

National Cohesion and Integration Commission



CODE OF
CONDUCT

A red speech bubble with a grey outline, pointing downwards, containing the text "Code of Conduct".

Code of Conduct

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Core Statements

Our Vision

A Peaceful, Cohesive, United and Integrated Kenyan Society.

Our Mission

To facilitate the elimination of all forms of ethnic discrimination and proactively promote tolerance, understanding and acceptance of diversity, peaceful coexistence and unity.

Core Values

1. Professionalism

We are committed to serving our clients with utmost professionalism.

2. Affirmative action for the marginalized and the minorities

We endeavor to undertake affirmative action for the marginalized and the minorities.

3. Respect for diversity and inclusivity

We respect diversity and ensure inclusion in our various engagements.

4. Integrity

We provide our services with utmost integrity.

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Integrity Quote

“*Honor your
Commitments
with Integrity*”

Less Brown

Preface

This Code has been developed with a view to improve accessibility and response to the new demands placed on the Public Service arising from the Constitution of Kenya 2010 and other reforms in the Public Service. The Code of conduct and Ethics is intended to promote good governance, transparency and accountability and to improve the image of NCIC. Consequently all employees are expected to conform to the provisions of this Code and to promote its observance.

This Code of conduct and Ethics sets out the standards of behaviour for the employees of NCIC. It is designed to ensure impartiality, objectivity, transparency, integrity, efficiency and effectiveness of employees when performing their duties. Further, the code is a guide to the staff in their behaviour in the way they relate to each other and the general public. While there are ethical obligations and Codes of Conduct for specific professions such as Accounting and lawyers, this Code is based on ethical standards or guiding principles which apply to all staff working at NCIC.



HASSAN S. MOHAMED, (OGW)
Commission Secretary

1.0 Introduction

1.1 Purpose of the Code

The purpose of this Code of Conduct is to provide general guidance to the staff of NCIC in their performance of their duty and in their relationships when dealing with their colleagues and the general public. The code sets out the standards of behaviour expected of the employees with the aim of enhancing their performance and promoting good governance that reflects a good image of NCIC.

The code complements existing laws, regulations and rules as well as professional codes of conduct guiding employees. Its guiding principles are designed to maintain and enhance the values that inspire confidence, trust and integrity of the Public Service. The code calls for self-discipline which is required of employees in order to achieve the highest standards of ethical conduct. Provision has also been made for appropriate sanctions to be applied where an officer's conduct is found to be inconsistent with the Code.

1.2 Application of the Code

This code applies to all the permanent, part-time, casual, temporary and interns or contractual staff working at NCIC irrespective of gender, grade and rank. The Code shall be printed and circulated to all the staff of NCIC. The attaches employees are expected to append their signatures to affirm that they will comply with the provisions of the code.

1.3 Interpretations

In this Code, unless the context otherwise requires, the following terms have been interpreted to mean as follows:

i. Integrity

Integrity is the quality of being honest, adhering to moral principles and being upright. In the public service, it means putting the obligations of public service above one's own personal interests.

ii. Impartiality

Means acting solely according to the merits of a case and not being influenced by age, gender, race, ethnicity, clanism or political persuasion.

iii. Political impartiality

Means serving all persons equally despite their political persuasion and therefore being non-partisan and not publicly engaging in active politics.

iv. Objectivity

Means basing ones advice and decisions on rigorous analysis of the evidence and not based on personal interest.

v. Respect

Means treating others with the sensitivity, courtesy and understanding.

vi. Empathy

Means the ability to understand and share the feelings of another (the capacity to place oneself in another's position one's shoes).

vii. Innovation

Means actively seeking out new and better ways of doing things ie being creative and "thinking outside the box".

viii. Accountability

Means being answerable for the exercise of powers conferred on employees and being responsible for all public moneys, property and expenditure under their charge and the efficient and effective use of such resources.

ix. Professionalism

Means being committed and devoted to ones work and striving to adhere to professional ethics and enhancing ones' competences through training.

