

GREAT LAKES UNIVERSITY OF KISUMU (GLUK)



CODE OF CONDUCT POLICY

FEBRUARY, 2018

Copyright GLUK 2018

This policy was written and produced by Great Lakes University of Kisumu

P.O. BOX 2224 – 40100 KISUMU

E Mail: vc@gluk.ac.ke

Website: www.gluk.ac.ke

Policy Title: **Code of conduct policy**

Policy Contact: Deputy Vice Chancellor Academic Affairs

Approval Authority: The University Governing Council

Status: Approved by Council on 27th February, 2018.

Commencement Date: 27th February, 2018

Signed:

Vice Chancellor, Secretary to Council

Date:

Chairman of Council

Date:

Table of Contents

- ACRONYMS iii
- DEFINITION OF TERMS iii
- EXECUTIVE SUMMARY iv
- 1.0 INTRODUCTION 1
 - 1.1 Fundamental Statements..... 1
 - Vision..... 1
 - Mission..... 1
 - Motto 1
 - Core Functions 1
 - Core Values 1
- 2.0 PURPOSE 2
- 3.0 OBJECTIVES 2
- 4.0 INFORMATION AND RESOURCES 2
- 5.0 COMPLIANCE WITH THE CODE 3
- 6.0 RESPONSIBILITIES OF EMPLOYEES 3
 - 6.1 Performance of Duties 3
 - 6.2 Compliance to Policies and Instructions 3
 - 6.3 Confidentiality of Information 3
- 7.0 COMPETENCY 4
- 8.0 OFFICE HOURS..... 4
 - 8.1 Rights of students/ customers 4
 - 8.2 Dress Code 5
 - 8.3 Articles Authored by GLUK Employees 5
 - 8.4. Management of Resources 5
 - 8.5. Conflict of Interest/Commitment 6
 - 8.6. Sexual Harassment..... 6
 - 8.7. Gifts and Fundraising 7
 - 8.8. Grievances and Appeals..... 7
 - 8.9 Environmental Health & Safety..... 8
- 9.0 REPORTING SUSPECTED VIOLATIONS 9
 - 9.1 Implementation and Review of the Policy 9
- 10.0. REFERENCES 9

ACRONYMS

COR: refers to Code of Regulations

GLUK: refers to Great Lakes University of Kisumu

CUE: refers to Commission for University Education

DEFINITION OF TERMS

Code/Policy: refers to this Code of Conduct and Ethics Policy

Commission: refers to the Commission for University Education.

Confidential: refers to information that shall be kept out of the general public domain and includes business strategies, pending contracts, unannounced services, unpublished research results, and biodata of students and employees.

Contract of Employment: means engagement relationship between employer & employees.

Employee: refers to staff members of the University.

Favouritism: refers to application of undue double standards during dispensation of judgment.

Nepotism: refers to favouritism of an individual by virtue of being a relative.

Officer: refers to employees bestowed with authority in GLUK.

Public University: means a public university within the meaning of the Universities Act, 2012.

Resources: broadly means inputs to a process for the purpose of realizing a product. Include physical and natural inputs.

Relative: refers to a person affiliated to another by birth and marriage, including a child, grandchild, parent, brother or sister, and child, grandchild, parent, brother or sister of a spouse, or any other prescribed relative.

Student: means a person enrolled as a learner in a university education institution.

University member: means any person appointed, employed, or admitted to be a part of GLUK to render service or obtain education. The term, therefore, refers to Council members, staff and bona-fide students.

EXECUTIVE SUMMARY

This Policy is formulated in accordance with the Kenya Constitution of 2010, the Public Officer Ethics Act of 2003, which contains the Code of Conduct for Public Universities, the Universities Act of 2012, the Leadership and Integrity Act of 2012, the Public Procurement and Disposal Act of 2005, and the GLUK Charter of 2013 and Statutes of 2013. This Policy shall also be read in conjunction with existing GLUK policies as well as the Terms and Conditions of Service. This Policy is binding to the Council members, employees and students of GLUK. This Policy is being formulated to communicate and foster codes of conduct and ethics that are acceptable in Kenya in general and GLUK in particular. In essence, this Code of Conduct and Ethics Policy contains general rules of conduct to be observed by members of GLUK so as to maintain integrity, accountability and loyalty to the University and to uphold the dignity of the University offices and positions to which they have been appointed.

