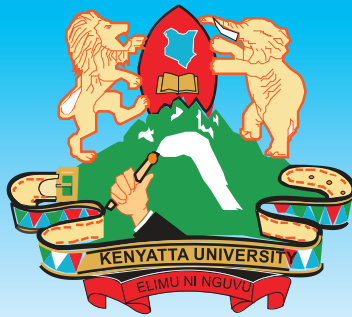




Kenyatta University

CODE OF CONDUCT & ETHICS

March, 2015

FUNDAMENTAL STATEMENTS

VISION STATEMENT

The vision of Kenyatta University is to be a dynamic, inclusive and globally competitive centre of excellence in the provision of quality education, training and research for sustainable development.

MISSION STATEMENT

The mission of Kenyatta University is to provide quality education and training through knowledge generation, research, innovation, creativity and community service.

IDENTITY STATEMENT

Kenyatta University is a community of scholars committed to the generation and dissemination of knowledge and cultivation of wisdom for the welfare of society.

PHILOSOPHY STATEMENT

Kenyatta University's philosophy is sensitivity and responsiveness to societal needs and the right of every person to knowledge.

KENYATTA UNIVERSITY CORE VALUES

Truth, Creativity, Excellence, Self Reliance, Innovation, Relevance, Equal Opportunity, Professionalism, Moral Integrity, Democratization, Corporate Governance, Institutional Culture, Competitiveness, Academic Freedom and Respect for Diversity.

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FORWARD



**PROF. OLIVE M. MUGENDA, PhD, EBS, CBS
VICE-CHANCELLOR**

The Public Officer Ethics Act (2003) was enacted to advance the ethics and performance standards of public officers.

The development of this Code of Conduct is a reflection of the University Commitment to high ethical standards including honesty, accuracy, co-operation, tolerance, acceptance of obligations as well as rights, accountability to our clients, the public and the government.

The vision of the University, "To be a dynamic, inclusive and globally competitive centre of excellence in the provision of quality education, training and research for sustainable development can only be achieved if there is good governance, efficiency, transparency, accountability, responsiveness and ethical practices

among the employees. Unethical behaviour can cause damage to the University reputation and image. The University, therefore, requires all employees and individuals acting on its behalf to conduct business honestly, fairly and professionally.

On behalf of Kenyatta University, I wish to express my gratitude to all members of the Committee that has worked hard in the formulation of this Code of Conduct.

It is my sincere hope that this Code of Conduct will be a clear guide to all the members of staff in their conduct while executing their services at the University.

Signed.....dated this *Wednesday* day of *11* March 2015

**PROF OLIVE M. MUGENDA, PhD, EBS, CBS
VICE-CHANCELLOR**

Preamble

The core value of Kenyatta University is to nurture the growth of the whole person through integrated development of physical, intellectual, moral and spiritual attributes and abilities.

The human resource in the University is crucial for the development of the University and the realization of its mission. This human resource is expected to exhibit a high degree of maturity, integrity, trustworthiness, responsibility and accountability.

This Code contains general rules of conduct and ethics to be observed by the University employees so as to maintain the integrity, dignity and nobility of university education. This Code is not intended to replace the Terms and Conditions of Service of individual employees, and is to be applied consistently with the Constitution, the Universities Act and any other legislation.

University employees should adhere to this Code both in their public and private lives so as not to bring ridicule and dishonor to the University.

Introduction

The University employees are expected to perform their duties efficiently, effectively, fairly and with integrity. This Code of Conduct and Ethics has, therefore, been developed to guide the employees in dealing with ethical problems. The Code of conduct is a reflection of the University Commitment to high standards of service delivery at the work place.

The Code of Conduct is a frame work within which members of staff bind themselves in regard to their work, conduct and behaviour and it is expected that the Code of Conduct will complement other professional codes of ethics or rules and regulations such as the Government Code of Regulations, and should be consistent with other codes and the laws of the land.

All employees of the University are expected to uphold and promote the tenets of integrity and ethics in the management of public affairs.

The University reserves the right to terminate its contractual arrangements with any third party providing services for or on behalf of the University where there is reasonable evidence that they/their staff have acted contrary to the principles of this Code of Conduct.

PART I - PRELIMINARY

1. Citation

This code may be cited as the Kenyatta University Code of Conduct and Ethics.

2. Interpretation

"Chief Executive" means the Vice-Chancellor,

"Officer" means an employee of the University including members of the Kenyatta University Council.

"A student" means a person enrolled as a learner in Kenyatta University.

"Commission" means the Commission of University Education

3. Application of Code

This Code applies to employees of Kenyatta University including members of the Kenyatta University Council.

4. Establishment of the Kenyatta University Code of Conduct

In compliance with the provisions of Part II 5 (1) of the Public Officer Ethics Act, 2003 the University establishes the Kenyatta University Code of Conduct and Ethics.

