



KISII UNIVERSITY

CODE OF CONDUCT AND ETHICS

KISII UNIVERSITY IS ISO 9001:2008 CERTIFIED



KISII UNIVERSITY CODE OF CONDUCT AND ETHICS

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PREPARED BY:

KISII UNIVERSITY

CORRUPTION PREVENTION COMMITTEE

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PREFACE

The Code of Conduct and Ethics for Kisii University aims at aligning the ethos of all members of staff to the institutional core values of professionalism, teamwork, accountability, responsiveness and integrity.

It is my strong belief that in accomplishing our organizational mission and objectives, employees shall be motivated by a shared vision of being a world-class university in the advancement of academic excellence, research and social welfare. This ultimately calls for each one of us to ensure efficiency and effectiveness in all aspects of service delivery.

I therefore urge you to read the Code and follow both its spirit and letter so as not to bring the University into disrepute. Let us always bear in mind that each of us has an individual responsibility to internalize and incorporate, and to encourage others to also internalize and incorporate, the principles of the Code into our work. Breach of this Code shall be treated as a serious offence consequently attracting appropriate and indiscriminate disciplinary action.

Finally, while the code is specifically designed for members of staff, it is our sincere expectation that contractors, consultants, suppliers and others who may be temporarily assigned to perform work or services for Kisii University shall follow the Code in connection with their work for us.

PROF. JOHN S. AKAMA, PhD
VICE-CHANCELLOR

KISII UNIVERSITY

CODE OF CONDUCT AND ETHICS

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KISII UNIVERSITY CODE OF CONDUCT AND ETHICS

In the exercise of the powers conferred under Section 22 (s) of Kisii University Charter, 2013, the Council of Kisii University hereby establishes the following Kisii University Code of Conduct and Ethics:

PREAMBLE

Kisii University is a public institution of higher learning whose key mandate includes teaching, research, consultancy and extension. Our workforce includes many individuals with diverse backgrounds and skills required to provide quality services. All the University members of staff are required to perform their duties in a manner that maintains and enhances public confidence, integrity, objectivity and impartiality in the university. Furthermore, as an organization entrusted with public funds, the university is obligated to ensure the protection and appropriate use of all its resources and assets.

The University is proud of its organizational coherence and the services it delivers to Kenya and the international community. It recognizes that it is only through commitment and effort by each member of staff that excellent quality service delivery can be achieved and public trust maintained. It is in this spirit that the Code of Conduct and Ethics has been established.

All members of staff are expected to be aware of, and comply with, the Code of Conduct and Ethics. The Code clarifies the university expectations of its members of staff, and re-affirms its commitment to caring for our people's needs and maintaining fiscal responsibility on behalf of the Government and Kenyan tax payers. It provides guidelines for consistent behaviour in delivering services. It also brings together the principles contained in various University policies. In summary, this Code is simply a formal statement of the policies and principles of conduct that the university has always embraced. Contravention of this Code is a serious matter to the University and the public, and will be treated as such.

This Code does not in any way replace the regulations governing the discipline and general conduct of public. As such public officers must obey these regulations and all other applicable laws.

This Code is aligned with the following Kisii University fundamental statements:

Philosophy

The Philosophy of Kisii University is to be creative, scientific, technological, innovative, critical thinking, and responsiveness to societal needs and service to humanity.

Vision

The vision of Kisii University is to be a world-class University in the advancement of academic excellence, research and social welfare.

Mission

The Mission of the University is to train human resource that meets the development needs of the country and international labour market, sustain production of quality and relevant research, and dissemination of knowledge, skills, values and competencies for the advancement of humanity.

Core Values

The Core Values of the University are professionalism, teamwork, accountability, transparency, responsiveness and integrity.

PART I – PRELIMINARY

- Citation **1.** The Code shall be cited as the Kisii University Code of Conduct and Ethics.
- Interpretation **2.** In this Code, unless the context otherwise requires-
- “The Act” means the Public Officers Ethics Act, 2003;
- “committee” shall mean the “Kisii University Corruption Prevention Committee” or its sub-committee thereof;
- “member of staff” means an employee of Kisii University both academic and non-academic;
- “management” means the University Management Board as established under Statute XXII of Kisii University Statutes; and
- “he” pronoun and its variations denote either gender i.e. male or female.
- Application of the Code **3.** This Code of Conduct and Ethics applies to all members of staff of Kisii University.
- Objectives of the Code **4.** The objectives of this Code are:
- a) to establish a general standard of professionalism and ethical behaviour for all members of staff; and
 - b) to sustain the dignity and integrity of members of staff by ensuring that their conduct is always based on the obligations to clients and other stakeholders.

