University of Eldoret
flame of knowledge and innovation

ANTI-CORRUPTION POLICY

Version	2.0
Short description	Anti-Corruption Policy
Relevant to	Council, Officers, Staff and Students
Approved by	University Council
Responsible officer	Vice-Chancellor
Responsible office	Office of the Vice-Chancellor
Date introduced	June, 2014
Related University documents	University Charter, Statutes and relevant policies
Related legislation	Ethics and Anti-Corruption Commission Act, (revised 2012), Anti-Corruption and Economic Crimes Act, (revised 2012), Public Officers Ethics Act, 2003 (revised 2010), Public Procurement and Disposal Act, 2005 (revised 2013, 2014), Public Finance Management Act, 2012 (revised 2013), Public Audit Act, 2003 (revised 2012), Universities Act, 2012 (revised 2014), The Employment Act, 2007, The Witness Protection Act, 2006 (revised 2012), Leadership and Integrity Act, Cap 182 (revised 2014).
Key words	Ethics, Anti-Corruption

June, 2015

APPROVAL

The University of Eldoret having been awarded its Charter on 11th February 2013 has set on a growth path guided by its vision of "being a Premier University that is globally visible in knowledge generation and technological innovation". As part of laying its foundation, the University developed its Statutes in November 2013 followed by its first strategic plan which will be rolled out later this year, 2014.

The process of recruiting its top managers was completed in March 2014. The University has now embarked on the process of developing its policies which will guide decisions of the different organs of the University in order to achieve rational outcomes geared towards the growth of the University. This Anti-Corruption Policy is just one of the many policies that the University is rolling out.

My special thanks go to all those who put in their time, effort and skills to develop this Policy.

By virtue of the authority vested in me as the Chairman of Council of the University of Eldoret and in reference to the approval granted by Council in its meeting of 13th June, 2014 , I hereby sign this **Anti-Corruption** Policy this 13th day of June, 2014.

Prof. Sarone Ole Sena. B.Ed. (Nairobi); M.Phil. (Cambridge, UK); M.Sc. (McMaster, Canada); Ph.D. (McGill-Canada)

CHAIRMAN OF COUNCIL

ACRONYMS

C.A.T:	Continuous Assessment Tests
C.E.O:	Chief Executive Officer
CDF:	Constituency Development Fund
CPC:	Corruption Prevention Committee
EACC:	Ethics and Anti-Corruption Commission
HELB:	Higher Education Loans Board
KUCCPS:	Kenya Universities and Colleges Central Placement Service
LPO:	Local Purchase Order
PSSP:	Privately Sponsored Students Programme
UoE:	University of Eldoret

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FOREWORD

The **University of Eldoret** is one of the public Universities in Kenya. It is situated approximately 9 km along the Eldoret-Ziwa road in Eldoret town, Uasin Gishu County. It was founded in 1946 by the white settlers as a Large Scale Farmers Training Centre. In 1984, it was converted to a teachers' training college and renamed Moi Teachers' Training College to offer Diploma Science Teachers Training. Due to the double intake crisis, the College was taken over by Moi University as a Campus in 1990, renaming it Chepkoilel Campus. From 1990, the University made it a campus of natural, basic and applied science programmes. In August 2010 the President, through Legal Notice No. 125 of 13 August 2010 upgraded the campus into a University College with the name Chepkoilel University College, a Constituent College of Moi University. Upon the award of Charter by the President on 11th February 2013, the University College was renamed **University of Eldoret**.

In order to safeguard the institution from any corrupt practices that may occur, the University has developed the anti-corruption policy which contains clear guidelines on corruption prevention measures to help staff, students and the general public on how to handle any corrupt cases whenever they occur. Thus, there is need to strictly adhere to the government anti-corruption policies and procedures such as Kenya National Anti-Corruption and Economic Crimes Act (CAP 65, Laws of Kenya 2003), the Public Officers Ethics Act (2003) and the Code of Conduct and Ethics for Public Universities' legal notice No 170/2003, among others. The University has attempted to identify all its corrupt prone areas and developed a Corruption Prevention Plan. The plan highlights the role of the University Management in networking and mobilizing resources needed to combat corruption in the institution. It is hoped that this guide will be useful in preventing corruption in all facets of the University services.