5. Compliance with the General Code

An employee shall abide by all the requirements of the General Code of Conduct and Ethics as set out in Part III of the Public Officer Ethics Act, 2003.

6. Signing of the Code

An employee shall sign a declaration committing to comply with this Code of Conduct within seven days of reporting.

PART II – THE KENYATTA UNIVERSITY CODE OF CONDUCT AND ETHICS

1. Public Trust

A University Office is a position of public trust and the authority and responsibility vested in an employee shall be exercised by the employee in the best interest of the University.

2. Responsibility and Duties

Subject to the Constitution and any other law, an employee shall take personal responsibility for the reasonably foreseeable consequences of any actions or omissions arising from the discharge of the duties of his/ her office.

3. Performance of Duties

A. General

An employee shall, to the best of his/her ability, carry out his/her duties and ensure that he/ she provides services efficiently and honestly.

B. Teaching and Conduct of Examinations

- i) An employee who is a member of the academic staff shall:
 - a) Organize his instruction, assessment and examination in a manner that complies with the University requirements and expectations;
 - b) Ensure that the examinations are delivered to the students as scheduled and that the result thereof is processed without undue delay;
 - c) Exercise diligence, care and attention in the performance of his/her duties, and shall seek to achieve high standards in teaching or administrative duties;
 - d) Promote the culture of research among university students, and shall assist in the overall development of the student as a scholar and a decent human being;

- ii) An employee who is involved in the conduct of examinations shall ensure that the contents of the examination papers are kept secret and are only released to students when they are sitting for the particular examination.
- iii) For the purposes of subparagraph (ii) above, an employee is involved in the conduct of examinations if his duties relate to:-
 - a) Setting or moderating of the examination;
 - b) Typing, printing, photocopying, or otherwise producing or reproducing the examination papers;
 - c) Transporting examination papers;
 - d) Invigilation at the examination;
 - e) Marking or entering of grades attained, or if his/her duties otherwise give him access to examination papers or their contents.
- iv) An employee whose duties involve the grading or assessment of examination performances shall at all times be guided by the rule of merit in grading or assessing the examination candidates.

4. Professionalism

An employee shall:-

- i) Carry out his/her duties in a way that maintains public confidence in the integrity of his/her office;
- ii) Treat the public and his/her fellow employees with courtesy and respect;
- iii) To the extent appropriate to his/her office, seek to improve the standards of performance and level of professionalism in the University;
- iv) If a member of a professional body, observe the ethical and professional requirements of that body;
- v) Observe official working hours and not be absent without proper authorization or reasonable cause;
- vi) Maintain an appropriate standard of dress and personal hygiene;
- vii) Discharge any professional responsibilities in a professional manner; and
- viii) Actively and personally promote a culture in the University that aims at providing fast, friendly, responsive and efficient services and shall be courteous to all persons in the provisions of such services.

5. Financial Probity

An employee shall:-

- i) At all times uphold the dignity of the university by conducting his/her official duties and his/her private affairs with integrity and in a dignified, honest and impeccable manner;
- ii) Not use his/her office to unlawfully or wrongfully enrich himself/herself or any other person;
- iii) Not accept a personal loan or benefit which may compromise the employee in carrying

out his/her duties.

6. Moral and Ethical Conduct

- i) An employee shall conduct himself/herself in a manner that promotes the universally recognized rights and freedoms of persons in order to protect the dignity of a person that the University seeks to serve;
- ii) An employee shall not sexually harass a member of the public or a fellow employee;
- iii) In subsection (ii) above, "sexually harass" includes doing any of the following, if the person doing it knows or ought to know that it is unwelcome:-
 - a) Making a request or exerting pressure for sexual activity or favours;
 - b) Making intentional or careless physical contact that is sexual in nature; and
 - c) Making gestures, noises, jokes or comments, including innuendos, regarding another person's sexuality.

7. Gifts or Benefits in Kind

- i) An employee shall not solicit for any property or benefit of any kind, for himself/herself or for any person, on account of anything to be done or omitted by him/her in discharge of his/her duties or by virtue of his/her official position;
- ii) An employee shall ensure that no members of his/her family solicit or accept any gift, money, hospitality, free passage or favours from any person or organisation that might reasonably be thought to influence or be intended to influence the employee in discharging his/her official duties and responsibilities;
- iii) A reference in this paragraph to members of the employee's family is a reference to any spouse, child, grandchild, parent, grandparent or other relative of the employee, and to any other person with whom the employee maintains a close relationship;
- iv) Where a gift is given without the employee's knowledge or where refusal of a gift would be offensive to custom or might amount to bad public relations, the employee shall inform the Chief Executive of the University who shall decide how the gift is to be disposed of;
- v) Notwithstanding any other provision of this Code, but subject to the General Code of Conduct and Ethics, an employee may:-
 - a) Accept gifts which are occasional and inexpensive or in the form of a souvenir or gifts whose value does not exceed twenty thousand Kenya Shillings (Ksh 20,000.00); and
 - b) Accept personal gifts or donations from relatives or friends on such special occasions as may be recognized by custom.
- vi) When any gift or donation is made for the development of the University, the employee together with the University Management shall:-
 - a) In writing disclose to the Chief Executive of the University the nature of the gift or donation;

