

**KENYA NATIONAL INNOVATION AGENCY**

 **CORRUPTION PREVENTION POLICY**



 **2023**

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# **1. POLICY STATEMENT**

The overall objective of the KeNIA Corruption Prevention Policy is to reduce levels and prevalence of corruption and unethical practices in the Agency by providing a comprehensive, coordinated, and integrated framework for the fight against corruption and promotion of ethics.

The specific objectives of the policy are to:

1. Enhance co-ordination and synergy of all stakeholders fighting against corruption.
2. Strengthen the legal and institutional framework for anti-corruption, ethics, and integrity.
3. Create awareness and increase public participation and engagement in the war against corruption.
4. Mainstream ethics and integrity in the management of public affairs.
5. Establish an effective monitoring and evaluation framework for anti-corruption initiatives.

# **2. LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS**

This policy takes recognition of other existing Government legislations that are geared towards fighting fraud and corruption. They include.

* The Constitution of Kenya 2010
* Anti-Corruption and Economic Crimes Act, 2003.
* Public Officers Ethics Act, 2003.
* Public Procurement and Disposal Act 2015, and Public Procurement and Disposal Regulations, 2020.
* Public Financial Management Act, 2012.
* Employment Act, 2007.
* KeNIA Human Resource Policies and Procedures Manual.
* KeNIA Service Delivery Charter.
* Any other relevant laws and policies.

# **3. SCOPE**

This policy applies to all the management, staff and all other stakeholders interacting with the Agency.

# **4. DEFINITION**

The “Anti-corruption and Economic Crimes Act 2003” describes “corruption” as an offence under any of the provisions of sections 39 to 44, 46 to 47 of the same Act, bribery, fraud, embezzlement or misappropriation of public funds, abuse of office, breach of trust or an offence involving dishonesty in connection with any tax, rate or impost levied under any Act or under any written law relating to elections of persons to public office.

# **5. POTENTIAL CORRUPTION RISK AREAS AND CORRUPT PRACTICES IN KeNIA**

All functional areas in the Agency are potential corrupt risk areas. The key areas include:

* Innovation and Commercialization.
* Finance and Accounts.
* Human Resource and Administration.
* Supply Chain Management.
* Corporate Communication.
* Information Communication Technology.

# **6. ROLES AND RESPONSIBILITIES**

## **6.1 Responsibilities of the Board of Directors**

The Board of Management oversees policy setting, strategies approval, budgetary allocation, and oversight role through the Audit Committee for promoting integrity.

## **6.2 Responsibilities of the members of the Staff**

All staff must:

* Comply with the requirements of this policy.
* Be aware of their individual responsibility under this policy.
* Act in a professional manner (with skill, care, diligence, honesty, confidentiality, integrity and impartiality)
* Comply with all the legal requirements and policies of the Agency.
* Avoid wastage or misuse of Agency resources.
* Report any corrupt or fraudulent activity coming to their attention.

## **6.3 Responsibilities of the members of the Public**

Members of the public and customers should report all cases of corruption by the Agency staff by way of letters, e-mails, contact form, telephone calls, or suggestion boxes.

## **6.4 Mandate and operations of the Corruption Prevention Committee**

The roles and functions of the Corruption Prevention Committee will be:

* Carry out corruption risk assessment in the Agency.
* Develop mitigation measures towards the risks identified.
* Integrate all corruption prevention initiatives in the Agency.
* Receive and review reports on corruption prevention initiatives and recommend appropriate action.
* Receive and act on corruption reports made by staff and other stakeholders.
* Monitor, evaluate and review effectiveness of measures put in place.
* Spearhead corruption prevention campaigns within the Agency.
* Monitor and evaluate the impact of corruption prevention initiatives.
* Prepare and submit quarterly progress reports to EACC.

## **6.5 Mandate of the Integrity Assurance Officers (IAOs)**

The role of the IAOs shall be:

* Be champions of integrity within the Agency.
* Implement measures and strategies outlined in the corruption risk mitigation plan.
* Carry out capacity building on corruption and integrity matters within the Agency.
* Support the Bribery and Corruption Prevention Committee.

# **7. HOW TO REPORT CORRUPTION INTERNALLY AND EXTERNALLY**

## **7.1 Internal Reporting**

Any member of staff who detects, experiences, or observes a fraudulent act shall report it through the following avenues:

1. Written or verbal report to the Bribery and Corruption Prevention Committee.
2. Via email to the CEO.
3. Verbal or written report to the Internal Audit Department or any other manager in the Agency
4. Post complaints in the suggestion boxes.
5. Written or verbal report to the Integrity Officers.

In the rare case that a report made is not addressed internally, the staff can choose to report externally.

## **7.2 External Reporting**

External reporting on corruption will be channeled through: -

* EACC.
* The Kenya Police.
* Commissioner of Administrative Justice.

# **8. CONFIDENTIALITY**

The information reported regarding corruption malpractices to the Agency shall be treated with utmost confidentiality. All staff members mandated to handle corruption reporting shall treat associated information with confidentiality.

# **9. HANDLING OF CORRUPTION CASES**

Corruption cases will be dealt with fairly, promptly, expeditiously and within the law.

# **10. PROTECTION OF WHISTLEBLOWERS**

The Agency will ensure confidentiality and protection of the identity and safety of persons making corruption disclosure to the Agency as stipulated under the Witness Protection Act, 2006 and KeNIA Whistleblower Policy.

# **11. INVESTIGATION**

To ascertain the authenticity of evidence or information received regarding corruption, the Agency will use both external and internal investigation mechanisms.

For internal mechanisms, a competent team will be formed comprising integrity officers and the Corruption Prevention Committee. The nature and seriousness of any fraudulent or corrupt activity will determine the nature of the investigation adopted, the level of resources employed and the involvement of collaborating agencies.

KeNIA will ensure investigations are conducted with a lot of confidentiality, proportionality, timeliness, adherence to evidence, objectivity, fairness, and transparency.

In circumstances where a case requires external investigation, the board of directors will guide on the external investigator to use. The Agency will fully cooperate with the external investigators.

# **12. DISCIPLINARY**

Disciplinary action shall be carried out to any member of the Agency found to have committed an offence contrary to the provisions of this policy. Cases will be handled with absolute procedural correctness and adherence to all policies and procedures. This will prevent cases from being unresolved due to a procedural technicality.

The disciplinary action shall be in accordance with: -

* KeNIA HR Policies and Procedures Manual.
* Anti-Corruption and Economic Crimes Act 2003.
* Public Officers Ethics Act, 2003.
* Employment Act, 2007.
* Any other relevant law

# **13. TRAINING AND AWARENESS**

The Management of the Agency commits itself to continuously sensitize and train staff on matters of ethics and integrity. This will be implemented through issuance of resources to the staff as well as planning the sensitization and trainings in the annual workplans and budget.

# **14. MANAGEMENT / IMPLEMENTATION AGENCY**

The Chief Executive Officer will oversee the implementation of this policy through the Bribery and Corruption Prevention Committees and the integrity assurance officers.

# **15. REVIEW**

This Policy document shall be subject to review at such intervals as the management may deem necessary due to the new developments in corruption perpetuation.