

RONGO UNIVERSITY

OFFICE OF THE DEPUTY VICE CHANCELLOR

ADMINISTRATION, FINANCE & PLANNING

INTERNAL MEMO

FROM: DVC (AFP)

DATE: 8th June, 2021

TO: All Members of Staff

REF: RU/AFP/009/21

RE: CODE OF CONDUCT AND ETHICS FOR EMPLOYEES

Requirements of Section 5(1) of the Public Officer Ethics Act and Legal Notice No. 54 on the Public Service Code of Conduct and Ethics, 2016 refer.

Within the framework of the above legislation, members of staff are requested to familiarize themselves with the attached Rongo University Code of Conduct and Ethics for Employees, 2016, *Revised* 2019. Please arrange to sign the acceptance page and return to the Human Resource Office for record purposes. Please return the signed acceptance by Friday 25th June 2021.


 **ENG. PROF. S. M. SHITOTE**
DEPUTY VICE CHANCELLOR
(ADMINISTRATION, FINANCE AND PLANNING)

Cc. Vice-Chancellor
Deputy Vice Chancellor (ASA)
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CODE OF CONDUCT AND ETHICS FOR EMPLOYEES

JANUARY, 2016

**REVISED
JANUARY, 2019**

FOREWORD

The Code defines the University's commitment to the highest standards of behavior to contribute to the achievement of the National Development Goals as well as the objectives and mandate of the University. It is intended to establish standards of ethical conduct and behavior for employees of the University. The Code applies to all employees of the University and shall be read in conjunction with applicable policies, procedures, manuals, rules and regulations.

The code of conduct highlights the responsibility of individual employees in upholding the values of integrity, professionalism, equity, innovation and social responsibility. It provides clear guidelines for employees and the University in handling conflict of interest, protection of whistleblowers and resolution of issues in a fair and respectful manner.

All members of staff are expected to adhere to this code of conduct so as not to bring dishonor to public service and to the employer. As such, contraventions shall be dealt with in accordance with relevant policies and laws.

Signature:  Date: 28th March 2019

PROF. SAMUEL GUDU

VICE-CHANCELLOR

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DEFINITION OF TERMS

- Confidentiality:** Means keeping institutional information secret.
- Conflict of Interest:** Means a situation where an employee's personal interests disagree with those of the University as defined in Chapter Six of the Constitution of Kenya.
- Integrity:** Means the quality of being honest and having strong moral principles.
- Stewardship:** Means the job of supervising or taking care of the University's property.
- Transparency:** Means being accountable.
- Workplace harassment:** Means any undesirable, belittling, unwelcome or threatening behavior directed at an individual worker or a group of workers.

ACRONYMS AND ABBREVIATIONS

EACC – Ethics and Anti-Corruption Commission

ICT – Information Communication Technology

1. BACKGROUND OF THE UNIVERSITY

1.1 The Vision

A world class technology driven University in learning and practice

1.2 The Mission

To provide quality and innovative higher education through teaching, research and community service

1.3 Core Values

1. Integrity
2. Professionalism
3. Innovation
4. Equity
5. Social responsibility

1.4 Mandate of the University

The University derives its mandate from the Rongo University Charter of 7th October, 2016, which stipulates the objects and functions of the University as follows:

- a) provide directly, or in collaboration with other institutions of higher learning, facilities for technological, professional, and scientific education;
- b) advance knowledge and its practical application by research and other means;
- c) disseminate the outcomes of research by various means and commercially exploit the results of such research;
- d) participate in scientific and technological innovation as well as in the generation, discovery, transmission and enhancement of knowledge and to stimulate the intellectual life in the economic, social, cultural, scientific, and technological development;
- e) contribute to scientific, technological and industrial development of society in collaboration with industry and other organizations;
- f) make proposals for new academic programmes culminating in degrees, diplomas and certificates;
- g) make proposals for the establishment of colleges, campuses, faculties, schools, institutes, directorates, departments, centres and other resource and administrative units as may be appropriate;