PART II – REQUIREMENTS

- Compliance with other Codes **5.** (1) A member of staff shall comply with all requirements of the General Code of Conduct and Ethics set out in part III of the Act; which shall form part of this Code.
- (2) The Code of Conduct and Ethics for Public Universities shall form part of this Code.
- (3) In the event that there arises an inconsistency or conflict in the application of this Code, then the other Codes as mentioned in (1) and (2) above shall prevail.
- Ethical principles **6.** (1) A member of staff shall uphold the ethical principles and respect the rights of all individuals, clients and stakeholders. He shall also comply with all the requirements set out in this Code, maintaining high professional integrity, moral standards and sound reputation by observing and prescribing to this Code.

(2) In all circumstances, a member of staff is expected to behave in a manner that will enhance the image of the University as embodied in the following ethics:

- a) respect the rights and decorum of all individuals;
- b) act in accordance with the laws of the country and rules and regulations of the University;
- c) exercise the responsibility for the existence of sound judgment;
- d) provide honest, competent and accountable professional services;
- e) be committed to providing quality services as defined in the job description manual;
- f) provide accurate information to clients, other agencies and the community concerning the services offered by the University, and
- g) contribute to the planning and development of services which address the key mandate of the University.

Rights and dignity of members of staff

7. (1) Respect for the dignity of a member of staff is the cornerstone of professional practice. Therefore, the relationship between a member of staff and any client receiving service from the university shall be of mutual trust and respect, based on a clear recognition of the rights of all parties.

(2) Members of staff have the right to:

- a) have professional independence and autonomy;
- b) be treated fairly in recruitment, training and promotion;
- c) enjoy freedom from unwarranted attacks on their honour, reputation and competency, and the right to be advised on any written complaints on unprofessional conduct against them and be given every reasonable opportunity to defend oneself against such charges in accordance with the rules of natural justice;
- d) expect co-operation from colleagues;
- e) refuse to intervene when in their opinion the service will not be in the best interest of the public or University; and
- f) be spoken to politely.

Professionalism

8. All members of staff are Kisii University goodwill ambassadors and are expected to reflect a professional image at all times. As such, a member of staff shall:

- a) nurture esprit de corps, that is, common values and common goals to realize the University vision and mission;
- b) carry out his duties in a way that maintains public confidence in the integrity of his office;
- c) treat the public and his fellow public officers with courtesy and respect;
- d) to the extent appropriate to his office, seek to improve the standards of performance and level of professionalism in the University;
- e) if a member of staff is also a member of a professional body, observe the ethical and professional requirements of that body;

- f) observe official working hours and not be absent without authorization or reasonable cause; and
- g) maintain an appropriate standard of dress and personal hygiene.

Harassment

9. (1) No form of harassment, including sexual or personal harassment, shall be tolerated, whether it involves members of staff, students or members of the public. Each complaint of harassment shall be treated as a serious offence under the applicable laws of Kenya.

(2) In subsection (1) above, “harassment” includes doing any of the following, if the person doing it knows that it is unwelcome:

- a) making a request, discriminating, or exerting pressure for sexual activity or other favours;
- b) making intentional or careless physical contact that is degrading in nature; and
- c) making gestures, noises, jokes, use of abusive language, or comments including innuendos, regarding another person.

Alcohol and drug use

10.(1) A member of staff must abide by applicable laws and regulations governing the possession and/or use of alcohol and drugs in the country

(2) The illegal use, sale, purchase, transfer or possession of any restricted or controlled drug, narcotic or any other substance while in the University premises, or during working hours is prohibited and shall result in disciplinary action.

(3) It is not permissible for a member of staff to attend to his job duties and responsibilities under the influence of alcohol, drugs or other similar substances, which might adversely affect performance on the job.

Use and care of University property

11.(1) A member of staff shall take all reasonable steps to ensure that property that is entrusted to his care is adequately protected and not misused or misappropriated.

(2) A member of staff shall only use the University’s property for activities associated with the discharge of his duties; otherwise, authorization has to be granted.

(3) No member of staff shall sell, transfer, or in any way authorize the use of any intellectual property, including copyrighted works, patented inventions or processes, and trademarks, belonging to the University without express authority.

(4) A member of staff who contravenes subsections (1), (2) and (3) shall be personally liable for losses resulting from the contravention.

Safeguarding of information and confidentiality

12. A member of staff shall ensure that confidential or secret information, documents and records entrusted to his care, whether in reports, memos, oral communication or electronic format, are adequately protected from improper or inadvertent disclosure and access.

Falsification of documents and records and withholding of information

13. (1) A member of staff shall not illegally alter or falsify documents or records for any reason whatsoever.

(2) A member of staff shall not withhold any information he is obliged to give.