x. Transparency

Means being open and disclosing information on decisions and policies to various groups who would seek to hold the employees accountable.

xi. Confidentiality

Means employees will not disclose any information that they come across by virtue of their employment to any unauthorized person.

xii. Honesty

Honesty implies a refusal to lie, steal, or deceive in any way. Honor suggests an active or anxious regard for the standards of one's profession, calling, or position.

xiii. Conflict of interest

Refers to a situation where a public Officer has got to make a decision between his or her personal interest and official duty.

xiv. Sexual Harassment

Means conduct of a sexual nature that affect the dignity of women and men, which is unwelcome, irritating, unreasonable and offensive to the recipient. Such a conduct may be explicit, verbal or non-verbal or implicit and creates an intimidating, hostile or humiliating working environment for the recipient.

xv. Courtesy

Courtesy means polite behavior and respect for others

2.0 Values and Principles

2.1 National Values and Principles of Public Service

The Constitution of Kenya (2010) spells out the values expected of Public Servants. Public Servants are expected to be faithful to their country and honour the Constitution in the execution of their duties. They should therefore put the public interest first in the execution of their duties; execute the policies of the NCIC as contained in NCIC Act and other statutory legislation. They should also co-operate with public institutions established under legislation and the constitution in promoting the public interest.

This code is therefore founded on national values and principles which are enshrined in Article 10 and Article 232 of the Constitution of Kenya 2010.

2.1.1 The National values and principles of governance in Article 10

The values and principles of governance provided in Article 10 of the Constitution of Kenya 2010 include:

- (a) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- (c) Good governance, integrity, transparency and accountability; and
- (d) Sustainable development.

2.1.2. National Values and principles of Public Service of Article 232 of the Constitution

The national values of public service include:

- a) High standards of professional ethics;
- b) Efficient, effective and economic use of resources;

- c) Responsive, prompt, effective, impartial and equitable provision of services;
- d) Involvement of the people in the process of policy making;
- e) Accountability for administrative acts;
- f) Transparency and provision to the public of timely and accurate information;
- g) Subject to paragraphs (h) and (i), fair competition and merit as the basis of appointments and promotions;
- h) Representation of Kenya's diverse communities; and
- i) Affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of:
 - i. Men and women;
 - ii. The members of all ethnic groups; and
 - iii. Persons with disabilities.

2.2 Principles and Values of NCIC

NCIC's cardinal principles is zero tolerance to discrimination. The core values of NCIC are:

- i. Independent from executive, judiciary and legislature;
- ii. Objectivity in dealing with issues around discrimination;
- iii. High levels of integrity within the commission;
- iv. Open door policy to all sundry;
- v. Affirmative action for the marginalized and the minorities;
- vi. Inclusivity and respect for all forms of diversity;
- vii. High degree of accountability and transparency; and
- viii. Tolerance to varied opinions, beliefs and aspirations.
- ix. Professionalism

3.0 Guiding Principles and Core Values

3.1 Guiding principles

The four guiding principles of the Code are as follows:

- a) All officers shall fulfill their obligations to NCIC with professionalism, integrity and loyalty;
- b) All employees shall respect the rights and interests of the public when discharging their duties;
- c) All officers shall discharge their duties efficiently, objectively and honestly whilst upholding the principle of customer care so as to maintain public confidence;
- d) Employees shall not bring NCIC into disrepute through their conduct at the work place or in private.

3.2 Core values

This code rests upon a number of core values as follows:-

i. Accountability

Employees shall be responsible and accountable to the NCIC and the public for their decisions and actions.

ii. Commitment to Public Service

Employees shall be diligent, committed, efficient and effective in the execution of their duties.

iii. Honesty

Employees shall be truthful, acting in good faith and declaring all private interests relating to one's official duties.

iv. Impartiality

Employees shall act solely according to the merits of a case and serving the public fairly.

v. Integrity

An employee shall put the obligations of the public service above one's own personal interests and conduct oneself in a manner that is above reproach.

vi. Objectivity

Employees shall be open and base their advice and decisions on rigorous analysis of evidence.

vii. Transparency

Employees shall be as open in all their dealings and give reasons for any administrative decisions and actions if required.

viii. Effectiveness

Employees shall strive to achieve the intended results in terms of quality and quantity in accordance with set targets and performance standards set for service delivery.

ix. Efficiency

Employees shall endeavor to optimally use resources including time in the attainment of organizational objectives, targets or tasks.