All GLUK members are under obligation to familiarize themselves with, uphold and comply with the Laws of Kenya in general, as well as the contents of this Policy in particular. Violation of any provision of the Laws of Kenya, therefore, amounts to unethical conduct for which disciplinary action may be taken in accordance with the said Laws and this Policy. This is so because contravention of any of the provisions of the Policy will be a breach of the University's rules and regulations and shall lead to disciplinary action. Any member is entitled at any time to disclose non-compliance with this Policy without fear of victimization. If a member considers that anything required of him/her is in contravention of this Policy or is otherwise improper or unethical, he/she shall report the matter to the relevant office.

Signed:

Vice Chancellor, Chair of the University Senate

Date:

1.0 INTRODUCTION

Ethics are a set of values, virtues, principles and standards of what is good, upright, moral, or just. They admonish and moderate conscience. They are rules of conduct that define behavior and set principles for the conduct of a given category of people.

The Purpose of this Code of Ethics is to socialize and promote the culture of ethical values in the practice and realization of the GLUK's vision, mission, mandate and core values. Ethics promote standards by:

- Defining what is approved or disapproved conduct or practice and regulating self-control.
- Setting qualities of character, attitudes, habits and behavior of individual practitioners.
- Guiding choice among alternatives, and giving rational direction on course of action.
- Promoting justice, impartial evaluations or assessments and instilling both fortitude and rectitude.

1.1 Fundamental Statements

Vision

To build a strong, winning team that will enable Great Lakes University of Kisumu (GLUK) to achieve its objectives.

Mission

To provide equal opportunity to all, recruiting and hiring the most qualified employees and retaining them through service characterized by respect and humility.

Motto: Your Community Partner.

Core Functions

- Provide quality university education and training.
- Stimulate intellectual participation of students and staff.
- Provide a foundation for professional development.
- Carry out research and innovation activities.
- Participate in discovery, preservation and application of knowledge.
- Engage in collaborations, linkages and partnerships.
- Engage in needs-based community service and technology transfer for development.

Core Values

- Faith/ Trust.
- Integrity
- Efficiency and Efficacy.
- Commitment.
- Quality Service Deliver

2.0 PURPOSE

- The purpose of this Code is to be a central guide and reference on the conduct of GLUK employees in support of day to day decision making.
- It provides visible guidelines to regulate behaviour.
- It is also intended to clarify GLUK's vision, mission, values and principles, linking them with standards of professional conduct.
- It serves as a tool to encourage discussion of ethnics and to guide employees when dealing with ethical dilemmas, prejudices and gray areas that are encountered work and life encounters.
- It helps create a positive institutional identity.
- It compliments GLUK standards, policies and rules of an organization.

3.0 OBJECTIVES

The objectives of this Code are to;

- Foster and maintain public trust and confidence in the integrity and professionalism of employees.
- Ensure uniformity of conduct amongst GLUK employees.
- Uphold the dignity of the public offices
- Serve customers in a timely manner and in accordance with the law and Service Charter.
- Act as a reference point for the University and those members of the community with whom the University has dealings from time to time.
- Ensure that employees carry out their work in an ethical, collegial environment and perform their duties with efficiency, fairness, impartiality and honesty.

4.0 INFORMATION AND RESOURCES

This code derives its authority from the following legal and administrative documents, and it should, therefore, be read alongside them:

- The Constitution of Kenya, 2010.
- Public Officer Ethics Act, 2003.
- The Education Act, CAP 211 of the Laws of Kenya.
- Guidelines for the Development of a code of Conduct and Ethnics for Public officers.
- The GLUK Statutes.
- The Code of Regulations for Public Servants.