Use of internet, email and electronic media

14. A member of staff shall not knowingly use the University provided internet and office computers to access, transmit, download, print or store information or materials that are discriminatory, damaging (e.g. computer viruses), threatening or harassing in nature or inappropriate for the work environment.

Conflict of interest

15. (1) A conflict of interest shall arise when a member of staff participates in activities which could advance a personal interest at the expense of the University's interests. To avoid this, a member of staff shall not:

- a) use his position or connection to gain or confer a benefit upon another person with whom he has an interest, such as family members, friends, relatives, business associates or colleagues;
- b) be under an obligation to any person who might benefit from special consideration or favour from the member of staff or who might seek, in any way, preferential treatment;
- c) be in a position where the member of staff could derive any direct or indirect benefit or interest from any contracts about which the member of staff can influence decisions;
- d) benefit from the use of information acquired during the course of official duties that is not generally available to the public; and
- e) engage in any outside work, activity or business undertaking ("moonlighting") that affects the dignity of his office or interferes with his official duties including official working hours.

(2) A member of staff shall disclose any conflict of interest situation to the University Management in writing using the "Declaration of Conflicts of Interest" form provided in "Schedule B".

Gifts and entertainment

16. (1) A member of staff shall make workplace decisions based on an impartial and objective assessment of each situation, free from the influence of gifts, favours, hospitality or entertainment.

(2) If a member of staff is given a gift described in paragraph (2), then, even if the gift is not deemed, under section 11 (3) of the General Code of Conduct and Ethics, to be a gift to the University:

- a) The member of staff shall report the matter (using "Report of Gifts Received" provided in "Schedule C") to the authorized officer for the member of staff, who shall direct appropriate mode of disposal of the gift;
- b) In (2) (a) above, the member of staff shall comply with such direction.

(3) The gifts referred to in paragraph (2) are as follows:

- a) A gift from a person described in subparagraph (i), (ii) or (iii) of section 11 (2)(a) of the General Code of Conduct and Ethics;

or

b) a gift given to the member of staff on a public or ceremonial occasion.

(4) A gift that a member of staff is otherwise allowed to accept from a relative or friend because it is given on a special occasion recognized by custom shall not be accepted by the member of staff in a public office.

Conduct of private affairs

17.(1) A member of staff shall carry himself with dignity both in public and private.

(2) A member of staff shall not neglect his financial obligations or neglect to settle them.

Nepotism, etc

18. A member of staff shall not practice nepotism or favouritism.

Upholding integrity

19.(1) A member of staff shall exercise honesty, integrity, objectivity and diligence and shall not knowingly be party to any fraudulent or corrupt activity, including bribery and theft.

(2) A member of staff shall commit to uphold professional integrity by signing the “Integrity Pact” provided in “Schedule A”.

Giving of advice

20. A member of staff who has a duty to give advice shall give honest and impartial advice without fear or favour.

Non discrimination

21. A member of staff shall not discriminate directly or indirectly, individuals on the grounds of age, ethnic origin, gender, marital status or disability or on any other ground.

Political neutrality

22. As a public institution, pursuant to the provisions of the Public Officer Ethics Act, 2003, a member of staff, regardless of his political opinions, shall serve impartially, with loyalty, honesty, and objectivity. He shall not engage in political activity that may compromise or may be seen to compromise the political neutrality of the University.

Violation of the Code

23.(1) Maintaining public confidence and trust in the University Management and its members of staff is of utmost importance. The high standards of conduct expressed in this document are intended to ensure that this public trust is not compromised.

(2) Every member of staff is expected to be aware of, and act in compliance with, this Code and its related policies. Violation of these principles is a serious matter and shall be dealt with as such by the University Management.

(3) Where a member of staff has committed a breach of this Code, appropriate action shall be taken in accordance with University’s disciplinary mechanisms, the Act or other applicable laws.

(4) Penalty for breach of this Code shall include, but not limited to, reprimanding, suspension and dismissal.

(5) Failure to follow the guidelines given by this Code may not itself constitute misconduct, but it means that the member of staff concerned may be at risk of having to justify his actions to the Management.

Reporting ethical misconduct

24. (1) Any breach of the provisions of this Code shall be reported to the Management in writing by either the client or a member of staff. The report shall specify the nature of complaint, date and actual place where the incident took place.

(2) The complaints shall be lodged upon receipt and issued with a reference number after which:

- a) the Management shall write to the party (ies) involved within twenty one (21) days after receipt of the report; and
- b) the Management shall carry out its own investigations after which it will call the relevant disciplinary committee meetings and give recommendations on the issue.

Enforcement of the Code

25. The Management shall be responsible for the enforcement of this Code. The Management shall also have the authority to delegate this responsibility as may be deemed appropriate.