4.0. Work Ethics, Performance of Duty and Behaviour at the Workplace

4.1 Attendance to Duty

An employee shall observe the official working days in accordance with the regulations and shall be available for official duty when called upon.

4.2 Time Management

- (i) An employee shall have strict regard to the working hours and shall not come late to the office, meetings and official functions without reasonable cause.
- (ii) Employees shall endeavor to accomplish planned activities as set in the departmental/individual targets and work-plan on time. He or she shall desist from engaging in behavior or conduct that disrupts or interferes with the work of other officers such as, but not limited to: -
 - (a) Being lazy and idle at work;
 - (b) Playing loud music/ audio or talking loudly as to disrupt concentration, playing computer games or surfing the Internet irresponsibly;
 - (c) Transacting private business in office and during office hours; and
 - (d) Engaging in private conversation and gossip during working hours.
- (iii) Unless otherwise stated, the official working hours are:-

Monday - Friday : Morning : 8.00a.m - 1.00PM
Afternoon : 2.00p.m - 5.00PM

However, employees may be required to work beyond these working hours due to exigency of duty.

4.3 Absence from duty

- i. An employee shall seek and obtain permission from his or her supervisor to be absent from duty in advance. Permission shall not

be unreasonably denied or granted.

- ii. An employee shall, during official working hours, report his or her absence from the office to his or her immediate supervisor or other relevant person.

4.4 Travelling outside the country

An employee travelling outside the country whether on official duty or personal duty shall inform the CEO for clearance.

4.5 Bank Accounts outside Kenya

A public officer shall not maintain a bank account outside Kenya except with the approval of the Ethics and Anti –Corruption Commission or in accordance with any written law.

4.6 Acting for Foreigners

A public officer shall not be an agent of, or further the interests of a foreign government, organization or individual in a manner that may be detrimental to the interests of Kenya.

4.7 Participation in Tenders

A public officer shall not, in his/her private capacity, participate in a tender for the supply of goods or services to the public entity in which he /she serves.

4.8 Performance of duty

- i. An Employee shall without exception perform his or her duty in a manner that conveys professionalism, respect and conforms to morally accepted standards.
- ii. An employee shall set clear standards of performance, be results-oriented and committed to the performance of his or her duties.
- iii. NCIC employees are expected to be innovative and creative about

their work.

4.9 Professionalism

- i. An employee shall in the exercise of his/her duties adhere to their professional code of conduct and exhibit a high degree of competence.
- ii. An employee shall strive to acquire the additional professional qualifications as prescribed for in a given career.

4.10 Sexual Harassment

- i. An employee shall refrain from having sexual relationships at the work place. He/she shall not subject others or be subjected to conduct of a sexual nature affecting his or her dignity, which is unwelcome, unreasonable and offensive to the recipient.
- ii. An employee should therefore avoid all types of conduct which constitute sexual harassment which include:
 - (a) Pressure for sexual activity or sexual favors with an employee;
 - (b) Rape, sexual battery and molestation or any sexual assault;
 - (c) Intentional physical conduct which is sexual in nature;
 - (d) Verbal and non-verbal sexually offensive behavior exhibited by colleagues;
 - (e) Sexual innuendoes, gestures, comments or remarks to another person about one's sexuality or body; and
 - (f) Offering or receiving preferential treatment, promise or rewards and offering or submitting to sexual favors.
- (iii) An employee who is subjected to sexual harassment overtures shall report such a case, to the HR department for redress.

4.11 Romantic Relationships in the office

- (i) Romantic relationships in the office are not encouraged. Employees who find themselves in such a relationship should declare their relationship to avoid conflict of interest.