- h) inculcate a culture of innovation in technology, engineering and science amongst staff, students, and society;
- i) promote education in social dynamics, science and technology within the institution and society;
- j) develop an institution of excellence in teaching, training, scholarship, entrepreneurship, research, consultancy, community service, among other educational services and products;
- k) provide a multi-level system of education and training that is relevant to the needs of the local, national and global community covering a wide range of fields and levels with provision for recognition of prior learning and flexibility of transition between educational levels;
- l) play a leading role in the development and expansion of opportunities for socio-cultural, technological and vocational education and training;
- m) provide high quality educational, research, residential, commercial, cultural, social, recreational, sporting, and other facilities;
- n) facilitate student mobility between programmes of study at different accredited technical training institutions, polytechnics, and universities;
- o) promote critical enquiry, independence and creativity in education, training and research within the institution;
- p) participate in commercial ventures and activities that promote the objectives of the institution;
- q) foster the general welfare of students and staff;
- r) provide equal opportunity for development and further training for staff of the institution;
- s) develop and provide educational, cultural, professional, technical and vocational services to the community and, in particular, the fostering of corporate social responsibility;
- t) provide programmes, products, and services in ways that reflect the principles of equity and social justice;
- u) conduct examinations for, and grant such, academic awards as may be provided for in the Statutes, and to syndicate examinations for awards at other institutions as may be approved by the Senate; and
- v) generally facilitate the development and provision of appropriate and accessible academic and other programmes.

2. INTRODUCTION

This code of conduct and ethics for Rongo University focuses on ethical conduct and integrity of Rongo University staff at the work place. It defines Rongo University's commitment to the highest standards of behavior so as to contribute to the achievement of the National development goals as well as the objectives and mandate of the University.

The code sets out expectations for individual behavior necessary to meet these standards and includes requirements and guidelines to help staff carry out their roles with integrity and in compliance with the law.

2.1 Objective

By adhering to the ethical standards and corporate values described in this code, Rongo University will continue to uphold Article 10 of the Constitution of Kenya on National Values and Principles of Governance and Chapter 6 on Leadership and Integrity.

2.2 Application

This code applies to all members of staff of Rongo University, both on permanent and contractual terms of service. Adherence to the values in this code is a condition for employment of staff.

2.3 Responsibility

A Rongo University member of staff shall take personal responsibility for the foreseeable consequences of his or her actions or omissions in the discharge of his or her duties. Each member of staff is therefore expected to:

- (a) carry out duties efficiently and honestly;
- (b) carry out duties in a transparent and accountable manner;
- (c) keep accurate records and documentation;
- (d) report truthfully on all matters; and
- (e) provide accurate and truthful information.

3. VALUES

3.1 Respect for people

The Rongo University staff are entitled to work in an environment in which people are treated with respect. Employees must therefore avoid actions or behavior that are or could be viewed as harassment and are required to treat all people with respect, dignity and fairness.

3.2 Integrity

Rongo University employees are expected to act with integrity by consistently upholding the highest standards of honesty and truthfulness. They should not use their positions to inappropriately obtain an advantage for themselves or to advantage or disadvantage others; and should take all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between their official responsibilities and their private affairs. This code of conduct requires that:

- a) A member of staff shall, to the best of his/her ability carry out his/her duties efficiently, honestly and with integrity, and to ensure that the services are delivered honestly.
- b) A member of staff in carrying out his/her duties shall not violate the rights and freedoms of other members of staff, students and members of the public.
- c) A member of staff who has a duty to give advice shall do so with impartiality and without fear or favor.
- d) A member of staff shall not knowingly give false or misleading information to members of the Public or to any University employee or students.
- e) A member of staff shall conduct his/her private affairs in a way that maintains public confidence in the integrity of his office.
- f) A member of staff shall not neglect his or her financial obligations or neglect to settle them so as to avoid causing ridicule to the University.

3.3 Transparency and Accountability

Transparency of operations, planning and reporting and a clear accountability framework are fundamental principles that underlie good governance. It is expected that all staff of Rongo University shall work together in a spirit of openness, honesty and transparency. This will encourage engagement, collaboration and respectful communication.

3.4 Stewardship

Every employee of Rongo University is responsible for appropriately using the assets entrusted to them. They shall be responsible for safeguarding the assets against waste, loss, damage, misuse, theft, misappropriation or infringement, in order to protect their value.

3.5 Excellence

All employees shall demonstrate excellence by providing fair, timely, efficient and effective services to the public. They should exercise high levels of discipline and commitment in the performance of their duties. They are also required to continually improve the quality of policies, programs and services by fostering a work environment that promotes teamwork, learning and innovation.

3.6 Professionalism

Rongo University staff will uphold professionalism including;

- a) Carrying out his or her duties in a way that maintains public confidence in the integrity of his or her office;
- (b) Treating members of the public and other public officers with courtesy and respect and in a non-discriminatory manner;
- (c) To the extent appropriate to the office, maintaining high standards of performance and level of professionalism in the organization; and
- (d) If he or she is a member of a professional body, observing and subscribing to the code of conduct of that body.

3.7 Moral and Ethical Requirements

A Rongo University employee is expected to meet and maintain the moral and ethical requirements of Article 99(1) (b) and 193(1) (b) of the Constitution which include, but are not limited to, dishonesty in the conduct of work affairs, abuse of office, misuse of office, misrepresentation of information to the public, wrongful conduct in furtherance of personal benefit, misuse of public resources, discriminatory conduct, falsification of records or matrimonial offences.

