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| Kenya Universities and Colleges Central Placement Service |  |                                     |
| Document Policy   | KUCCPS HR Policies and Procedures Manual |                                     |
| Issued: August 2017                                       | Revised: First Issue                     | Supersedes: Any Previous HR Manuals |



## **SECTION NINE: EMPLOYEE CODE OF CONDUCT AND ETHICS**

### **9.1 Policy Statement**

- 1) Being an integral member of the Placement Service team, each employee is expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others but also demands that employees should refrain from any behaviour that might be harmful to themselves, co-workers, and/or the organization or might be viewed to be unfavourable by other publics both in their business and personal lives. Whether an employee is on duty or off duty, his/her conduct reflects on the organization; hence, employees are encouraged to maintain high standards of conduct at all times.
- 2) While it is intended that relations between the employer and the employee should be harmonious, this is not always the case and therefore occasionally, conflicts occur. These may take the form of the employer being dissatisfied with the employee or vice versa. Such dissatisfaction, if not resolved informally and naturally through day-to-day management-worker relations, may result in unresolved conflict; hence, the need for formal conflict resolution arrangements in the form of disciplinary and grievance procedures.
- 3) In addition, an employee is required to comply with the provisions of Chapter Six of the Constitution of Kenya on Leadership and Integrity and Articles 10 and 232 of the Constitution; Leadership and Integrity Act, 2012; Public Officer Ethics Act, 2003; Anti-corruption and Economic Crimes Act, 2003; Labour Relations Act, 2007 and the Employment Act, 2007.
- 4) Whereas the organization has attempted to come up with the required standards of employee conduct, it should be appreciated that the standards offer general guidelines on required employee conduct and are therefore neither all-inclusive nor permanently all encompassing. Employees of the Placement Service are expected to maintain their overall conduct beyond the standards. Those who belong to different professions are also required to adhere to the ethics and values applicable to their respective fields.

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## 9.2 Principles

- 1) All employees of the Placement Service perform their duties with honesty, integrity and to the best of their abilities. They must not allow themselves to be improperly influenced by anything or anybody. They should communicate openly and honestly, and demonstrate a sense of purpose and a commitment towards achieving the optimum outcome, in the interest of the organisation even under adverse or tempting conditions.
- 2) At all times, they should treat clients (including students, parents, Universities, Colleges or their representatives, etc.), suppliers, and all other stakeholders with fairness, courtesy and sensitivity with respect to their rights and dignity. They are expected to have respect for diversity (individual differences).
- 3) Employees must accept accountability for their actions and decisions and appreciate positive criticism.
- 4) Employees must behave in a way which is above reproach and which does not put them in compromising situations.
- 5) Employees must comply with all the policies and procedures and other regulations that apply to the Placement Service, its systems and the way it conducts its business as mandated by the Universities Act 2012. They are expected to uphold the positive image of the organization at all times.
- 6) Employees are expected to use the information obtained from the organisation only for the purpose for which it is intended and within their discretion and delegated authority
- 7) Employees should respect the assets and the properties of the Placement Service and should not misuse the organization's resources.
- 8) Employees should not directly or indirectly solicit or accept any gift, gratuity or consideration or any pecuniary advantage, as an inducement or reward from members of the public for any act or omission to do anything in his official capacity, or for showing favour or disfavour to any person. An employee may with the prior authority of the CEO be permitted to accept gift or gratuity, provided that such gifts or favours may not be reasonably viewed as being given or received to gain advantage service provided. The type and value of gifts are guided by the provisions of the Public Officers Ethics Act
- 9) Employees should challenge others acting unethically, report behaviour in conflict with the required standards of conduct. In doing so, they need not suppress any positive and constructive contributions and criticism.
- 10) Employees should consult the appropriate officer, division or functional head if in doubt about the applicability of this policy to any given circumstances.

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### 9.3 Personal Appearance and Image

- 1) Discretion in style of dress and behaviour is essential to the efficient operation of the Placement Service. Employees are, therefore, required to dress appropriately and portray a good image of the Organization at all times. Management may put in place a dressing code as required.
- 2) Employees may put on branded corporate attires on designated days.