4.12 Dress and Appearance

- i. An employee is expected to promote and project a good image of NCIC in their dressing and appearance.
- ii. An employee shall at all times dress appropriately and appear decent and respectable in a way that is generally acceptable and that does not embarrass others.
- iii. All employees should maintain personal hygiene.

5.0 Communication and Disclosure of Information

5.1 Secrecy and Confidentiality

- (i) An employee shall not release official information that comes into his or her possession in the course of his or her duty. The release of such information must be guided by the Official Secrets Act and other relevant laws that may be enacted from time to time.
- (ii) An employee shall continue to maintain secrecy and confidentiality of official information even after he or she has left the Service.

5.2 Publishing of official information

- (i) An employee shall not publish any official information in any document, article, book, play, film or otherwise without explicit permission from the Secretary/Chief Executive Officer.
- (ii) All Royalties, Patents and Copyrights for invention that are created in the course of employment at NCIC belongs to the Commission.

5.3 Communication to the Press

- i) An employee shall not communicate with the media on issues related to work or official policy.
- ii) Official information will only be released to the media by the Commission Chairman, Secretary/Chief Executive Officer or any other officer who has been authorized to do so.

5.4 Anonymous communication

An employee is prohibited from writing or disseminating anonymous malicious communication intended to demean the image of NCIC, the government or other public institutions, a public officer or any other person.

5.5 Use of official information for personal gain

An employee shall not use official information acquired in the course of

official duties to advance personal gain.

5.6 Removal, destruction or altering of records

An employee shall not without permission willfully remove, destroy or alter public records from the office or section to which they belong or from any other office premises.

6.0 Use of Public Resources

6.1 Accountability

An employee shall hold office in public trust and shall be accountable to the public. He or she shall be accountable for all resources under him or her as follows:-

6.2 Financial Resources

- i) An employee shall ensure proper and frugal utilization of public funds and value for money.
- ii) An employee shall at all times promptly account for any financial resources entrusted to him or her.

6.3 Public Property/Assets

- i. An employee shall safeguard the property/assets entrusted to him or her and shall ensure that no damage, loss or misappropriation occurs in the process of procurement, storage, utilization and disposal.
- ii. An employee shall ensure that assets and other facilities (such as transport, stationery, telephones, computers and printers) provided to them for official duties or functions, are used strictly for those duties and for no other purpose.

6.4 Human Resources

- (i) Employee who have staff under them shall ensure that the staff under his or her supervision have clear job descriptions.
- (ii) All employees shall endeavour to understand the scope of their work.
- (iii) An employee shall, without favor, support staff under his or her supervision to enhance their competencies and self-development.
- (iv) An employee shall ensure respect for subordinates, colleagues and supervisors.

6.5 Administrative

- (i) An employee shall be accountable both for actions and in actions through normal tiers of authority and will adhere to meritocratic principles in decision making.
- (ii) Where an employee believes that he or she is being required to act in any way which is inconsistent with this Code, he or she shall refrain and report the matter to the next immediate supervisor.

7.0 Personal Behavior

Employees should observe appropriate behavior at work when dealing with the public and their colleagues. They should treat others fairly and promptly and show respect and empathy.

7.1 Behavior when dealing with colleagues

When dealing with their colleagues, employees should:

- Not cause embarrassment to colleagues by their dressing, speech or behavior;
- Not consume alcoholic beverages while on duty;
- Not engage in gambling by any means at the work place;
- Not smoke where it is illegal or where it is likely to inconvenience others;
- Not cause distress to their colleagues or otherwise contribute to disruption of the working atmosphere in the work place;
- Not discriminate against any person on grounds of gender, marital status, nationality, ethnicity, age, disability, political affiliation, HIV/ Aids status or religious beliefs;
- Not harass, bully or otherwise intimidate their colleagues;
- Respect the privacy of individuals;
- Have due regard for the safety of their colleagues at the workplace;
- Not take part in the creation and distribution of pornography;
- Maintain personal hygiene and dress in a respectable attire in accordance with acceptable norms of the office; and
- Use non-discriminatory language for both internal and external communication.

