

NNP/ADM/IEP/008/B



**THE NYERI NATIONAL  
POLYTECHNIC**

# **INTEGRITY AND ETHICS POLICY**



Approved by the Full Council on this 23<sup>rd</sup> day of December, 2021

Signed:



**ANNE N. MWANGI**  
**CHIEF PRINCIPAL/COUNCIL SECRETARY**



**FCS. Richard K. Gikui**  
**Chairman of the Council**

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## **ABBREVIATIONS AND ACCRONYMS**

- IAC** - Integrity Assurance Committee
- IAO** - Integrity Assurance Officer
- CPC** - Corruption Prevention Committee

## **OPERATIONAL TERMS AND DEFINITIONS**

For the purposes of this Policy, the following terms and definition apply;

Corruption	Any act intended to result in the misuse of entrusted power for a personal or corporate gain." This includes bribery, conflicts of interest, theft, extortion, fraud and misuse of the polytechnic assets.
Conflicts of interest	Financial or personal considerations that may influence or appear to influence the judgment or actions of employees in performing their duties, or have the potential to do so.
Fraud	any deception deliberately practiced in order to secure unfair or illegal gain.
Agency	Person, a corporation or other entity retained by the polytechnic to represent its interests or to act on its behalf.
Bribe	any payment, promise to pay, or authorization of the payment of any money, gift, reward, thing of value, advantage or benefit of any kind, that has been given or offered either directly or through an intermediary, in order to influence the making or not making or implementation of a decision or act. Also means all attempts to make such payments.
Partner	Any corporation or other entity with which the polytechnic enters into a partnership or joint venture agreement or any other similar business relationship.
Contractor	a person, a corporation or other entity retained to supply services to the polytechnic and for greater certainty includes all consultants.
Improper Payment	A bribe, kickback or facilitating payment.
Kickback	the payment, promise to pay, or the authorization of the payment of a portion of contract consideration.
Facilitating Payment	any small payment, promise to pay, or authorization of a modest one-off payment made solely to expedite or secure the performance of routine government actions that are part of a public official's duties.
Policy	This integrity policy.

## **PREFACE**

Integrity in the workplace is important as it foster a positive workplace culture. A culture where there is open communication, good decision making and a strong moral compass guiding all decisions and actions. Irresponsible behavior and distrust can make work environment uncomfortable and tense. Where leaders are known for their integrity, they will gain trust and respect from the people around them. Integrity is not just important on a personal level, it is also important at a workplace level. Organizations known for their integrity perform better and have good reputation.

The council believes in workplace integrity and has been embedded it into their conversations communications, principles and purpose. The council encourages open talk about values and ethics and pay close attention to decisions and behaviors that match their words.

The council is committed to weave workplace integrity into the polytechnic's fabric of conduct that is systems, programs, internal controls and processes until it becomes part of the master narrative that describes the polytechnic's culture of mutual trust and respect. To this end, the council to reiterates that integrity is its most trusted friend as it keeps the Council members on the right path.



**FCS. RICHARD GIKUHI**  
**CHAIRPERSON OF THE COUNCIL**

## **FOREWORD**

Nyeri National Polytechnic (NNP) integrity policy is based on values that represent commitment to uphold the highest ethical practices. This policy outlines the ways in which all within the polytechnic conduct their operations and reinforces the unique culture they are expected to uphold in keeping with the polytechnic's values.

Integrity is fundamental to the polytechnic - it means doing what is right. The policy defines how all within the polytechnic shall conduct themselves as representatives of the polytechnic. By always acting with integrity, the actions reflect positively on the values and reputation of the polytechnic.

Everyone has a responsibility to uphold the values and commitments outlined in this policy. This means all must understand and behave in line with the code of conduct as envisioned in this policy. Any ethical issue or suspected violation brought to the attention of the management shall be investigated and the whistle blower shall be protected from any form of retaliation.

This integrity and ethics policy does not stand alone. It brings in key elements of the polytechnic's extensive framework of policies and standards. It is paramount for all to understand where to go for further support and information.



**ANNE N. MWANGI  
CHIEF PRINCIPAL.**

## **1.0 INTRODUCTION**

The Nyeri national polytechnic is dedicated to uphold integrity in every aspect of its operations. Trainees and other interested parties prefer the polytechnic both for the quality of its products and services and integrity of its staff. This confidence in the polytechnic rests upon the belief that the polytechnic staff consistently decides to do what is right and shall continue to do so at all times.

