



United Nations  
Educational, Scientific and  
Cultural Organization



Kenya National  
Commission for UNESCO  
(KNATCOM)

**KENYA NATIONAL COMMISSION FOR UNESCO**

# **CORRUPTION PREVENTION POLICY**


**FOR KENYA NATIONAL COMMISSION FOR UNESCO**

**MARCH 2021**

<b>Policy Name:</b>	<b>CORRUPTION PREVENTION POLICY</b>		
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**Policy Contact Office:** DEPUTY SECRETARY GENERAL- PROGRAMMES

**Implementation Responsibility:** CORRUPTION PREVENTION COMMITTEE

Approved:   
**Dr. Evangeline Njoka, MBS**  
**Secretary General/CEO**

29<sup>th</sup> March 2021

**Date**

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## 1. FOREWORD

On behalf of the Kenya National Commission for UNESCO (KNATCOM) Board of the Commission, I am delighted to approve this Corruption Prevention Policy for use by Management. The Commission Board is determined to promote building of peace, sustainable development, intellectual collaboration through UNESCO areas of education, the sciences, culture, and communication and information and to ensure that the Commission plays its role in the realization of Sustainable Development Goals (SDGs), Africa Agenda 2063, Vision 2030, and the government agenda on the “Big Four”. This will be achieved by observing the Commission’s core values of, integrity, professionalism, teamwork, excellence in service delivery, courtesy and fidelity to law.

The Kenya National Commission for UNESCO is to engage the various Ministries, Counties, Departments and Agencies (MCDAs), organizations and individuals working for the advancement of education, sciences, culture and communication and information in UNESCO’s activities. KNATCOM has five main programmes namely education, natural sciences, social and human sciences, culture, and communication and information. Specific programme and expert committees drawn from relevant ministries, academia and private sector support these programmes. The Commission works closely with Kenya’s Permanent Delegations Office to UNESCO in Paris and other UNESCO organs in executing its mandate.

To achieve the Commission’s mandate, the Board is committed to the highest levels of integrity and this policy therefore echoes our commitment and belief that our business should be conducted in line with our code of conduct, the laws and any other regulations that guide our operations. This Policy clearly stipulates national corruption legislation and a brief background to corruption prevention in Kenya. The Policy gives guidelines on how KNATCOM will address corruption through various measures of detection, prevention, investigation, reporting and resolution.



**Dr. Misigo Amatsimbi**  
**Board Chair**

## 2. PREFACE

Corruption is a vice that eats into the fabric of society leading to compromised quality in service delivery and failure to achieve development goals in the country. To address the vice, the government has made efforts to eradicate corruption in the public sector through legislation and creation of anti-corruption institutions.

In keeping with the government's initiatives to fight corruption, the Kenya National Commission for UNESCO (KNATCOM) has adopted a proactive and structured approach to the fight by developing this policy. This document provides a framework for the prevention, detection and reporting of corruption in the Commission. It also defines the structures, systems and procedures that shall be put in place and which are critical in deterring corrupt practices.

The responsibility of attaining zero level tolerance to corruption rests on all the internal and external stakeholders of the Commission. The implementation of this policy is envisaged to firmly position the Commission to effectively prevent corruption through the adoption of practices that promote transparency and accountability and improve operational efficiency in service delivery.



**Dr. Evangeline Njoka, MBS**  
**Secretary General/CEO**

### 3. POLICY STATEMENT

This policy takes into cognizance the provisions of key relevant legislations namely, the Public Officer Ethics Act, 2006, Leadership and Integrity Act, 2012 and the Anti-Corruption Economics Crimes Act, 2003 and the Bribery Act, 2016 in addition to overall corporate governance of public resources.

The responsibility of addressing corruption and corrupt practices rests with the management, staff and other stakeholders guided by the relevant laws, regulations and the Commission's principles and core values. This Policy therefore intends to provide a framework for conformity to legal requirements within the Commission's processes, procedures and mechanisms to prevent the occurrence of corruption.

The management is committed to the fight against corruption through continual sensitization of staff and stakeholders to inculcate the culture of integrity.

In pursuit of this commitment, the management shall deal with corruption decisively and those found culpable shall be dealt with in accordance to the provisions of this policy and the relevant laws.

It is anticipated that through full implementation of this policy, the Commission will achieve zero tolerance to corruption.

### 4. DEFINITIONS AND ABBREVIATIONS

**In this policy, unless the context otherwise requires:**

“CPC” refers to the Corruption Prevention Committee established under this Policy

“CRA” refers to **Corruption Risk Assessment**

“CRMP” refers to **Corruption Risks Mitigation Plan**

“Employee” means a member of staff of KNATCOM

“KNATCOM” refers to the Kenya National Commission for UNESCO

“IAO” refers to Integrity Assurance Officer

“Policy” refers to Corruption Prevention Policy

“Public Officer” refers to any person who holds a public office where their remuneration and benefits payable to the officer are from the Consolidated fund or directly out of money provided by parliament.