3.8 Nepotism/Favoritism

Rongo University employees shall not favor relatives, friends or associates in decision making or provision of services.

3.9 Care of University Property

Rongo University staff shall take all reasonable steps to ensure that university property in their custody, possession or control is taken care of, is in good repair and condition as follows;

- (1) A Rongo University employee shall not use public property, funds or services that are acquired or assigned in the course of, or as a result of, his or her official duties, for activities not related to his or her official work.
- (2) A Rongo University employee shall return, to the issuing authority, all the property in his or her custody, possession or control, at the end of the appointment term.
- (4) A Rongo University employee who contravenes subsection (1) or (2) shall, in addition to any other penalties provided for under the Constitution or any other law, be personally liable for loss or damage to the university property.

3.10 Outside Employment/Business

A Rongo University staff shall not engage in any other full-time employment or part-time employment which is in conflict with his/her employment without seeking the approval of the Vice-Chancellor.

3.11 Political Neutrality

Rongo University staff shall not in connection with official University duties;

- i) Act as an agent for, or so as to further the interest of, a political party or candidate in an election.
- ii) Manifest support for or opposition to any political party or candidate in an election.
- iii) Publicly indicate support for or opposition against any party, side or candidate participating in an election.

3.12 Conduct in Public

A Rongo University employee shall conduct him/herself with dignity in public at all times.

3.13 Falsification of records

Rongo University employees shall not falsify any records or misrepresent information to the public.

3.14 Respect

Rongo University employees shall be expected to treat their colleagues and the general public with courtesy and respect at all times

3.15 Non-discrimination

Rongo University employees, in the course of their duties, shall not discriminate directly or indirectly against individuals on the grounds of age, gender, race, disability, creed or ethnicity among others.

3.16 Sexual Harassment

Rongo University employees shall not sexually harass a member of the public, students or fellow staff in contravention of the Rongo University Sexual Harassment Policy

3.17 Workplace Harassment

A Rongo University employees shall not engage in abusive, belittling or threatening behavior to his/her fellow employees.

3.18 Confidentiality

- i. Rongo University upholds the principle of confidentiality in its operations as it endeavors to achieve its mission, vision and objectives. Some of the areas where this clause applies include Procurement, Examinations, Personnel records, Medical records and any other information classified as confidential by Rongo University Council from time to time.
- ii. All Rongo University staff shall adhere to the principle of confidentiality at all times while carrying out their duties.

3.19 Abuse of Office

A Rongo University staff commits an abuse of office if he/she obtains a benefit, harms or defrauds another by virtue of the office he/she holds. Such an offence is committed when a staff misuses the University resources such as property, finances, services, personnel or any other valuable belonging to the University.

3.20 Equal opportunity

A Rongo University employee shall uphold the tenets of equal opportunities and non-discrimination in carrying out his/her duties.

3.21 Dress

Rongo University staff is expected to dress decently in a manner that maintains respect and honor among peers, colleagues and visitors at all times while on duty.

3.22 Social Associations

In keeping with the Rongo University Code of Conduct and Ethics, a member of staff shall not be a member of, or be associated with, any illegal organizations.

3.23 Indebtedness

A Rongo University employee shall not indebt his/her earnings beyond the minimum allowed in accordance with the Employment Act, 2007.

3.24 Security and Safety

Rongo University employees shall not engage in any activity that could endanger the health and security of the other staff in the work environment.

3.25 Punctuality/ Absenteeism/ Desertion

Rongo University staff shall observe and adhere to the University working hours and shall not be absent without proper authorization or reasonable cause as stipulated in the respective Terms and Conditions of Service which, *interalia*, stipulate issues relating to punctuality, absenteeism, and desertion.

3.26 Tax, financial and legal obligations

1. A Rongo University employee shall pay taxes due from him or her within the prescribed period.
2. A Rongo University employee shall not neglect his or her financial obligations or legal obligations

3.28 Bullying

A Rongo University staff shall not bully any person. "Bullying" includes repeated offensive behavior through vindictive, cruel, malicious or humiliating attempts to undermine a person.

3.29 Submission of Declarations

Rongo University staff shall submit any declaration or clarification of income, assets and liabilities in accordance with the law.

3.30 General Conduct and Behavior

A Rongo University staff shall to the best of his/her ability carry out his/her duties and ensure that the services he/she provides are efficient, honest and professional.