The polytechnic believes that the overall integrity demands the continuous commitment of all staff in making decisions on its behalf as well as in their individual capacity in their day to day operations. Staff are expected to always choose an ethical course of action from among the alternatives.

No written code can replace personal integrity, common courtesy and good judgment. Yet the following general guidelines, which apply to all staff, highlight important integrity policies of the polytechnic and should serve as a guide to minimum standards of proper conduct. The polytechnic does not anticipate granting waivers or exceptions to this policy. Any waiver must be specifically pre-approved in writing, by the polytechnic's management.

Staff with concerns/information of financial misconduct or fraud may report such concerns directly to the CPC. All staff reports and concerns shall be handled confidentially, anonymously and with discretion.

### **1.1 Scope**

This integrity and ethics policy applies to the members of the council, staff, contractors, suppliers and trainees of the polytechnic. Through appropriate contractual arrangements and procurement principles, agents, consultants, contractors and suppliers of the Polytechnic are equally expected to comply with this integrity and ethics policy in all their dealings.



## **2.0 CODE OF CONDUCT AND ETHICS**

Integrity and a high ethical standard are fundamental to the polytechnic's beliefs and are to be upheld by all individuals. All must remain committed to obeying all laws and always doing what is right. These principles are accomplished in dealings with customers, suppliers, staff, and all others through:

- a) Obeying the letter and intent of the law including procurement law;
- b) Conducting the polytechnic's business in a forthright and honest manner;
- c) Through fairness and being considerate in all dealings;
- d) Maintaining professional behavior and use common courtesy;
- e) Respecting the rights and dignity of all individuals, as well as the legal rights of all other organizations;
- f) Using polytechnic's name only in connection with authorized, legitimate activities;
- g) Using polytechnic's resources in a manner consistent with the best interests of the polytechnic;
- h) Using positions at the polytechnic to further only valid polytechnic's interests, rather than to further personal interests.
- i) Avoiding the appearance of any impropriety; and
- j) Expecting and encouraging polytechnic's partners and suppliers to maintain similarly high standards of ethical conduct.

Implementation of this policy requires individual commitment. The general guidelines designed to assist all staff in implementing the policy are as discussed in the following section.

### **2.1 Polytechnic's Assets and Asset Records**

It is the job of all the polytechnic staff to safeguard polytechnic's assets.

- 1) All assets, including financial assets, vehicles, office supplies, equipment, computer software, telephone and internet services, voice-mail and e-mail may only be used for purposes authorized by the management.
- 2) Polytechnic's computers or networks may only be used in accordance with polytechnic's ICT policy and may never be used to access, receive or transmit material that is illegal.
- 3) Staff may not loan, borrow, donate, sell or dispose off any polytechnic's property unless specifically authorized by the management.
- 4) Staff may not use polytechnic's property, information or his or her position at the polytechnic for personal gain.

- 5) Any act that involves theft, fraud, embezzlement, or misappropriation of any property is prohibited.

## **2.2 Polytechnic's Books, Records and Filings**

- 1) All financial books, records, accounts, government filings and communications must accurately reflect transactions and events, and conform both to generally accepted accounting principles and to the polytechnic's system of internal controls.
- 2) Undisclosed, misrepresented or unrecorded funds, assets or liabilities are not allowed.
- 3) It is never acceptable to make false claims to falsify quality results.
- 4) No entry may be made that intentionally hides or disguises the true nature of any transaction.
- 5) Staff must follow the polytechnic's procurement processes and procedures and consult with the management before entering into any contracts, agreements or other legally enforceable commitments (whether written or unwritten) to which the polytechnic is a party.
- 6) All business records (including e-mail and computer records) may become subject to public disclosure in the course of litigation or governmental investigations. Staff shall therefore be clear, concise, truthful and accurate when recording any information in any format.
- 7) Documents shall be retained in accordance with record retention policy.
- 8) Contact the management if there is any doubt about the appropriateness of document retention or destruction.

## **2.3 Polytechnic's Public Reporting**

- 1) Depending on their position in the polytechnic, staff may be called upon to provide necessary information to assure that the polytechnic's public reports are complete, fair and understandable.
- 2) In such a case (as 1above), the polytechnic expects provision of prompt, accurate responses to inquiries related to the polytechnic's public disclosure requirements.