Professor Teresa A.O. Akenga
Ph.D. UNSW (Australia), MSc. Bed (KU), MRSC, MBS.
Vice-Chancellor

OVERVIEW OF UNIVERSITY OF ELDORET

Vision

To be a Premier University that is globally visible in knowledge generation and technological innovations.

Mission

To provide high quality Education in training, Science, Agriculture and Technology that promotes networking, Partnerships and linkages with other institutions and industry.

Core Values

At University of Eldoret, we are committed to:

- Integrity

- Innovativeness

- Customer Satisfaction

- Competitiveness

- Equity

- Responsiveness

Mandate

The Mandate of University of Eldoret is enshrined in its **objects** and **functions**. The **objects** of the University shall be to:

(a) Provide directly, or in collaboration with other institutions of higher learning, facilities for quality University education, including scientific and professional education, and the integration of teaching, research, outreach and effective application of knowledge and skills to the life, work and welfare of the citizens of Kenya;

(b) Provide and advance University education and training to appropriately qualified candidates, leading to the conferment of degrees and award of diplomas and certificates and such other qualifications as the Council and the Senate shall from time-to-time determine and in so doing, contribute to realization of sustainable national economic and social development;

(c) Provide programmes, products, and services in ways that reflect the principles of equity and social justice.

The **functions** of the University are listed in the University Charter Part II (6).

1. POLICY STATEMENT

Corruption is a serious scourge that has eaten into the fabric of the Kenyan Society and may occur in any public institutions. The University Anti-Corruption Policy is aimed at improving institutional productivity, efficiency and good governance.

The roles of management, staff, students and other stakeholders in preventing corruption or unethical behavior/practices are clearly spelt out and based on the Code of Conduct and Ethics for Public Universities (Legal Notice No.170, Law of Kenya). All areas of operation within the University that may be prone to corruption have been spelt out (Section 6.0) and guidelines and handling procedures given in order to assist stakeholders in preventing unethical behavior. The University, therefore, expects all its stakeholders to strive to eliminate all avenues of corruption in order to make University of Eldoret a corruption free institution.

Any crime or corrupt practices identified will be dealt with firmly using this policy together with the other anti-corruption policies or procedures of the government including, the Anti-Corruption and Economic Crime Act (ACECA 2003), the Public Officers Ethics Act (POEA, 2003) and the Code of Conduct and Ethics for Public Universities (Legal Notice No. 170).

2. LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS

The following documents are the main legal instruments and institutional policies used as references when developing this policy and for its implementation:

2.1. Legal Instruments

i. Anti-corruption and Economic Crimes Act, revised 2012

ii. Public Officers Ethics Act, 2003

iii. Public Procurement and Disposal Act, 2005 and Public Procurement and Disposal Regulations, 2006.

iv. Public Financial Management Act, 2004

v. Public Audit Act, 2003

vi. University of Eldoret Charter and University of Eldoret Statutes, 2013

vii. The Code of Conduct and Ethics for Public University (Legal Notice No.170)

viii. The Employment Act, 2007

ix.   The Witness Protection Act 2006

2.2. Institutional Instruments

i.   University of Eldoret Quality Manuals and Procedures, 2013

ii.   University of Eldoret Service Charter

iii.   University of Eldoret Strategic Plan 2013

iv.   Performance Contracting Guidelines

v.   Terms of Service and Collective Bargaining Agreements.

vi.   Annual Budget and Establishment

vii.   University of Eldoret Financial Regulations

viii.   University of Eldoret Financial Manual

ix.   University of Eldoret Accounting Manual

x.   University of Eldoret Research Policy

xi.   University of Eldoret Intellectual Property Policy

xii.   University of Eldoret Examination Rules and Regulations

xiii.   University of Eldoret Part-Time Teaching Policy

xiv.   University of Eldoret Scheme of Service

xv.   University of Eldoret Internal Audit Manual

xvi.   University of Eldoret Rules and Regulations Governing the Conduct of Students

xvii.   University of Eldoret Gender Policy

xviii.   University of Eldoret Senate Rules (Admissions, Curriculum Developments, Examination Rules and Regulations)

xix.   University of Eldoret Wardens Manual

xx.   University of Eldoret Library Rules and Regulations

xxi.   University of Eldoret Sexual Harassment and Discrimination Policy

3. SCOPE/APPLICABILITY

This Policy applies to Members of University of Eldoret Council, all Officers, Staff and Students.