4. CONFLICT OF INTEREST

Staff must avoid conflict of interest between their private activities and those of Rongo University. A conflict of interest may arise where an employee or close family member such as a spouse, child, parent or sibling has private interests that could improperly influence the performance of the employee's official duties and responsibility. Conflict may also arise where an employee uses his/her office for personal gain.

A conflict of interest may arise not because of an employee's private interest, but as a result of one or more concurrent or competing official roles. For example, employee's primary employment and his/her responsibilities in an outside role that forms part of their official duties such as an appointment to a Board of Directors or other outside functions.

4.1 Prevention of Conflict of Interest

Where conflict of interest arises the employee should:

- a) Excuse themselves, or anyone who works for them from any decision-making that may create a conflict of interest with their present interests.
- b) Disclose in writing, to the relevant authority, the facts and explain the circumstances that create or could create the conflicts of interest.
- c) Seek guidance from the immediate authority.
- d) Conduct their relationship with contractors and suppliers in a professional, impartial and competitive manner.
- e) Refrain from the direct or indirect use of, or allowing the direct or indirect use of Rongo University property, for anything other than officially approved activities.
- f) Maintain the impartiality of the public service and not engage in any duty or political activity that impair or could be seen to impair their ability to perform their duties in an objective or impartial manner.
- g) Be aware that the acceptance of any offer of future employment including consultancy or directorship with a contractor, supplier, customer or business partner constitutes a potential conflict of interest.
- h) Ensure that concurrent outside appointments, such as to a board of directors are managed appropriately and that any resulting conflicts of duties are resolved in the public interest; and
- i) Declare to the relevant authority, a benefit or income received either directly or indirectly from a contract with external parties on contractual or other arrangements. The relevant authority will determine whether the arrangement presents a real, apparent or potential conflict of interest, and may require that the contract be modified or terminated.
- j) Similarly an employee should not:
 - i. Make improper use of one's position or of confidential information gained in the position to achieve personal interest or direct gain;
 - ii. Allow relationship with contractors and suppliers to influence business decisions made on behalf of Rongo University;
 - iii. Accept gifts or inducements, including hospitality that may place them under an obligation.

4.2 Use of Information Communication Technology

Rongo University recognizes the importance of the use of Information Communication Technology (ICT) equipment and services to conduct business and interact with stakeholders. Use of social networks in an official capacity must comply with the legislative requirements and the University Policy on the use of internet and electronic networks. Employees using ICT for personal or professional use are expected to exercise the same kind of judgment and criteria as would be applied to any other work place decision.

4.3 Gifts, Hospitality and other Benefits

Employees of Rongo University should not accept any gifts, hospitality or any other benefits that may have a real, apparent or potential influence on their objectivity in carrying out their official duties and responsibilities or that may place them under obligation to the donor.

As a general rule, Rongo University employees should not accept gifts or any other advantages except as set out in the Public Ethics Act, 2003 and any other relevant statutes and policies.

4.4 Solicitation

With exception of fundraising for officially supported activities such as those relating to corporate social responsibility, employees may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or company who has dealings with Rongo University. When fundraising for supported official activities, employees should ensure that they have prior written authorization from the relevant authority in order to solicit donations, prizes or contributions in kind from external organizations or individuals.

4.5 Register of Conflict of Interest

Rongo University shall maintain a register to record conflict of interest.

5. WHISTLE BLOWING

Any person who has reason to believe that an employee has not acted in accordance with the code should bring the matter to the relevant authority or the appropriate government agency.

Rongo University will not retaliate nor tolerate retaliation against any person who brings an issue to its attention in good faith.

6. RESOLUTION

Employees are expected to adhere to this code and to resolve issues in a fair and respectful manner and consider informal processes such as dialogue or mediation.

In the event of an ethical dilemma or dispute, the Management shall seek advice and support from other appropriate sources such as Ethics and Anti-Corruption Commission (EACC) and any other oversight body.

7. PENALTY

Any breach of the provisions of this Code by any member of staff of Rongo University shall be dealt with in accordance with the provisions of the University disciplinary procedures, the Anti-Corruption Policy, Economics Crimes Act, 2003, the Public Officers Ethics Act 2003, and Code of Conduct and Ethics for Public Universities.

8. EFFECTIVE DATE

This policy will come to effect from the date it is approved by the Rongo University Council.

9. REVIEW

This policy shall be reviewed by the Rongo University Council from time to time.

ACCEPTANCE

I agree to the terms of Rongo University Code of Conduct and Ethics, which forms part of my appointment or contract of employment. I have read and understood the Code and agree to abide by its provisions.

I understand that any breach of its provisions will render me liable to appropriate disciplinary action and sanctions.

.....

.....

Full Name of Staff Member

Signature

.....

.....

Position

Date