5.0 COMPLIANCE WITH THE CODE

This Code of Conduct and Ethics sets down a number of minimum standards and obligations relating to the behaviour expected of staff members of the University community. Staff members of GLUK shall comply with all requirements of this Code and those in the general Code of Conduct and Ethics set out in Part III of the Public Officer Ethics Act, 2003, which shall form part of this Code.

6.0 RESPONSIBILITIES OF EMPLOYEES

6.1 Performance of Duties

- Go to work regularly and punctually and strictly follow all security procedures upon arriving, leaving, and while at the workplace.
- To respect and behave in a professional manner to customers, colleagues, management and all other persons who have or come to have relations with the company.
- At all times competently, faithfully, and diligently perform such duties as GLUK may from time to time require or assign and do the utmost to promote the interest of GLUK.
- Perform their duties in support of the Mission and Core Values of GLUK.
- All employees who put on GLUK's logo wear must leave up to the Code of Conduct regardless of whether you are off- or on- duty.
- Employees in position of authority are expected to exercise such authority with respect and, by influence and example, maintain a high standard of duty and conduct.

6.2 Compliance to Policies and Instructions

- Comply with GLUK's principles, rules and regulations, policies and procedures and all requirements and instructions.
- Abide by the GLUK's Conditions of Service and all policies in the GLUK Manual.
- Abide by the policies and instructions as set by the relevant regulating authority.
- Comply with the instructions and directions given by their supervisors:
- In case an employee believes that the instructions given by their supervisor, oppose the mission or interests of GLUK or violate the law, they should report their views to the Head of Department immediately and, if they are not satisfied with the action taken, to the Head of HR. Even though instructions should normally be followed at all times, in extreme cases, employees are expected to act in protection of GLUK's interests.
- Irregularities on the part of subordinate employees will not be excused on the plea that they were acting under orders of the supervisor.

6.3 Confidentiality of Information

- All GLUK employee positions demand absolute confidentiality.

- Information on GLUK's business deals, negotiations, customers, correspondence, structure, policies, procedures, etc., are the exclusive property of the Organization, and no employee member may disclose such information at any time, in any manner.
- Communication within GLUK or with its legal advisers, clients, or business partners is strictly confidential and must not be disclosed either orally or in writing to third parties.
- Employees must take every precaution to protect the Confidentiality of customer information and their transactions at all times.

No employee shall, during employment, upon or after termination, divulge or use any secrets, copyright material, correspondence, or customer

7.0 COMPETENCY

All the GLUK staffs shall;

- Engage only in those services for which they have the necessary knowledge, skills and experience.
- Provide all their professional services in accordance with the GLUK's Standards.
- Continually improve their proficiency and the effectiveness and quality of their services.

8.0 OFFICE HOURS

GLUK's official office hours are from Monday to Friday (8.00 am to 5.00pm) with a one-hour lunch. There may be unforeseen circumstances which may require employees to put in extra hours beyond the minimum of 40 hours per week and or come in over weekends and Public Holidays. In such instances, employees will be expected to honor their work assignments as part of their commitment to GLUK's mission.

Any employees leaving their duty station for any period of time in the course of the working day should do so with the knowledge of their immediate supervisor.

8.1 Rights of students/ customers

A student has:

- The right to receive the best possible service.
- The right to be protected from over-servicing out of self-interest. A commitment to service may rightfully be expected from GLUK staff members.
- The right to be treated humanely. At all times the student/ customer shall be treated by the staff member with the sensitivity and mindfulness of his/her dignity as a human being.
- The right to expect to benefit from all resources available to the GLUK staff member for the best possible service.
- The right to self-determination and freedom to make his or her decisions concerning obtaining services or alternative services.

8.2 Dress Code

In order to bring out the professional, solid and reliable image that all GLUK employees represent, employees are expected to be well groomed and smartly dressed at all times while on duty. All employees must be in business casual. Tee-shirts and jeans must not be worn to work. Employees attending business occasions/meetings are expected to conform to the official dress code as above.

8.3 Articles Authored by GLUK Employees

Any and all reports, articles or other documents that are prepared by employees in the course of their employment in GLUK are for the use of GLUK exclusively. When an employee prepares an article for publication about a GLUK program or project, the manuscript is to be sent for review and approval by the Vice Chancellor before being submitted for publication.

