptable standards of behaviour expected of KIBUCO staff.
- ii) Promote understanding through training and the inclusion of corruption prevention information in newsletters, letters, invoices, contracts, tenders and on KIBUCO internet and intranet sites.

The standards of behaviour expected by KIBUCO in business relationships with external parties are outlined in the *KIBUCO Code of Conduct and Code of Conduct for Public Universities*.

3. DETECTION

3.1 Internal Notification Systems

The notification shall be conducted in accordance to the *KIBUCO Complaints Handling Policy*, the *KIBUCO Complaints Handling Guidelines* and the *KIBUCO Protected Disclosures – Internal Reporting Procedures*.

Heads of Departments and senior officers must ensure that all cases of suspected corrupt conduct are reported to the Corruption Prevention committee. Heads of Departments, Deputy Principals and Principal are to ensure that all cases of suspected corrupt conduct and allegations against KIBUCO staff, including students are reported and documented.

Staff and students, can write anonymous reports to the Chairman, Corruption Prevention Committee. Alternatively they can use the *KIBUCO Reporting Form that can be downloaded from the website, filled and submitted*.

The fraud and Corruption Prevention committee shall maintain a confidential database of all complaints and allegations received.

3.1.1 Protected Disclosures

The legislative requirements for protecting staff and students, who make disclosures of suspected fraud, corrupt conduct, maladministration and serious and substantial waste, will be protected in accordance to the Kenya *Public Interest Disclosures Act, 1994* and the KIBUCO Protected Disclosures – Internal Reporting Policy.

Nominated Disclosure Officers must forward notifications to the Corruption Prevention Committee who shall act on disclosures made to them in accordance with the policy.

The Corruption Prevention Committee shall maintain policy documents and provide information kits and training for Nominated Disclosure Officers on appointment and/or request.

The Corruption Prevention Committee shall manage the Complainant and Witness Support Program for staff, students and other stakeholders, involved in making protected disclosures.

3.2 External Notification Systems

KIBUCO shall notify Kenya Police or Anti- Corruption Commission in serious fraud and corruption which cannot be dealt within the internal mechanism.

3.3 Detection Systems

3.3.1 The oversight Committee shall use data mining tools to detect fraudulent transactions and corrupt behaviour.

3.3.2 KIBUCO Management shall be responsible for implementing control mechanisms that minimize the risk of fraudulent transactions and corrupt behaviour.

3.3.3 Regular monitoring and checks of medium and high risk operations shall be undertaken by the oversight and the Complaints Handling Committees to detect anomalies.

4. RESPONSE

4.1 Investigation Systems

Alleged or suspected corrupt conduct shall be investigated by the investigations section in Security Department or other appropriate KIBUCO staff, or referred to the appropriate external agency for investigation. Where appropriate, investigations Section can make recommendations for improvements to policies, procedures and systems within KIBUCO.

The Corruption Prevention Committee shall maintain a confidential database of all suspected fraud and corrupt conduct. Information about investigation outcomes are provided to the KIBUCO Executive and the Audit and Risk Committee.

The Corruption Prevention Committee shall maintain documentation of investigation standards and oversee their application.

Notification to external agencies takes place as required in light of legal and policy requirements as detailed in section 3.2 above. If alleged corrupt conduct involves criminal activity it will be referred to the relevant police. If alleged corrupt conduct is investigated by the Chairperson, Corruption Prevention Committee, or another external agency, then their investigation standards will apply.

4.2 Conduct and Disciplinary Systems

4.2.1 Conduct Standards

The Corruption Prevention Policy shall operate in accordance to the conduct standard for KIBUCO employees which is contained in the KIBUCO *Code of Conduct*, maintained by the Administration and Human Resource Department.

Other legislation and KIBUCO policy documents that set out conduct standards in areas that have high risk of corrupt conduct include:

1. Anti-corruption and Economic Crimes Act (ACECA) 2003
2. Employment Act 2007 Cap. 226
3. EACC Act No. 22 of 2011

4. Public Officer Ethics Act 2003
5. Public Procurement and Disposal Act 2005
6. Public Procurement and Disposal Regulations 2006
7. Public Service Integrity Program (PSIP) Manual, Revised 2nd Edition of 2009
8. The National Anti-corruption Plan Implementation Progress Report 2007/2008

5.0 IMPLEMENTATION RESPONSIBILITY

Implementation of this policy shall be vested on the Corruption Prevention Committee.

6.0 Amendments of the Policy

Amendments to this Policy shall be made by the Corruption and Corruption Prevention Committee from time to time in response to the changes in the relevant law and University

References

Anti-corruption and Economic Crimes Act (ACECA), 2003

Employment Act, 2007 Cap. 226

EACC Act No. 22 of 2011

Public Officer Ethics Act, 2003

Masinde Muliro University of Science and Technology (MMUST) Corruption Prevention Policy

Public Procurement and Disposal Act, 2005

Public Procurement and Disposal Regulations, 2006

Public Service Integrity Programme (PSIP) Manual, Revised 2nd Edition of 2009

The National Anti-corruption Plan Implementation Progress Report 2007/2008