## 5. LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS/CONTEXT

This policy shall be consistent with the Constitution of Kenya 2010 and the following legislations, regulations and internal policies:

- Leadership and Integrity Act, 2012,
- The Public Officer Ethics Act, 2003,
- The Anti-Corruption and Economics Crimes Act, 2003
- Public Procurement and Disposal Act, 2015
- The Bribery Act, 2016
- Public Procurement and Disposal Regulations, 2020
- Witness Protection Act, 2006
- Public Finance Management Act, 2012
- Employment Act, 2007
- KNATCOM Human Resource Policy and Procedures Manual
- KNATCOM Finance Policy and Procedures Manual

## 6. SCOPE/APPLICABILITY

This policy shall apply to all KNATCOM Board Members, staff, interns and all other relevant stakeholders.

## 7. DEFINITION OF CORRUPTION

Corruption is the solicitation or acceptance, directly or indirectly by a public official or any other person of any goods of monetary value or other benefit such as a gift, favor or advantage for himself or herself or for another person or entity in exchange for any act or omission in the performance of his or her functions. This also includes unethical conducts such as: favoritism, giving misleading information, falsification of records, nepotism, harassment, pecuniary harassment, and any other unethical conduct as defined in law and regulations from time to time. Offences that constitute corruption and economic crimes provided in the anti-Corruption Economic Crimes Act 2003, the Bribery Act 2016, and other relevant laws, include but not limited to:

- a. bribery
- b. fraud
- c. embezzlement or misappropriation of public funds
- d. abuse of office
- e. breach of trust
- f. an offence involving dishonesty
- g. bid rigging
- h. secret inducement for advice
- i. conflict of interest

## 8. A BREAKDOWN OF CORRUPTION RISK AREAS AT KNATCOM

All functional areas in KNATCOM are potential risk areas. The functional areas include:

- a. Programmes Directorate
- b. Research and Resource Mobilization Directorate
- c. Corporate Strategy and Planning Department
- d. Corporate Services Department
- e. Supply Chain Management Department
- f. Internal Audit and Risk Assurance Department
- g. Legal Services Department

The identified risks are dynamic in nature depending on the operating environment. The Commission will map all corruption risk related to all the functional areas and will review them from time to time.

## 9. STRATEGIES AND TOOLS TO PREVENT CORRUPTION

To prevent, detect, investigate and punish corrupt conduct, KNATCOM shall put in place the following strategies and tools:

- a. **Code of Conduct:** to guide the conduct and behavior of all members of staff in their work ethics.
- b. **Corruption reporting channels:** to provide avenues for reporting corruption. The channels may include reporting boxes, email, website, hotlines, whistle blower mechanism as provided for in the Whistleblower Policy
- c. **An internal Control System:** to independently appraise all the activities of the Commission and help in detecting any forms of corruption.
- d. **Corruption Prevention Committee (CPC):** to co-ordinate and offer policy direction towards preventing corruption in the Commission and external reporting. The CPC to review, consider and make recommendations to management on corruption related
- e. **Integrity Assurance Officer (IAO):** to liaise with the CPC in carrying out corruption risk assessment, initiating actions in response to corruption risk assessments, assisting in preparation and implementation of corruption prevention plans, co-coordinating and facilitating implementation of corruption prevention programs and coordinating anti-corruption education and awareness programmes.
- f. Gift Policy;
- g. Conflict of Interest Policy,
- h. Whistle Blowers Policy
- i. Enterprise Risk Management Policy



- j. Other Relevant Policies and Procedure Manuals - List
- k. CRA and CRMP
- l. Staff vetting

## 10. COMPOSITION OF THE CORRUPTION PREVENTION COMMITTEE

There shall be an Apex Corruption Prevention Committee composed of:

- |  |             |
|--|-------------|
| a) The Secretary General/CEO                                     | – Chair     |
| b) The Deputy Secretary General (Programmes)                     | – Member    |
| c) Deputy Secretary General (Research and Resource Mobilization) | – Member    |
| d) The Programme Directors (Five Directors)                      | – Member    |
| e) Director, Corporation Secretary and Legal Services            | – Member    |
| f) Director, Corporate Services                                  | – Member    |
| g) Director, Research and Consultancy                            | – Member    |
| h) Director Resource Mobilization                                | – Member    |
| i) Director, Audit & Risk Assurance                              | – Member    |
| j) Finance Manager   | – Member    |
| k) HR and Admin Manager  | – Member    |
| l) ICT Manager   | – Member    |
| m) Manager, Supply Chain Management                              | – Member    |
| n) Integrity Assurance Officer                                   | – Secretary |