### 9.4 Attendance Management

- 1) Employees are required to abide by the Placement Service’s regulations relating to working hours and attendance management as provided for in the **succeeding sub-section** of the manual.
- 2) The Placement Service considers employee absenteeism and lateness disruptive and detrimental to employee productivity and organisational performance. These interfere with services to internal and external clients, hinder daily and long range planning, and increase the burden on those employees who must share the increased workload.
- 3) Immediate supervisors/team leaders of employees are responsible for monitoring and controlling absenteeism and lateness in their respective areas and reporting these to the Human Resource and Administration Department through the established communication channels; i.e., line management.
- 4) Employee who flout the said regulations may be subjected to disciplinary action up to and including dismissal from service

### 9.5 Office Hours

- 1) Ordinarily office hours will be as follows:
 

Morning;      8:00 a.m.    -      1:00 p.m.

Afternoon:    2:00 p.m.     -      5:00 p.m.
- 2) In exceptional circumstances, office hours will be fixed by the CEO on the understanding that offices are to be officially open for a total of not less than forty (40) hours per week.
- 3) Though the general office hours will be as stated herein, Heads of Department will not be restricted to utilize employees outside these hours, when there is any cause requiring their services either earlier or later, as long as the employees put up a maximum of forty (40) hours per week.

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## 9.6 Rule of law

- 1) A public officer shall carry out his/her duties in accordance with the law and shall not violate the rights and freedoms of any person enshrined under Chapter four of the Constitution.

## 9.7 Public trust

- 1) A Placement Service office is a position of trust and the authority and responsibility vested in an officer shall be exercised in the best interest of the country.

## 9.8 Performance of duties

- 1) An officer shall, to the best of his/her ability carry out the duties of the office efficiently and honestly, in a transparent and accountable manner, keep accurate records and documents and report truthfully on all matters of the organization which he/she represents.

## 9.9 Professionalism

- 1) An officer shall carry out his duties professionally and treat fellow public officers with consideration and respect. He shall also act in a manner that maintains public confidence in the integrity of the office.
- 2) An officer who is a member of a professional body shall observe the ethical and professional requirements of that body.

## 9.10 Financial integrity

- 1) An officer shall not use the office to unlawfully or wrongfully enrich himself or any other person.
- 2) An officer shall not maintain a bank account outside Kenya except in accordance with an Act of Parliament or seek or accept a personal loan or benefit in circumstances that compromise his integrity.

## 9.11 Pecuniary Embarrassment

- 1) Pecuniary embarrassment from whatever cause, will be regarded as necessarily impairing the efficiency of an officer and rendering him liable to disciplinary proceedings.

## 9.12 Moral and ethical requirements

- 1) An officer shall:
  - a) not engage in activities that amount to abuse of office;
  - b) accurately and honestly represent information to the public; and
  - c) Not discriminate against any person.

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### 9.13 Gifts or benefits in kind

- 1) An officer is prohibited from accepting or requesting for gifts whether in the form of money, goods, free passages or other personal benefits and from giving such gifts, unless:
  - a) The gift is non-monetary and does not exceed the value prescribed by regulation; or
  - b) The gift is from or to a relative or friend given on a special occasion recognized by custom.
- 2) A gift or donation to an officer on a public or official occasion will be regarded as a gift or donation to the Placement Service.
- 3) When presents are exchanged between officers acting on behalf of the Placement Service in ceremonial occasions, the presents received will be handed over to the Placement Service and any present in return will be given at the Placement Service's expense.

### 9.14 Wrongful or unlawful acquisition of property

- 1) An officer shall not use his office to wrongfully or unlawfully influence the acquisition of property.

### 9.15 Conflict of interest

- 1) A "conflict of interest" involves a conflict between the Placement Service duty and the private interests of an officer in which the officer's private capacity interests would improperly influence the performance of their official duties and responsibilities.
- 2) An officer:
  - a) Shall use the best efforts to avoid being in a situation where personal interests conflict or appear to conflict with the officer's official duties;
  - b) Shall not hold shares or have any other interest in a corporation, partnership or other body, directly or through another person, if holding those shares or having that interest would result in the officer's personal interests conflicting with his official duties;
  - c) whose personal interest conflict with his official duties shall declare the personal interests to his supervisor or other appropriate body and refrain from participating in any deliberations with respect to the matter;
  - d) shall not award a contract, or influence the award of a contract to:-
    - i) Himself/herself,
    - ii) A spouse or relative,
    - iii) A business associate, or
    - iv) A corporation, partnership or other body in which the officer has an interest;
  - e) Shall not allow himself to be influenced in the performance of his duties by plans or expectations for or offer of future employment or benefits and shall disclose, in writing to the Placement Service all offers of future employment or benefits that could place him in a situation of conflict of interest; and

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- 3) In this section “personal interest” includes the interest of a spouse, relative, or business associate.