## **2.4 Disclosure or Use of Confidential Information**

- 1) Confidential information means information about the polytechnic's activities, staff, customers, vendors or other entities with which the polytechnic partners with and is not available to the general public.
- 2) Confidential information is typically learned by staff in the course of employment with the polytechnic.

- 3) Confidential information includes personnel information, product development and marketing information and strategies, know-how, internal policies, computer access codes, and financial status not already disclosed in public documents.
- 4) Confidential information shall be disclosed only to those staff of the polytechnic who need to know it to serve the interests of the customer, supplier, development partner, or the polytechnic, and it shall not be used for personal gain.
- 5) Before disclosing confidential information to consultants, independent contractors or other third parties, staff shall verify that confidential information is safeguarded by a signed confidentiality or non-disclosure agreement.
- 6) Confidential information must not be discussed in the presence of persons, whether employed by the polytechnic or not, who do not have a legitimate purpose to learn the confidential information.
- 7) Unnecessary copying of documents containing confidential information is prohibited.
- 8) Documents containing confidential information shall not be left in conference rooms, reprography/photocopy areas, on desks or at workstations where they can be accessed by unauthorized persons.
- 9) Confidential information shall not be left displayed on computer screens when not in use.
- 10) Unless otherwise required by the terms of a specific confidentiality or non-disclosure document, additional or extra copies of confidential information shall be shredded and not discarded in trash cans.
- 11) Unauthorized, informal or unintentional release of confidential information can subject staff, the polytechnic, or both, to liability for damages.
- 12) Both during and after employment with the polytechnic, staff is obligated to safeguard confidential information and at the end of the employment, staff must deliver all materials containing confidential information, including copies, notes, and files, to the polytechnic.
- 13) Confidential information which is not in written form but which is retained in a staff's memory is subject to the same restrictions and prohibitions with respect to disclosure and usage as confidential information which is in written or otherwise recorded form.
- 14) Any staff of the polytechnic also has an obligation to protect the confidential nature of relationships with former, present or prospective customers, suppliers or development partners of the polytechnic. This includes but is not limited to confidential information owned by such third parties and disclosed to the Polytechnic in confidence.
- 15) Any confidential information about customers, suppliers and development partners that is acquired by staff must be used solely for the purposes of the polytechnic, and under

no circumstances shall such information be revealed to persons who do not have a legitimate relationship with the polytechnic.

- 16) Each department of the polytechnic shall determine whether supplemental procedures are necessary to protect confidentiality. Each staff shall ascertain whether such supplemental procedures exist for his or her department.
- 17) In addition to the restrictions mentioned above, the polytechnic, in many cases, may be bound by the terms of specific confidentiality or non-disclosure agreements. Individuals handling confidential information must ascertain whether any such agreement exists and, if it does, adhere to its provisions which may be more restrictive than those contained in this guideline.
- 18) When in doubt about such restrictions, consult the management.

## **2.5 Conflict of Interest**

- 1) All officers and members of the council owe a duty of loyalty to the polytechnic. This duty places on each person the obligation to act in the polytechnic's best interests and to maintain in confidence all proprietary information of the polytechnic, including third party confidential information obtained by the polytechnic.
- 2) All officers and members of the council must not compete with the polytechnic, and must avoid placing themselves in positions that may produce divided loyalty, or which could create the appearance of divided loyalty.
- 3) It is the duty of each staff to refrain from using polytechnic property, information, or his or her position at the polytechnic for personal gain.
- 4) The polytechnic shall maintain a conflict of interest register.

## **2.6 Outside Employment**

- 1) Staff shall not engage in any type of outside employment while employed at the polytechnic, including consulting and self-employment, if the outside employment:
  - a) May embarrass or discredit the polytechnic;
  - b) May, in any way, affect the staff's impartiality, objectivity or efficiency in performing his or her duties at the polytechnic;
  - c) Involves the use, possible use or disclosure of proprietary or confidential information of the Polytechnic or the proprietary or confidential information of others held by the polytechnic;
  - d) Involves, in any way, a supplier, customer or competitor of the polytechnic;

- e) Involves the use of the polytechnic's equipment, supplies, software or other resources; or,
  - f) Is conducted during working hours or otherwise conflicts with the staff's work for the polytechnic.
- 2) A potential conflict of interest also arises when a staff serves on a committee or a board, including an advisory board, of a different organization with similar aspiration as the polytechnic.
  - 3) Polytechnic, staff is required to disclose any and all such board or committee membership at the earliest opportunity.
  - 4) Prior to serving on such a board or committee, a staff is required to obtain the approval of the management.
  - 5) Participation on such a board or committee shall only be permitted with prior approval and where such participation is consistent with the interests of the polytechnic.