7.2 Behavior of employees towards the public

Employment at NCIC carries with it a unique obligation to uphold the public interests and hence employee should attain high standards of

professional behavior and maintain public confidence and trust. In this regard NCIC employees must:-

- i) Be polite, courteous and respectful to the public. They shall treat members of the public with fairness and equity;
- ii) Address the needs of the members of the public regardless of their status;
- iii) Discharge their duties diligently, fairly and empathetically to members of the public without favoritism;
- iv) Not deny the public any information or advice required, subject to confidentiality;
- v) Help the public to understand their rights and obligations; and
- vi) Respect the confidential nature of certain information disclosed to them by members of the public for procedural purposes.

7.3 Obligations of employees to NCIC

Employees have an obligation to fulfill their lawful obligations to NCIC with professionalism and integrity. In this regard, NCIC employees shall:

- i) Not willfully supply incorrect or misleading information;
- ii) Observe confidentiality;
- iii) Not withhold relevant information to those authorized to receive it;
- iv) Not attempt to undermine or improperly influence the policies of NCIC;
- v) Carry out their duties efficiently, effectively and economically,
- vi) Conduct functions and tasks with due honesty, integrity, professional accuracy and impartiality serving the goals and purposes of the public interest.
- vii) Be familiar with applicable laws and regulations and apply the same without any violations or negligence.
- viii) Dedicate official working hours to their functions and

responsibilities and refrain from conducting any activity that is not related to official duties.

- ix) Continuously work to improve performance and professional capacities.

8.0 Engagement of Public Officers in Political activities

- i. Employees of NCIC are public officers and as such public officers may participate in politics within the provisions of the law, rules and regulations.
- ii. Where an employee of NCIC wishes to stand for elections to the National or County Assembly or Gubernatorial position, such a person is expected to retire or resign in accordance with the constitution of Kenya.

8.1 Political neutrality

Whatever one's political beliefs, NCIC employees shall:-

- i) Conscientiously serve the duly elected Government of the day and the other institutions of the state and the public;
- ii) Observe political neutrality in their day to day functions;
- iii) Avoid activities that impair or be seen to impair their political neutrality or the political impartiality of the public service.
- iv) Not use official resources for political purposes; and
- v) Advise and implement NCIC policies impartially.

9.0 Conflict of Interest

The impartiality and integrity of public servants is central to the maintenance of public trust and confidence in the Public Service. It is therefore important that:

- i. Employees should avoid circumstances in which their personal interest's conflict with the interests of the Public Office and

circumstances in which there could be the appearance of such conflict.

- ii. An employee whose personal interest's conflict with his official duties must:
 - (a) Declare the personal interests to his superior. Such a conflict of interest will be recorded in the conflict of interest register. Registrable interest include the interests set out in Appendix 3.
 - (b) Refrain from participating in any deliberations with respect to the matter.
- iii. Employees should avoid any interest or undertaking that could directly or indirectly compromise the performance of their duties, where actions taken in an official capacity could be seen to influence or be influenced by an individual's private interests.
- iv. Employees should ensure that work-related purchasing decisions are based solely on sound financial judgment and laid down procedures. The public must have confidence that public money is spent without regard to any personal interest.

10.0 Acceptance of gifts and other benefits

Employees shall not abuse their official position for personal gain. In this respect, they shall:-

- i) Not solicit or accept gifts, rewards or benefits, which might compromise their integrity and that of NCIC. Gifts or benefits include, but are not restricted to, free or less than market value accommodation, entertainment, hospitality and travel.
- ii) Not demand or accept gifts, favours, hospitality or any other benefit for himself/herself for his/her family, close relatives and friends, or persons or organizations with whom he/she has or has had business or political relations, which may influence or appear to influence the impartiality with which he/she carries out his/her

duties or may appear to be reward relating to his/her duties.