4. DEFINITION OF CORRUPTION

This policy operates within the framework of corruption as defined in the Kenya Anti-Corruption Plan and the Anti-corruption and Economic Crimes Act of 2003 as follows:

  i. Abuse of position or office, for personal gain or for the advantage of another person;

  ii. Bribery, theft, embezzlement and fraud;

  iii. Evasion of payment of Government revenues, taxes, rates, fees and other dues;

  iv. Practicing of nepotism, clanism;

  v. Practicing discrimination on the basis of religion, gender or disability;

  vi. Inversion and distortion of social values including soliciting for and giving sexual and other favours;

  vii. Negligence of professional ethics; and

  viii. Breach of trust;

  ix. In addition to this, failure to report corruption

5. ROLES AND RESPONSIBILITIES

5.1. Role of Management

The University Management is responsible for:

  i. Corruption prevention and detection

  ii. Setting ethical standards

  iii. Setting up corruption prevention committees

  iv. Providing guidance and support to staff

5.2. Role of University Staff and other Stakeholders

  i. Prompt reporting of incidences or suspected cases of corruption

  ii. Identifying areas which are prone to corruption

5.3. The Supervisors are responsible for:

i. Receiving, forwarding, and acting on reported cases

ii. Clearly explaining to the person making the disclosure what will happen to the information received

iii. Taking reasonable steps to ensure that the person who has made the disclosure is not victimized

iv. Assuming the responsibility for designing, implementing system improvements, and to ensure non-recurrence if the disclosure relates to their area of control

6. FUNCTIONAL AREAS AND CORRUPTION PRONE PRACTICES

The following is a list of some of the main functional areas where corruption may occur:

6.1. Management

i. Security

ii. Procurement planning and management

iii. Internal Audit

iv. Public Relations

6.2. Academic

i. Admissions

ii. Teaching

iii. Examinations

iv. Graduation

v. Students Records Management

vi. Students' Association

vii. Staff Unions

6.3. Administrative

i. Recruitment and Training

ii. Staff Development

iii. Medical services

iv. Leave

v. Records management

vi. Financial management systems and procedures

vii. Catering and hostels

viii. Central services

ix. Management of University property

x. Transport and Garage

xi. Housing

xii. Retirement

xiii. Legal matters

xiv. Farm

6.4. Research and Extension

i. Management of research funds and activities

ii. Outreach services

6.5. Planning and Development Division

i. Infrastructural development and refurbishment

ii. Staff development

iii. Establishment and recurrent expenditures

*The possible functional areas are contained in appendix I and corruption risk assessment areas are given in appendix II.

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7. STRUCTURES TO FIGHT CORRUPTION

The University has put in place the following structures to prevent corruption:

   i. University Corruption Prevention Committee

   ii. Campus Corruption prevention Committee

   iii. Integrity Office responsible for:

   a) Regular vetting of staff

   b) Regular monitoring of University functional areas

   c) Monitoring systems/controls as per-ISO 9001:2008 procedures

   d) Supervisory checks and controls within the University

   e) Staff integrity and mentorship

   f) Institutionalization of efficiency, transparency and accountability of transactions

   g) Regular updates and monitoring of University assets

   h) Monitoring of declaration of conflict of interest

8. COMPOSITION OF THE CORRUPTION PREVENTION COMMITTEE

The following is the composition of the Corruption Prevention Committee:

Vice-Chancellor	-	Chairperson
Deputy Vice-Chancellor Academic and Students affairs	-	Member
Deputy Vice-Chancellor Administration and Finance	-	Member
Finance Officer	-	Member
Two Senate Representatives	-	Members
Director, Quality Assurance	-	Member
Human Resource Officer	-	Member
Director, ICT	-	Member
Representatives (Admin)	-	Member
Representative (Audit)	-	Audit