- b) In writing inform the Chief Executive of the University as to how the Management intends to utilize the gift or donation; and
 - c) Receipt the gift or donation and fully account for its use.
- vii) This rule does not prohibit an officer from participating in social activities and accepting gifts during such occasions if the officer is participating in such activities in his personal or private capacity;
- viii) Further the employee should not receive a gift of jewelry or other gifts comprising of precious metal or stones, ivory or any other animal part protected under the convention on International Trade in Endangered Species of Wild, fauna and flora;
- ix) Where an employee receives a gift he/she is required to declare the gift to the University.

8. Wrongful or unlawful acquisition of Property

An employee shall not use the office to wrongfully or unlawfully acquire or influence the acquisition of public property.

9. Conflict of Interest

- i) An employee shall ensure that he does not subordinate his official duties to his private interests or put himself/herself in a position where there is conflict between his official duties and his private interests;
- ii) Shall not associate outside his official duties with any financial or other activities in circumstances where there could be suspicion that his/her official position or official information available to him was being turned to his private gain or that of his associates;
- iii) An employee shall not engage in any occupation or business which might prejudice his status as an officer or bring his/her office or university education into dispute;
- iv) An employee shall not in any way **trade with his/her employer** or allow his/her spouse or relatives to do so, or trade with any other institution where he/she is likely to have an advantage by virtue of his/her office;
- v) An employee shall not hold shares or have any other interest in a corporation, partnership of other body, directly or through another person, if holding those shares or having that interest would result in the employee's personal interests conflicting with his/her official duties;
- vi) An employee whose personal interests conflict with his/her official duties shall:-
 - a) Declare the personal interests to his superior or other appropriate body and comply with any directions to avoid the conflict; and
 - b) Refrain from participating in any deliberations with respect to the matter.
- vii) Notwithstanding any directions to the contrary under subsection (vi)(a) above, an employee shall not award a contract, or influence the award of a contract, to-
 - a) Himself/herself;
 - b) a spouse or relative;

- c) Business associate; or
- d) a corporation, partnership or other body in which the employee has an interest.

viii) The regulations under (vi)&(vii) may govern when the personal interests of an employee conflict with his/her official duties for the purposes of this section;

ix) In this section, "personal interest" includes the interest of a spouse, relative or business associate.

10. Participation in Tenders

An employee shall not participate in a tender for the supply of goods or services to the University. However, the holding of shares by the employee in the company shall not be construed as participating in the tender unless the employee has a controlling shareholding in the company or entity; or the employee is a Director of the Company.

11. Public Collections and Harambees

An employee shall not:-

- i) Use his/her office or place of work as a venue for soliciting or collecting harambees; or
- ii) Either as a collector or promoter of a public collection, obtain money or other property from a person by using his official position in any way to exert pressure.

12. Bank Accounts outside Kenya

- i) Subject to Article 76(2) of the Constitution or any other written law, a public officer shall not open or continue to operate a bank account outside Kenya without the approval of the Ethics and Anti-Corruption Commission;
- ii) If an employee has reasonable grounds for opening or operating a bank account outside Kenya he/she shall apply to the Commission for approval to open or operate a bank account.

13. Acting for Foreigners

No employee shall, in a manner that may be detrimental to the security interests of Kenya, be an agent for, or further the interests of, a foreign government, organisation or individual.

14. Care of Property/Management of Resources

- i) An employee shall not misuse the resources of the University;
- ii) An employee shall ensure that University resources under his/her charge are properly utilized and fully accounted for;
- iii) An employee shall not use University resources to unjustly enrich himself;
- iv) An employee who is utilizing University resources to conduct research shall disclose this fact to the Chief Executive of the University and his/her activities shall be governed by such agreement as may be made between himself/herself and the University;
- v) An employee shall observe the principles of the law governing intellectual property, copyright and other related matters in order to promote the culture of research and

to uphold the integrity and academic freedom that members and students of public universities enjoy;

- vi) For the purposes of this paragraph, "the University's resources" includes-
- a) Physical facilities including the buildings, recreational facilities, infrastructure and all moveable and immoveable assets of the University;
 - b) University funds, however obtained, including funds received from students as tuition or accommodation fees, any donations, contributions or gifts, and any funds otherwise obtained for use for university education;
 - c) Furniture, equipment, apparatus, stationery and research materials, whether living or dead; and
 - d) Motor vehicles and transport facilities provided for the purposes of university education.
- vii) An employee shall surrender all University property in his/her custody at the end of the appointment term.