## 11. ROLES AND FUNCTIONS OF CORRUPTION PREVENTION COMMITTEE

The role and functions of the Corruption Prevention Committee within the Commission shall be:

- a. planning and coordinating corruption prevention strategies;
- b. integrating all corruption prevention initiatives within the operations of the Commission;
- c. receiving and reviewing reports on the progress of corruption prevention initiatives and recommending appropriate actions;
- d. receiving corruption reports, investigate and make recommendations to the management or other external agencies;
- e. spearheading anti-corruption campaigns within KNATCOM;
- f. monitoring and evaluating the impact of corruption prevention initiatives; and
- g. preparing and submitting quarterly progress reports to the relevant authorities.
- h. conduct and review CRA and CRMP

The quorum of the committee shall be two thirds of the members.

## 12. INTERNAL AUDIT REVIEWS

The Internal audit plays a crucial role in prevention and detection of corruption within KNATCOM. It provides an institutionalized mechanism for supervision, control and review of operational systems within the Commission. It also plays an important role in assessing the nature and extent of any fraud and corruption risk.

The Audit and Risk Assurance Department shall advise management to review its risk exposures and identify the area's most vulnerable to corruption risk, continuously.

Responsibilities for the detection of fraud and irregularities rest with the management. The Audit and Risk Department will advise and assist management in fulfilling their responsibility for preventing irregularities by recommending appropriate internal control measures.

### **13. HOW TO REPORT CORRUPTION**

Evidence or suspicion of corrupt practices shall be reported to the Corruption Prevention Committee.

Employees and members of the public can also make disclosures of corrupt practices within KNATCOM by the use of avenues for reporting such as corruption reporting boxes, hotlines, emails, letters and website.

Where the concerns of corruption are beyond redress by CPC and the Board of the Commission they can be escalated externally to the relevant agency through the official communication channel.

### **14. PROCESSING OF CORRUPTION CASES**

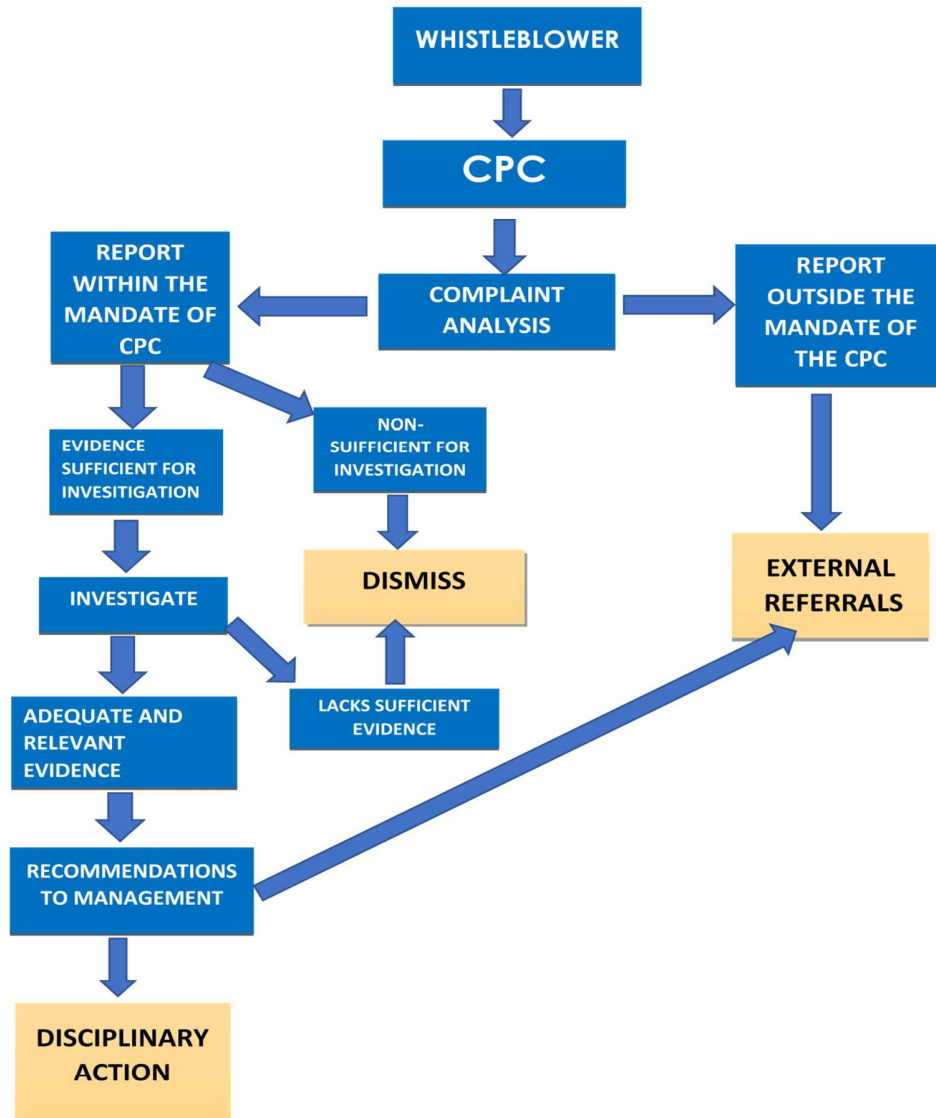
Corruption cases deliberated upon and supported by cogent evidence or reasonable suspicion that a corruption offence has occurred or is about to occur shall be reported to the Ethics and Anti-Corruption Commission and other law enforcement agencies for further action. All corruption cases will be handled promptly with fairness and in accordance with the law.