Integrity Assurance Officer   -   Secretary

9. MANDATE AND OPERATIONS OF THE CORRUPTION PREVENTION COMMITTEE

The role and functions of the corruption prevention Committee within the institution will be as follows:

i.   Setting priorities in the prevention of corruption within the University.

ii.   Planning and coordinating corruption prevention strategies.

iii. Integrating all corruption prevention initiatives in the University.

iv.   Receiving and reviewing reports on corruption prevention initiatives and recommending appropriate action.

v.   Receiving and taking action on corruption reports made by staff and other stakeholders.

vi.   Documenting concrete measures taken and any referrals to other agencies such as EACC.

vii. Monitoring and evaluating the impact of corruption prevention initiatives.

10. INTERNAL AUDIT REVIEWS

Internal Audit reviews play a crucial role in the prevention and detection of corruption. It also provides mechanisms for supervision, control and review of all operational systems within the University. In addition, it plays a major role in assessing the nature and extent of any fraud and corruption risks.

The university will carry out, on a quarterly basis, internal reviews in all its operational areas with emphasis on the corruption areas appearing in the appendices.

11. HOW TO REPORT CORRUPTION INTERNALLY AND EXTERNALLY

The University ensures that there are provisions made to allow for disclosure of all corrupt practices within the University by providing avenues for reporting such vices. Some of the avenues may include and are not limited to:

a)   Placing corruption reporting boxes at strategic points within the University

b)   Creation of hotline numbers that people can use

c)   Reporting directly to the C.E.O

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d) Creating an interactive page on the University website where claimants can log on and send claims.

e) Students and members of staff are encouraged to report to their immediate superior all conducts they consider unethical, or criminal to facilitate appropriate action by the relevant agents.

Such reports shall:

i. Be made in writing; where a report is made verbally, the receiving officer will put it in writing after which the giver of the report shall confirm the contents of the written report and sign it.

ii. Be treated with total confidentiality by the reporter and the receiver of the report.

iii. Be verified for authenticity.

iv. Be forwarded to the Vice-Chancellor.

The reporter is entitled to feedback on action taken on the matter reported within 4 weeks of reporting, and if no action is taken the informant may report the same to EACC.

12. HANDLING OF CORRUPTION CASES

Any cases suspected for corruption and reported to the Corruption Prevention Committee shall be referred for further investigation.

Upon the completion of the investigation, the committee will consider the report and determine whether or not to carry out further investigations through verbal and /or written submissions.
The committee will then make decisions to:

i. Refer the matter to the Staff Disciplinary Committee or

ii. Refer the matter to the Ethics and Anti Corruption Commission or

iii. Refer the matter to the police or all the above

13. PROTECTION OF WHISTLE BLOWERS

In accordance with the Witness Protection Act, 2006 (revised 2012) the University undertakes to protect the identity of persons making corruption disclosures and to ensure that information that might identify the person making the disclosures is

protected. If there is need to disclose the information, this shall first be discussed with the person.

14. DISCIPLINARY MEASURES

Any breach of the provisions of this Policy by any member of staff shall be dealt with in accordance with the provisions of the University disciplinary procedures, the Anti-Corruption, Economic Crimes Act 2003 (revised 2012), the Public Officer Ethics Act 2003 (revised 2010) and The Code of Conduct and Ethics for public Universities, Legal Notice N0. 170/2003.

15. TRAINING

The University commits itself to sensitize and train all staff on matters of ethics and integrity and in future may formulate and integrate the courses into the University teaching curricula for all students.

16. MANAGEMENT/IMPLEMENTATION AUTHORITY

The policy and implementation of this policy is vested upon the office of the Vice Chancellor, on behalf of Council.

17. REVIEW

This policy will be subjected to review from time to time whenever necessary but otherwise after every three (3) years.

18. EFFECTIVE DATE

The policy shall take effect from (the date it will be approved by University Council).