GLUK wishes to encourage its employees to write and publish articles about its work, subject to GLUK policies on the issue. Any article by a member of employees may be considered a reflection of GLUK's policy and interest.

No GLUK employees shall conduct or give any interview to the press or the media without express written authority from the Vice Chancellor. Any inquiries from the media/press should be directed to the Vice Chancellor be they from individuals (journalists, researchers) or other institutions.

8.4. Management of Resources

- (a) All University members are required to act in the best interest of the University when dealing with University resources.
- (b) Each employee is responsible for the assets placed under his/her care and control.
- (c) An employee charged with the duty of acquiring goods and services for the University shall exercise due care and apply existing laws, policies, regulations and controls that shall ensure value for money to the University.
- (d) No member may sell or use University assets without authorization. Need and ignorance are not justifications for the unauthorized sale, use or consumption of the assets.
- (e) Loss or damage of any asset must be reported promptly to a member's supervisor.
- (f) Use of University assets by any person other than the authorized University member is not permitted.
- (g) University assets must be used for the purpose for which the particular assets are normally intended and in accordance with the directions for use.
- (h) University members shall not spend University funds without authorization.
- (i) Members must adhere to the University's internal control measures, which are aimed at protecting assets against unauthorized removal and/or use.
- (j) Each member shall exercise due diligence and prudence in utilizing University resources.
- (k) Where a member spends money or authorizes that money to be spent, he/she shall ensure that the University receives reasonable value for the money expended.

- (l) No member shall without the permission of the Council open a bank account on behalf of, or in the name of the University, department, division, centre, institute or any similar operating entity of the University.

8.5. Conflict of Interest/Commitment

- (a) All members owe their primary allegiance to the University and its mission to engage in the highest level of education, research, scholarship, customer-care, and service delivery.
- (b) Outside professional activities, private financial interests or the receipt of benefits from third parties can cause an actual or perceived conflict between the University mission and an individual's private interests.
- (c) University members with other professional or financial interests shall disclose them in compliance with applicable conflict of interest/commitment policies.
- (d) It is further required that—
 - (i) Each member shall act in the best interest of the University in all dealings with current or prospective clients, suppliers, contractors and consultants, among others.
 - (ii) Situations must be avoided where a member's personal interests conflict with those of the University or might cause the member not to act in the best interest.
 - (iii) The policies and procedures regarding purchases and solicitation of quotes and tenders, as amended from time-to-time, must be strictly adhered to at all times.
 - (iv) Participation by a member in the purchasing process, collection or evaluation of quotes, granting of tenders or the appointment of consultants where a spouse, relative by blood or marriage, family friend or business associate of the member has an interest or is involved as a third party is not permitted.
 - (v) A member shall immediately disclose in writing to his/her immediate supervisor any possible conflict of interest/commitment and withdraw from the particular decision-making process.
 - (vi) All tenders, quotations and purchases to be made where a member has withdrawn from the decision-making process shall be submitted to the Vice-Chancellor or his/her proxy for final approval.
 - (vii) A member with involvement and/or a personal interest in any person with whom the University has entered into a contract shall make this fact known to his/her supervisor immediately.

8.6. Sexual Harassment

- (a) Sexual harassment—If the person doing it knows or ought to know that it is not welcome includes doing any of the following—
 - (i) exerting pressure for sexual activity or favours;
 - (ii) touching or making intentional or careless physical contact that is sexual in nature;
 - (iii) giving someone unwanted sexual attention, gestures, noises, jokes or comments,
 - (iv) including innuendos, regarding another person's sexuality;
 - (v) insulting or ridiculing someone because of his or her sex;
 - (vi) lewd, suggestive or over-familiar behaviour;
 - (vii) display or circulation of sexually suggestive material; and

- (viii) suggestion that acceptance of sexual favours may further a member's career or
- (ix) guarantee passing of examinations, or refusal may lead to failure of examinations.
- (b) The University shall not tolerate sexual harassment of its employees and students.
- (c) Any cases of sexual harassment should be reported promptly.
- (d) A University member who makes a genuine complaint on the grounds of sexual harassment need not fear reprisal or victimization.
- (e) Complaints should be made to the University Public Complaints Committee or any other
- (f) relevant authority.
- (g) All University members have a responsibility to comply with University policies and to treat colleagues of either sex with dignity and respect.
- (h) In case of a fabricated complaint, the complainant is liable to disciplinary action.