#### 9.16 **Acting for foreigners**

- 1) No Placement Service officer shall, in any manner that may be detrimental to the security interests of Kenya, be an agent for, or further the interests of a foreign government, organization or individual.

#### 9.17 **Care of Property**

- 1) An officer shall take all responsible steps to ensure that property that is entrusted to his care is adequately protected and not misused or misappropriated.

#### 9.18 **Misuse of official information**

- 1) A Placement Service officer shall ensure that confidential or secret information or documents entrusted to his care are adequately protected from improper or inadvertent disclosure.
- 2) Further, an officer shall refrain from generation or peddling of unsubstantiated information that can lead to misinformation or misconception. This is in line with the Official Secrets Act.

#### 9.19 **Falsification of records**

- 1) An officer shall not falsify any records or misrepresent information to the public.

#### 9.20 **Political neutrality**

- 1) An officer shall not, in or in connection with the performance of his duties as such act as an agent for, or so as to further the interest of a political party or indicate support for or opposition to any political party or candidate in an election or engage in political activity that may compromise the political neutrality of his office.
- 2) Political neutrality does not affect the rights of staff like any other citizens from participating in the democratic and political process of the country such as voting at elections etc.

#### 9.21 **Impartiality**

- 1) An officer shall at all times carry out the duties of the office with impartiality and objectivity in accordance with Articles 10, 27, 73(2)(b) and 232 of the Constitution.

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## 9.22 Collections and Harambees

- 1) An officer shall not use his office or place of work as a venue for soliciting or collecting harambees or either as a collector or promoter of public collection, obtain money or other property from a person using his official position.

## 9.23 Conduct of private affairs

- 1) An officer shall conduct private affairs in a manner that maintains public integrity of the office; pay taxes due from him within the prescribed period and not neglect their financial or legal obligations.

## 9.24 Bullying

- 1) An officer shall not bully any person. For the purpose of this section ‘bullying’ includes repeated offensive behaviour which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

## 9.25 Sexual Harassment

- 1) An officer shall not sexually harass a member of the public or fellow officer. “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, noise, jokes or comments including innuendos, regarding another person’s sexuality.
- 2) The Placement Service shall administer a Harassment and Gender Based Violence Policy.

## 9.26 Nepotism

- 1) An officer shall not practice undue favouritism to their relations and close relatives at the expense of the service.

## 9.27 Acting through others

- 1) An officer contravenes the code if he causes anything to be done through another person that would constitute a contravention of the code if done by the officer, or allows or directs a person under their supervision or control to do anything that is in contravention of the code.
- 2) Contravention shall not apply where anything is done without the officer’s knowledge or consent or if the officer has taken reasonable steps to prevent it.
- 3) An officer who acts under unlawful direction shall be responsible for his action.



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### 9.28 Whistleblowing/Reporting improper orders

- 1) An officer shall report to Head of Department, Head of Internal Audit, Chief Executive Officer/Secretary to the Board, Board Chairman or any other member of the Board, as the case may be, any issue considered improper or unethical.
- 2) If an officer makes an allegation in good faith but it is not confirmed through investigation carried out, no action will be taken against him/her. If however, an officer makes the allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against him/her.

### 9.29 Declaration of Income, Assets and Liabilities

- 1) Every public officer shall on initial appointment and bi-annually thereafter submit a declaration of income, assets and liabilities of himself, spouse(s) and dependent children under eighteen (18) years of age to the Public Service Commission. The officer shall also make a similar declaration on exit from the service.
- 2) An officer who fails to submit a declaration or clarification as required, or who submits information that he knows is false or misleading, shall be liable to disciplinary action.
- 3) If an investigation discloses that the employee has contravened the Code of Conduct and Ethics, the appropriate disciplinary action will be taken against the officer; or if the Public Service Commission is of the view that civil or criminal proceedings ought to be considered, the matter may be referred to the Attorney General.

### 9.30 Uniforms for Officers

- 1) Officers offering common services such as Receptionists, Drivers and Support Staff and are required to wear uniforms will be issued with at least two (2) pairs of appropriate uniform on deployment. Issues of uniforms and dates of their issue must be recorded in the Stores Ledger.
- 2) All staff who are provided with uniform will be required to maintain them in a clean and decent condition and to wear them at all times while on duty.
- 3) Disciplinary action will be taken against any officer who fails to observe this Regulation.