## **2.7 Gifts and Gratuities**

- 1) No gifts or gratuities, which could be construed as influencing or rewarding a particular course of action, may be solicited or accepted by a polytechnic staff from, or be given by a polytechnic staff to, any staff or representative of a customer, supplier, the media, any government agency or department, or any other organization partnering with the polytechnic.
- 2) Giving or receiving of gifts or gratuities in exchange for influencing or rewarding a particular action is not only prohibited by the polytechnic, but may violate civil or criminal laws, or both.
- 3) In certain instances, gifts other than money may be accepted or given. These apply equally to business relationships in which the Polytechnic is the customer and to those in which the Polytechnic is the vendor. These instances shall be discussed and approved by the Management
- 4) Certain instances may arise in which a staff is publicly presented with a gift of appreciation from a customer or partner with the generally accepted value limitations of a gift. If refusal of this gift would harm the relationship, it is permissible for the staff to accept the gift on behalf of the polytechnic with the gift then becoming polytechnic property. Such gifts shall be surrendered to the polytechnic and a fair determination shall be made on whether the staff shall retain the gift.
- 5) The polytechnic shall maintain a gift register where all gifts shall be recorded.

## **2.8 Improper Payments**

- 1) Polytechnic policy prohibits, without exception, the use of corporate or personal funds to make or promise to make any improper payment. An improper business payment is:
  - a) Any bribe, payoff or kickback made to obtain an advantage in a commercial transaction;
  - b) Any gift, favor or other thing of value beyond gifts of a token nature; and
  - c) Any commission, discount, or consulting or professional fee not reasonably related to services actually and legally performed.
- 2) In no case may staff offer to pay, pay or authorize payment to any third person while knowing that any portion of the payment shall be given by that third person to exert influence in obtaining or retaining business. This prohibition includes the concepts of conscious disregard of the truth or intentional ignorance.
- 3) Providing improper payments is not only a breach of polytechnic policy, but may cause the polytechnic or the staff, or both, to be in violation of civil or criminal laws, or both.

## **2.9 Relations with Other Agencies/Staff**

- 1) All staff shall exercise good judgment in relationships with other agencies/staff to avoid any conduct which could in any way be construed as influencing or rewarding an improper course of action.
- 2) Staff shall not offer or furnish anything of value to any agency/staff in return for such staff/agency performing or refraining from performing an official act.
- 3) The offering or furnishing of gifts, gratuities, favors, entertainment, etc., no matter how innocently offered or furnished to any agency/staff may be a source of embarrassment to the polytechnic and to the government, may be illegal, and may impair public confidence in the integrity of the relations between the polytechnic and the government of Kenya.
- 4) Staff shall not offer or furnish any gift, gratuity, favor, entertainment, loan, or any other thing of value, either directly or indirectly, even of a token nature, to any agency/staff the polytechnic is engaged or is endeavoring to engage in procurement activities.

## **2.10 Services and Marketing Integrity**

- 1) The polytechnic is dedicated to marketing its services to potential and existing customers.

- 2) The polytechnic expressly prohibits making inaccurate claims about existing or planned service features.
- 3) It is the policy of the polytechnic to make only those commitments to customers that it believes can be met and that it fully intends to meet.