- iii) Not offer or give any advantage in any way connected with his/her position, unless lawfully authorized to do so.
- iv) Not allow himself/ herself to be put, or appear to be put in a position of obligation to return a favor to any person or body. Nor should his/her conduct in his/her official capacity or in his/her private life makes him/her susceptible to the improper influence of others.

Where a gift cannot be refused and the gift is worth more than Ksh 20,000, such a gift will be surrendered to the officer in charge of governance and ethics. In this regard, NCIC shall open a gift register for registering such gifts and how to deal with the gift, whether they are to be kept in the Commission, donated or retained by the employee.

11.0 Human rights

In exercising human rights obligation, the employees have:

- i) The right of being a member of any political party and to vote both in the general elections or party elections.
- ii) The right to belong to a union.
- iii) The freedom to become a member of any religious sect provided that he/she does not contravene the existing laws.
- iv) No right to discriminate or harass a member of the general public or a fellow employee on grounds of gender, tribe, religion, nationality, ethnicity, marital status, disability, or HIV/AIDS status.
- v) Due regard for human rights in their everyday work and in dealing with the public.
- vi) Right to ensure Customer Service Charters are upheld.

12.0 Declaration of assets and liabilities

All employees of NCIC shall declare their assets in accordance with the

Public Officer Ethics Act. A declaration form indicating actual assets shall be submitted once every two years to the relevant office. Newly appointed officers shall declare their assets within a period of one month from the date of taking office. Those leaving the office on resignation, retirement or dismissal must also declare their assets before they leave.

13.0 Collection of harambee

Employees shall-

- i. Not preside over a Harambee, play a central role in its organization or play the role of “guest of honor”.
- ii. Not participate in a Harambee in such a way as to reflect adversely on his integrity or impartiality or to interfere with the performance of duties.

14.0 Private affairs outside the office

- i. While an employee shall not be isolated from the society of which he is a part, he/she shall ensure that his non-official activities do not interfere with his official duties or affect the dignity of his office and that the risk of conflict with his official duties is minimized.
- ii. An employee shall not engage in private business during official working hours.
- iii. An employee shall live within his means and avoid incurring any financial liability that he cannot satisfy.

15.0 Participation in Tenders

A public officer shall not, in his or her private capacity, participate in a tender for the supply of goods or services to the public entity in which he/she serves.

16.0 Obligations of NCIC

While employees are expected to observe the provisions of this code, NCIC as the employer has the following obligations as laid down in the Constitution and other relevant laws:-

- (i) To provide satisfactory, safe and healthy working environment.
- (ii) To ensure reasonable pay for the employees.
- (iv) To ensure that employees are accorded rest and reasonable working hours and periods of holidays with pay as well as remuneration for public holidays.
- (v) To enable every employee to practice his or her profession consistent with the professional Code of conduct and Ethics, the Constitution and other prevailing laws.
- (v) To accord employees the right to join a Trade Union of his or her choice for the promotion and protection of his or her economic and social interests in accordance with the law.
- (vi) To protect employee's rights, including the right to with draw labor in accordance with the law.
- (vii) To accord protection to female officers during pregnancy and after birth.
- (ix) To provide employees with the necessary tools, equipment and gear for performance of their duties.
- x) To provide employees with disabilities with appropriate working environment.

17.0 Sanctions

Unethical conduct by employees shall not be accepted at NCIC. Sanctions for any breach of this Code shall be those prescribed in the Human Resource Manual.

Depending on the gravity of the offence or misconduct, the following penalties shall apply:

- i) Warning or reprimand.

- ii) Suspension of increment.
- iii) Withholding or deferment of increment.
- iv) Stoppage of increment.
- v) Surcharge or refund.
- vi) Making good of the loss or damage of public property/assets.
- vii) Interdiction from duty with half pay.
- viii) Reduction in rank.
- ix) Removal from the Public Service in public interest.
- x) Dismissal

18.0 Rewards

An appropriate reward and recognition shall be accorded to an employee who exhibits good ethical conduct.