15. Misuse of Official Information

An employee shall not directly or indirectly use or allow any person under the employee's authority to use any information obtained through or in connection with the office, which is not available in the public domain, for the furthering of any private interest, whether financial or otherwise.

16. Political Neutrality

- i) An employee shall not, in or in connection with the performance of his/her duties as such:-
- a) Act as an agent for, or so as to further the interest of, a political party; or
 - b) Indicate support for or opposition to any political party or candidate in an election.
- ii) An employee shall not engage in political activity that may compromise or be seen to compromise the political neutrality of his/her office.
- iii) An employee who wishes to contest a seat in the National Assembly, Senate or a County Assembly or any other political office shall be required to resign his/her office in the University.

17. Impartiality

An employee shall:-

- i) At all times, carry out the duties of his/her office with impartiality and objectivity and;
- ii) Not practice favouritism, nepotism, tribalism, cronyism, religious bias or engage in corrupt or unethical practices.

18. Giving of Advice

An employee who has a duty to give advice shall give honest and impartial advice without fear or favour.

19. Gainful Employment

An employee who is serving on full time basis is prohibited in engaging in any other gainful employment which results in the impairment of the employee or in the execution of the functions of his/her office or results in a conflict of interest.

20. Offers of Future Employment

An employee shall not allow him/her to be influenced in the performance of their duties by plans or expectations for or offers of future employment or benefits.

21. Misleading the Public

An employee shall not knowingly give false or misleading information to any person.

22. Falsification of Records

An employee shall not falsify any records or misrepresent information to the public.

23. Conduct of Private Affairs

- i) An employee shall conduct his/her private affairs in a way that maintains public confidence in the integrity of his/her office;
- ii) An employee shall not neglect his/her financial and other obligations to his/her family and other persons or organizations;
- iii) An employee shall prudently manage his/her finances to avoid financial embarrassment to himself/herself and his/her employer;
- iv) An employee shall be a role model to his/her students, colleagues and other people around him/her and shall therefore refrain from engaging in activities that undermine this role or bring the University into disrepute.

24. Bullying

- i) An employee shall not bully another employee or any other person;
- ii) For purpose of this section, bullying includes repeated offensive behavior which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

25. Acting through others

- i) An employee contravenes this Code of Conduct and Ethics if:-
 - a) He/she causes anything to be done through another person that would, if the employee did it, be a contravention of the Code of Conduct and Ethics; or
 - b) He/she allows or directs a person under his/her supervision or control to do anything that is a contravention of this Code of Conduct and Ethics.
- ii) Subsection (i)(b) above does not apply with respect to anything done without the employee's knowledge or consent if the employee took reasonable steps to prevent it.

26. Reporting Improper Orders

If an employee considers that anything required of them is in contravention of this Code of Conduct and Ethics or is otherwise improper or unethical, the employee shall report the

matter to an appropriate authority for necessary action.

27. Confidentiality

An employee shall not disclose or cause to be disclosed any information in his/her custody to any unauthorized person during or after expiry of tenure of office.

28. Promotion of Ethics, Integrity and Best Practices in the University

- i) Employees shall collectively and individually take measures to ensure that staff of the University uphold and practice the highest attainable degree of integrity in the performance of their duties;
- ii) An employee is under duty to disclose to the Secretary to the Commission or to the Chief Executive of the University any violation of the General Code of Conduct and Ethics as set out in the provisions of this Code, and in particular:-
 - a) Where an employee is charged with a serious offence under the Penal Code or any other law where a prison sentence may be imposed other than in default of payments of a fine;
 - b) Where an officer is declared bankrupt by a court of law;
 - c) Where there has been sexual harassment of an officer by another officer, or of a student by an officer;
 - d) Where there has been neglect of duty;
 - e) Where there has been absenteeism at the place of work;
 - f) Where there has been an act of fraud or collusion to defraud;
 - g) Where examination irregularities have occurred; or
 - h) Where there has been any other breach of the Code or the terms and conditions of service by an employee.
- iii) For the purposes of subparagraph (ii)(a), reports shall not be required in respect of proceedings for minor offences under the traffic laws, the local government by-laws, or the like.

29. Dress Code

An employee shall maintain appropriate standard of dress and personal hygiene at all times.

30. Breach of Code

When an employee has committed a breach of this Code, appropriate action will be taken in accordance with the provisions of the Act and other laws, and the Terms and Conditions of Service of the employee.

31. Review

The Code shall be reviewed as and when necessary.



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Transforming Higher Education... Enhancing Lives