APPENDIX I: FUNCTIONAL AREAS

Management Organs

Decision Making

- Delayed decision making

- Biased decision making

- Selective implementation of decisions

- Resource allocation

- Diversion of resources

- Discrimination in resource allocation

- Misappropriation of resources

- Favoritism in allocation of resources

Administrative

- Staff conduct and ethics

- Non adherence to public officers ethics

- Pilferage

- Reporting to work late and leaving early

Student Admissions

- KUCCPS Admissions

- Irregular inter-university/interschool transfers

- Delay in processing of admission letters

- PSSP Admissions

- Biased application of admission criteria

- Fake results slips

- Non remittance of application fees

- Delay in processing of admission letters

- Delay assurance of admissions letters

- Mature Entry Admissions

- Fake/forged result slips

- Non-adherence to the set down criteria of admissions and placement into the correct entry into the year of study

- Irregular transfers from PSSP to mature entry admission

- Unethical practices in admissions

- Delay in processing of admission letters

- Postgraduate Admissions

- Favoritism in admission, especially in cases where chances are limited

- None adherence to senate criteria on post graduate admissions

Curriculum

- Use of outdated teaching content/delay in curriculum review

- Inadequate coverage of curriculum

- Delay in provision of course outline

- Adherence to 20% Rule

- Delay in releasing of time table

- Delay in student reporting

- Delay in commencement of lectures

- Fee Payment

- Use of nominal rolls

- Part-Time lecturers and External Examiners

- Irregular hiring of part-time lectures and external examiners

- Irregular payments

- Poor service delivery

Examinations

- Continuous Assessment Tests (C.A.Ts)

- Non-marked CATs

- Issuance of artificial marks

- Non adherence to the rule of two CATs per course

- Missing CAT marks

- Marked CAT scripts not returned to students

- Setting and moderating of examinations

- Delay in setting and lack of moderating examinations

- Inadequate coverage of the topics and curriculum

- Recycling of examination year after year

- Setting different examinations for different campuses but same courses

- Leakage of examination

- Setting of examination

- Moderation of examination

- Delivery of examination

- Processing of examination

- Receiving

- Typing

- Photocopying

- Collating

- Conflict of interest

APPENDIX II: CORRUPTION RISK ASSESSMENT AREAS

FUNCTIONAL AREA DESCRIPTION		CORRUPTION RISK
Academic	Issuance of examination	- Lack of full payment of fee - Use of fake examination cards
	Invigilation of examination	- Non-adherence to set examination rules - Irregular issuance of examination booklets
	Processing of Results	- Issuance of undeserved marks - Altering of marks - Unethical issuance of transcripts and certificates - Changing of names - Presentation of complete set of examination scripts to the external examiners
	Graduation	- Fee balance problem - Incompletion of courses required - Pending disciplinary cases - Insurance of graduation gowns without payment of graduation fee - Loss of graduation gowns
Library Services	Issuing and return of books	- Irregular issuing of books at the library - Mutilation of books, records and documents - Delay in re-calling of issued books - Non-payment of overdue books

Students Affairs	Games and Sports	• Irregular issuing of sports equipments • Selection of participants • Misuse of sports equipment • False claims
	Accommodation	• Allocation of rooms • Abetting non-ethical practices (cohabiting, "piracy", sub-letting of rooms) • Carrying out illegal business in hostels • Non-adherence to "10-10" rule
Warden ship	Policy	• Non observance of the Wardens Policy guidelines
Student welfare		• By-passing chain of command • Student election • Entertainment • Allocation of business premises • Work study programme
Development	Infrastructural development and refurbishment	• Pilferage of building materials • Over employment of labourers • Delayed completion of projects • Receiving of building material • Poor workmanship
Research	Research Funds	• Irregular disbursement of research funds • Lack of monitoring • Delay in disbursement of the research funds • Lack of transparency while allocating the research funds

Recruitment	Job Advertised	• Job specification tailored to favour certain individuals • Elimination of suitable candidates to favor weaker ones
	Short listing of persons	• Short listing of persons that do not meet the requirements • Biased composition of the short listing committee
	Interviews	• Biased composition of the appointments committee • Lack of score cards for interviews • Deliberate delays of interview invitation notices and in other instances withholding of the invitation • Lobbying for specific candidates among panel members
	Hiring of staff	• Hiring of staff without regard to the establishment • Hiring of casuals when there is no actual need for them
Deployment	Transfer and placements	• Favourism of certain staff during placement
Staff Development	Promotion	• Uncoordinated promotion of staff • Promotion of unqualified staff
	Training	• Biased nomination of staff training and sponsorship
Medical	Referrals	• Biased and corrupt referrals of staff for medical treatment
	Medical Claims	• Approval of false claims