- (ii) The rewards shall include; but not limited to-
 - (a) Word of recognition of good performance
 - (b) Open praise
 - (c) Challenging work assignments normally done by seniors
 - (d) Letter of commendation
 - (e) Presents
 - (f) Mementoes
 - (g) Certificate of merit
 - (h) Concessionary trips
 - (i) Cash bonuses
 - (j) Salary increments

19.0 Dispute resolution

An employee aggrieved by the decisions or actions of his or her immediate supervisor shall follow the established disputes and settlement procedure in seeking redress.

Appendix 1:

IMPLEMENTATION ARRANGEMENTS, TERMS OF REFERENCE FOR IMPLEMENTATION STRUCTURES, ENFORCEMENT AND GRIEVANCE MECHANISMS

Introduction

For any policy or plan to be implemented, it is important that it be accompanied by an implementation plan. An implementation plan is designed to document what an organization should do now and in the future and those responsible for its implementation. It also assigns the terms of reference of implementation structures, spells out those responsible for enforcement and how grievances can be handled. Each organization has its own style of planning and different needs regarding the Code.

Implementation plan

The following are the implementation arrangements for the code of conduct

- i) Drafting of the code
- ii) Sharing of the draft with key stakeholders
- iii) Finalization of the code
- iv) Get approval from the relevant authority
- v) Printing of the code
- vi) Dissemination of the code to all employees
- vii) Monitoring of adherence to the code
- viii) Making periodic reports on code implementation
- ix) Review of the code

Responsibility for Code Implementation

a) Commissioners

The commissioners are responsible for setting the minimum standards

of integrity and conduct for the civil service. The commissioners are also responsible for approval of the code before it is printed and issued and handling of grievances for those aggrieved.

b) Chief Executive/ Secretary

The Chief Executive /Secretary is responsible for providing leadership in development and review of the code. He/she is also responsible for ensuring that the code of conduct is printed and issued. The secretary will also appoint a code champion who will co-ordinate the implementation of the code as well as make periodic reports on its implementation.

c) Supervisors

Supervisors and senior managers are responsible for ensuring that the code is adhered to by employees serving under them. They should report behaviour that breaches the code and take disciplinary action for breaches and non-compliance of the code.

d) Employees

All employees serving at NCIC should ensure that they comply with the code. It is therefore their responsibility to behave ethically and be conscientious and competent in their work.

e) Human Resource Department

The Human Resource (HR) department will be responsible for coordination and implementation of the code. They will also be responsible for making periodic reports on the implementation.

Terms of reference for implementing structures

	Who	Responsibility
1.	All staff	<ul style="list-style-type: none"> - adhere to the provisions of the code - behave ethically and be conscientious and competent in their work - report any cases of non-compliance
2.	Supervisors	<ul style="list-style-type: none"> - disseminate the provisions of the code to their subordinates; - ensure the code is implemented - reporting behaviour that breaches the code - Taking disciplinary action for breaches and non-compliance of the code
3.	Secretary/Chief Executive	<ul style="list-style-type: none"> - disseminate the provisions of the code to their subordinates; - ensure the code is implemented - reporting behaviour that breaches the code - Taking disciplinary action for breaches and non-compliance of the code
4.	Commissioners	<ul style="list-style-type: none"> - provide advice and guidance on integrity and conduct to employees of NCIC - set minimum standards of integrity and conduct for employees - grievance handling mechanism
5.	Human Resource Department	<ul style="list-style-type: none"> - to coordinate implementation of the code in the entire Commission - to make periodic reports in the implementation

Appendix 2: GRIEVANCE HANDLING PROCEDURES

Introduction

A grievance is a difference, complaint or a dispute regarding the interpretation or application of established policies and/or procedures governing terms of employment, working condition, and hours of work or compensation. A Grievance procedure is one of the Human Resource Management tools that set out the ways in which certain actions concerning people should be carried out by the management, employees or other stakeholders. It is a formalized approach to deal with specific matters of grievance and complaints at work or concerning the work place. A written and well publicized grievance procedure ensures that everyone knows exactly what steps need to be taken when faced with situations that adversely affect the well-being of individual employees in terms of work relationships and work environment.