Review of the Code

26. The Code shall be reviewed and modified by the University Council from time to time or when deemed necessary to reflect the current environment.

Effective Date

27. The effective date for this Code is as indicated hereunder:

EFFECTIVE DATE: 13TH AUGUST, 2015

SIGNED BY: DR. ENG. SEBASTIAN MWARANIA, PhD
CHAIRMAN,
KISII UNIVERSITY COUNCIL

SCHEDULE A
INTEGRITY PACT

Once you have read the Kisii University Code of Conduct and Ethics, please complete this form and return it to the Registrar (Administration).

PART A – DECLARATION (To be completed by declaring staff)

I acknowledge that I have read and understood the Kisii University Code of Conduct and Ethics (the “Code”). I undertake to uphold high standards of professional integrity as required in Section 19, vide Kisii University Code of Conduct and Ethics, and to comply with the provisions of the Code and to confirm, upon request, my compliance therewith or to any new version thereof. I understand that the University may, at any time, add, change or rescind the Code or any other policy or practice in its discretion, provided I am advised of such change.

I also acknowledge that I have received the form entitled Declaration of Conflicts of Interest and certify that:

- I have no conflicts of interest; or
- I have the conflicts of interest as disclosed in the attached form.

(Please tick the appropriate box)

_____ Date

_____ Name of employee (please print)

_____ PF No.

_____ Signature of employee

_____ Witnessed by: (Signature of Immediate Supervisor)

_____ Department/Faculty

PART B – ACKNOWLEDGEMENT (To be completed by Registrar (Administration))

_____ Signature

_____ Date

Note to the Registrar (Administration): Please file this agreement in the personal file of the employee.

SCHEDULE B

DECLARATION OF CONFLICT OF INTEREST

Once you have read the Kisii University Code of Conduct and Ethics, please complete this form and return it to the Registrar (Administration).

The disclosure of real, perceived or potential conflict of interest is an important matter. Please refer to Section 15 entitled “Conflict of Interest” in Kisii University Code of Conduct and Ethics. You should discuss with your immediate supervisor any ambiguous situations in order to be informed of the position of Kisii University in this respect. Any new conflict of interest or any changes to the already disclosed conflict of interest should be disclosed in writing upon occurrence.

PART A – DECLARATION (To be completed by declaring staff)

1. In addition to my present employment with Kisii University, I am engaged, as an employee, consultant, Lecturer or otherwise for a competitor, a supplier or a customer of goods or services to Kisii University and that are likely to be in conflict with the best interests of Kisii University. (please explain):

2. I directly or indirectly own securities or an interest in a company, or I have business relationships that are likely to be in conflict with the best interests of Kisii University. (please explain):

3. Other situations that are or could be real, perceived or eventual conflict of interest. (please explain):

Date:	Date:
Name of employee (please print):	Name of immediate supervisor (please print):
Signature of employee:	Signature of immediate supervisor:
Position:	Position:
PF No.	PF No.
Faculty/Department:	Faculty/Department:

PART B – ACKNOWLEDGEMENT (To be completed by the Registrar (Administration))

To: Declaring staff

The information contained in your declaration has been noted. It has been decided that:

1. You should refrain from performing or getting involved in performing; (1) ALL the work/activities; or (2) the FOLLOWING listed work/activities:-

2. You should continue to handle: (1) ALL the works/activities as described in Part A; or (2) the other work/activities not listed in 1. (2) above, provided that there is no change in the information declared above.

(Please tick the appropriate box)

Signature

Date

Note to the immediate supervisor: Please deliver this form duly signed to the Registrar (Administration). This form shall be filed in the personal file of the employee.

SCHEDULE C
REPORT OF GIFTS RECEIVED

PART A – DECLARATION (To be completed by receiving officer)

To: (Approving Authority)_____

I would like to report the following gift(s) was/is to be offered to me during the discharge of my official duties:

Description and (assessed) value of gift(s):_____

Description of Offeror:

Name and Title:_____

Company: _____

Relationship (Business/Personal):_____

Occasion on which the gift was/is to be received: _____

Suggested Method of Disposal (Tick as appropriate)

- 1) To be retained by receiving officer
- 2) To be retained for display/ as a souvenir in the office
- 3) To be shared among the officers
- 4) To be reserved as luck draw prize at staff function
- 5) To be donated to charitable organization
- 6) To be returned to offeror
- 7) Others (Please specify):.....

Name of Receiving Officer

Department/Faculty

Signature

Date

PART B – ACKNOWLEDGEMENT (To be completed by Approving Authority)

The recommended method of disposal is (Tick as appropriate):

(1) **Approved**

(2) **Not Approved:** The Gift(s) concerned should be disposed as suggested in No.:_____

Name of Approving Authority

Signature

Date

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