	Dependants lists	• Collaboration with staff to include non bonafide person in lists of dependants
Leave	Leave of absence/Sabbatical leave	• Favoritism of staff on approval of this leave
	Leave approval and computation	• Deliberate miscalculation of balance of leave days
Records	Records	• Mishandling and mismanagement of records • Tempering with records in personal files
Catering and Hostels	Room allocation	• Asking for bribes for students to secure them rooms • Selling of rooms for personal gain
	Procurement of food stuff	• Single scouring of food items
	Loss of revenue	• Under payment of served food • Serving food that has not been paid for • Theft of food items cooked and uncooked
University Property	Management of university property	• Stationary • Office equipment • Time • Sanitary and cleansing materials • Use of University property for personal gain • Information/intellectual property • Use of University information for personal gain

Transport and Garage	Fuel	• Siphoning of university fuel • Misuse of fuel cards • Overstating the cost of fuel
	University Vehicles	• Use of University vehicles for personal use • Single sourcing and theft of spear parts
Waivers	Approval of Fee Waivers	• Collaboration with staff to approve fee waiver for non bonafide person
Retirement	Retention of Service	• Discrimination in selection of staff to be retained upon retirement
Housing	House allocation	• Unfair/discriminative allocation of University houses
Legal Office	Payment of legal fees	• Collusion with external lawyers or parties to defraud the university e.g. in legal gee
	Handling of legal matters	• Compromising of cases
Finance	Part-time payments	• Fake claim as per timetable even when courses are not taught
	Payroll	• Wrong rate of payments, dummy payments • Payments made to retired and terminated staff • Irregular stoppage deductions • Delayed remittance
Cash Office	Cash office	• Fictitious payments • Double payments • Unauthorized cheque/cash payments • Missing documents to support

		payments
	Students Finance	• Understating of students fees • HELB loans, CDF and other Bursaries • Fictitious and/or incomplete posting of students records • Use of fake statement and receipts
	Revenue	• Use of fake receipt books • Collection of debts • Unauthorized use of revenue
	Expenditure	• Inflated invoices and quotations • Invoices for unsupplied goods and services. LPOs
	Budgetary control	• Vote misallocation, non commitment of payments, wrong postings
	Bank	• Erroneous payments, double payments, frauds through bank accounts
	Financial accounts	• Creative accounts, unreconciled accounts
	Examination	• Lack of objectivity in checking the payments and passing of irregular payments
	Imprest	• Imprest use for wrong purposes. Staff taking imprest while having other uncounted imprests • Irregular actions on processing of imprests, such as deliberate delays
	Fuel/Calling cards	• Erroneous issues of calling cards and fuel cards

	Medical Refund payments	• Claims made on basis of fake receipts and/or signatures used for claims • Inflated invoices by referral doctors
Procurement	Ordering and stocking	• Stocking become obsolete/expire • Lack of regular inventory/stock taking
	Specifications	• Vague and bias specifications
	Methods of procurement	• Limited competition • Inflated quotations • Lobbying of suppliers
	Receiving and issuance	• Items of wrong specifications, under delivering • Irregular release of good
	Storage	• Poor storage, pilferage, discrepancy in issuing items • Loss of accounting documents • Unauthorized removal of documents/assets
	Disposal	• Identification and Valuation of assets • Delayed disposal
Internal Audit	Internal Audit	• Selection auditing of specified areas and selective reporting
Security	Investigation process	• Poor follow up of reported cases, especially stolen materials/equipments • Doctoring of investigation reports to suit the culprit • Delayed investigations
Farm	Revenue collection	• Uncoordinated revenue collection • Uncoordinated labour/productivity

NB: Other risks not specifically mentioned in this appendix shall be included.

APPENDIX III: ORGANIZATIONAL STRUCTURE OF ANTI-CORRUPTION COMMITTEE

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