Rationale for a Grievance Procedure

In an effort to help the employees attain the best in terms of performance and service delivery, it is necessary to establish well spelt out regulations and procedures for guiding the staff as one of the avenues for employees to express their dissatisfaction with regard to their work situations. This grievance procedure is therefore meant to give employees an opportunity to alert the management of difficult situations to allow for intervention and search for solutions so as to make the working environment conducive for sound performance by all employees.

Aims/Objectives of the Procedure

The grievance procedure spelt out the policy of handling grievances for its employees and the approach to dealing with them. It facilitates communication in the work place and enables the officers to:

- i. Have good staff/manager working relations

- ii. Be satisfied that they are being fairly treated
- iii. Have a fair hearing by their immediate supervisor concerning any grievance that the former may wish to raise
- iv. Have the right to appeal to a more senior officer against a decision made by their immediate supervisor
- v. Have the right to be accompanied by a fellow employee of their choice when raising a grievance or appealing against a decision
- vi. Understand what is happening to their case and who is involved and what their role in the matter is.

Application of the Procedure

The grievance procedure is intended for employees who have a grievance or complaint about:

- a. Their work or conditions of employment
- b. Harassment and bullying (unwanted and unjustified verbal or physical advances or derogatory remarks made by an employee to another or by a senior to a junior officer in the work place or within an environment connected to the work of an employee)
- c. Unfair or perceived unfair treatment by an officer's supervisor(s), of the team leaders or and by management
- d. Unfair performance assessment including annual performance appraisal
- e. Management act or failure to act which affects them individually
- f. Discrimination on the basis of gender, ethnicity, disability or other unjustified grounds in the workplace. It is emphasized that no retaliation or victimization will be meted on a grievant who applies this procedure.

Main stages of the procedure

NCIC encourages that grievance be settled as quickly as possible and if possible the staff and their superiors/managers are encouraged to resolve their grievances informally. However the following three (3) stages are set to address the situations where this is not possible.

Stage I: Statement of Grievance

An officer who has any grievance or complaint should raise it with his/her Head of Department in writing. The Head of the Department will give an answer as soon as possible and within a maximum of seven (7) working days.

State II: First Appeal Level

If the matter is unresolved at stage I, the aggrieved officer can appeal in writing to the head of HR who will at his/her discretion arrange a personal interview with the aggrieved officer and will give a written reply to the latter within fourteen (14) working days.

Stage III: Second and Final Appeal Level

It is expected that most of the cases will be solved at Stage II but in exceptional circumstances where this is not possible and matter remains unresolved, the aggrieved officer may present it in writing to the Commission Secretary who will present the matter to the Commission.

Role of the Human Resource Office in the Procedure

The Human Resource Office is responsible for advising the concerned parties on the handling of staff matters including grievances and may be directly involved at all stages. It is also responsible for monitoring

the effectiveness of the grievance procedure. In addition the office will be the custodian of the reports of grievances at the conclusion of the grievance procedures, for records and for future reference if need arises.

Appendix 3: REGISTRABLE INTERESTS

1. Directorships in public or private companies, whether or not remunerated directly or indirectly.
2. Remunerated employment, including office, trade, professional, or vocational, or in which the public officer has any pecuniary interest.
3. Securities (shares, bonds, debentures or other similar holding)in a company, enterprise or undertaking the aggregate, nominal or market of a value which exceeds the value prescribed by the public entity.
4. Contracts for supply of goods and services to the public entity.
5. Offers of future employment.
6. Shareholdings in public or private companies amounting to a controlling interest.
7. Landholdings.
8. Gifts, benefits and hospitality including to a spouse, child, partner or business associate or other material benefit of a value prescribed by the public entity from a company organization or person within or outside Kenya which relates to the public office.
9. Pending civil claims against the public officer.
10. Pending criminal charges against the public officer.
11. Citizenship of another country.

NOTES

One People
One Nation
One Destiny



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