Corruption reported cases shall be processed by CPC in the following manner:

- a. Reports received from whistle blowers through the reporting channels shall be recorded in the prescribed format and in the corruption reporting register by Secretary of the CPC who shall be appointed by the Secretary General/CEO.
- b. Matters reported shall first be addressed by the Corruption Prevention Committee.

- c. In instances where the whistle blower has disclosed the identity, the Committee may invite him/her to provide any further information/evidence in support of the allegation; on the contrary if the whistle blower is anonymous, the Committee will interrogate the allegation to ascertain its validity. Reference shall be made to the Whistle Blowers Policy.
- d. In the absence of sufficient evidence to warrant any further action, the Committee shall dismiss the allegation and advise the concerned parties accordingly.
- e. Where the evidence supplied reasonably suggests that some corruption may have occurred, the Committee may set up a sub-committee of at least three of its members to investigate the allegations and make recommendations to the Committee.
- f. The sub-committee shall undertake the investigations. All proceedings shall be done in writing.
- g. The subcommittee shall accord all concerned parties reasonable opportunity to be heard and considering each party's claims as well as the findings of the investigations, and shall forward a report with recommendations to the CPC.
- h. The Committee shall either dismiss the case for lack of adequate and relevant evidence or recommend disciplinary measures against the persons involved or recommend referral theEACC.
- i. The committee shall conduct its investigation in a reasonable, fair and expeditious and timely manner guided by Article 47 of the Constitution and the Fair Administration Action Act, No. 4 of 2015.
- j. Where allegations are made against a member of the CPC, the member shall be required to step aside and allow independent investigations and determination of the case.

## COMPLAINTS HANDLING PROCEDURE BY CPC



## 15. PROTECTION OF WHISTLEBLOWERS

The Commission shall protect persons making corruption disclosures as outlined in the Whistle Blowers Policy.

## 16. DISCIPLINARY MEASURES

The Board, management and staff are obliged to familiarize themselves with the provisions of this Policy and respect its principles.

## 17. TRAINING

The Commission recognizes that the continuous success of this Policy and its general credibility largely depends on the effectiveness of programmed training and the responsiveness of employees throughout the Commission. The Commission commits itself to the sensitization and training of staff on matters of ethics and governance.

## 18. MANAGEMENT /IMPLEMENTATION AUTHORITY

### The Board

- a. Shall be responsible for validation and approval of this Policy; and
- b. Shall deliberate on corruption related cases referred to them.

### The Secretary General/CEO

- a. Shall have overall responsibility for the implementation of this Policy.

### Corruption Prevention Committee

- a. Shall be the implementing organ of this Policy;
- b. Shall review the corruption prevention strategies and action plans; and periodically report to the Management.

### Internal Audit and Risk Department

- a. Shall evaluate and report on the effectiveness of this Policy.

### Corporate Strategy and Planning Department

- a. Shall undertake periodic monitoring and evaluation of the policy implementation.

## 19. REVIEW

This Policy shall be reviewed every two years or as need arises.

## 20. EFFECTIVE DATE

This Policy comes into effect this 29<sup>th</sup> day of March 2021

Signed 

Date: 29<sup>th</sup> March 2021

**Dr. Evangeline Njoka, MBS**  
**Secretary General/CEO**

**Tracker*****CORRUPTION PREVENTION POLICY***

<i>Date developed</i>	
<i>Shared with Management</i>	
<i>Shared with the Board</i>	
<i>Developed by</i>	Corruption Prevention Committee
<i>Revision</i>	
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<i>Date Approved</i>	
<i>Revised edition developed by</i>	Corruption Prevention Committee



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