### **2.11 Professional conduct in a diverse workplace**

- 1) Staff that make up the polytechnic come from many different cultures, backgrounds and beliefs.
- 2) The polytechnic's diversity is one of its greatest assets, helping it to compete knowledgeably and successfully in an increasingly global marketplace.
- 3) The polytechnic is fully committed to meeting its obligations to provide equal employment (where applicable) opportunities to all staff and applicants for employment without regard to race, color, religion, sex, national origin/ancestry, citizenship, age, disability, other protected status by the laws of Kenya.
- 4) Staff throughout the polytechnic shall be responsible for conducting themselves in a professional manner and for helping to create an environment of dignity and respect for others with diverse backgrounds and perspectives, including fellow staff, customers, vendors and other third parties.
- 5) Professional conduct is characterized first and foremost by basic civility. Such conduct promotes open dialogue, encourages others to share their opinions, promotes sensitivity to individual and cultural differences, and seeks to learn from other viewpoints and strives to avoid intentionally causing offense to others.
- 6) Conduct that demeans isolates or inappropriately excludes others is inconsistent with this policy.
- 7) Conduct constituting harassment of any kind, including sexual harassment and harassment based on gender, race, color, religion, national origin/ancestry, citizenship, age, disability, or other protected status as per the laws of Kenya, is absolutely prohibited.
- 8) A staff is required to report inappropriate and unwelcome conduct whenever they experience it, witness it or learn about it.
- 9) Conduct constituting prohibited harassment and the procedures for reporting inappropriate conduct of any kind are described below in detail:
  - a) **Harassment-** Harassment in all of its forms is prohibited. forms of inappropriate conduct that shall not be tolerated include (but are not necessarily limited to) epithets, slurs, negative stereotyping, intimidating acts and the circulation (inside or

outside your work area) of written or graphic materials that show hostility towards individuals because of their race, color, religion, national origin/ancestry, citizenship, age, gender, disability, or other protected status as per the laws of Kenya.

**b) Sexual harassment** - Sexual harassment is illegal and not tolerated at the polytechnic. With regard to sexual harassment, conduct prohibited by the polytechnic includes, but is not limited to, the following:

- i. Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual or otherwise offensive nature, especially where submission to such conduct
  - Is made either explicitly or implicitly to a term or condition of employment;
  - Is used as a basis for employment decisions; or
  - Has the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- ii. Sexually offensive comments-jokes, insinuations, and other sexually-oriented statements or materials, including electronic transmission of such materials.

10) This integrity and ethics policy prohibits inappropriate conduct regardless of whether the conduct rises to the level of a legal violation. Examples of prohibited conduct include, but are not limited to, the following:

- a) Offensive sexually-oriented verbal kidding, teasing or jokes;
- b) Repeated unwanted sexual flirtations, advances or propositions;
- c) Continued or repeated verbal abuse of a sexual nature;
- d) Graphic or degrading comments about an individual's appearance or sexual activity;
- e) Offensive visual conduct, including leering, making sexual gestures, the display of offensive sexually suggestive objects or pictures, cartoons, posters or screen savers;
- f) Unwelcome pressure for sexual activity;
- g) Suggestive or obscene letters, e-mails, notes or invitations; or
- h) Offensive physical contact such as patting, grabbing, pinching, or brushing against another's body.

11) Polytechnic staff are obligated to assist in maintaining a professional workplace free from harassment.

12) Inappropriate conduct, witness of such conduct and or awareness of it must be reported through one of the following avenues:



- a) Contact immediate supervisor, if uncomfortable doing this for any reason, report can be made to the alternatives below
  - b) Contact a member of the IAOs or any member of senior management utilizing the open door policy;
- 13) Reports of discrimination or harassment shall be promptly investigated and handled as discretely as possible.
- 14) If an investigation confirms that a violation of this policy has occurred, the polytechnic shall take corrective action as appropriate, including discipline, up to and including termination of employment.
- 15) The polytechnic prohibits any form of retaliation against any person for making a complaint in good faith under this policy or assisting in any investigation.
- 16) Any person who reports an incident of harassment or has assisted in an investigation, and who has been coerced, intimidated or threatened in any manner for doing so, may seek hearing in other avenues of law in Kenya.
- 17) No staff shall be demoted, discharged, or in any other way retaliated against for pursuing his or her rights under the legal remedies.

### **2.12 VIOLATION OF THE POLICY**

Any violation of these policies may subject the staff involved to disciplinary action by the polytechnic, including dismissal, and possible civil or criminal penalties, as well as subjecting the Polytechnic to possible civil or criminal liability.

Suspected unethical conduct should be reported to integrity assurance officers (IAOs) without fear of retribution. All reports shall be investigated, and the polytechnic shall undertake remedial measures as they are needed. As applicable, they might be escalated to the corruption prevention committee (CPC) for discussion and action.

### **3.0 POLICY REVIEW**

This policy will be reviewed after every three (3) years with a mid-term review to accommodate emerging issues or from time to time as need may arise.



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