8.7. Gifts and Fundraising

- (a) No University member should use his office to improperly enrich him/herself or others.
- (b) A member should not, except as allowed under the law, accept or request gifts or favours from a person who—
 - (i) has an interest that may be affected by the carrying out, or not carrying out, of the member's duties;
 - (ii) carries on regulated activities with respect to which the University has a role; or
 - (iii) has a contractual or similar relationship with the University.
- (c) No member shall use his/her office to acquire land or other property for him/herself or another person, whether or not the land or property is paid for.
- (d) A University member may accept a gift given to him/her in his/her official capacity, if the gift is non-monetary and does not exceed the value prescribed in the law (Public Officer Ethics Act, 2003). If the gift exceeds the stipulated value, then it shall be deemed to be a gift to GLUK. The affected gift should be immediately surrendered to the University. However, this does not prevent a University member from accepting a gift from a relative or friend on a special occasion recognized by custom.

8.8. Grievances and Appeals

- (a) The University treats all complaints seriously and makes every effort to investigate complaints expeditiously. University members shall make every effort to transmit complaints through the proper official channels.
- (b) The University applies the principles of natural justice in investigating complaints. The University acknowledges that there are multiple pathways to deal with complaints. It is useful, prior to making a complaint, to consult with appropriate representatives on campus to identify the best way to proceed. These shall include the Unions, the Human Resources Department and the Dean of Students Office.
- (c) University members are encouraged to consider all potential complaints carefully and shall not make frivolous, malicious or vexatious complaints.
- (d) In the interest of maintaining an agreeable, harmonious working environment for all University employees, it is advisable for matters giving rise to grievances to be addressed informally in as far as possible. If the initial informal approach to discuss the matter by

an employee with his/her immediate supervisor fails to produce a satisfactory solution, then a formal procedure may be followed to attempt to resolve the grievance.

- (e) The formal procedure requires an employee to write a note on the grievance to the supervisor, if the grievance does not involve the supervisor, or the Vice-Chancellor, who will appoint an appropriate handler to review and investigate the grievance further and provide a solution to the problem.
- (f) If an employee is dissatisfied with the outcome of any stage of the formal procedure, he/she may appeal to the University Council through the Vice-Chancellor in writing, within 7 days of his/her being notified of such outcome.

8.9 Environmental Health & Safety

- (a) Members are required to promote University policies and measures for the protection of health and safety of all employees, students and the general public who may be affected directly or indirectly by University activities.
- (b) Members are required to give proper regard to the protection and conservation of the environment.
- (c) The University operates no smoking and substance abuse policies on its premises.
- (d) Any form of substance abuse may lead to serious disciplinary action as prescribed in the Alcohol and Drug Abuse (ADA) Policy.
- (e) The University maintains a safe working environment. The University has installed First Aid facilities at designated places and trained representative employees in First Aid.
- (f) The University has also put in place accident reporting procedures in the Security and Clinic Departments.
- (g) The University conducts fire drills regularly for all employees and students and fire alarms are also installed in its premises.
- (h) The University provides uniforms and protective clothing to all employees whose jobs deem it necessary.
- (i) It is in each member's best interest to be security conscious to prevent entry of unauthorized persons to the premises and to familiarize themselves with emergency exit signages installed in the University premises.
- (j) All employees and students are issued with Identification Cards to be presented to Security Officers guarding entrances to the University.
- (k) Disposal of hazardous waste into the environment is strictly prohibited. Hazardous material shall only be disposed in accordance with guidelines of regulatory agencies.
- (l) Littering of the University compound with plastic or any other obnoxious material is considered unethical and hence is prohibited.
- (m) No University member shall damage, pollute, destroy or deface University buildings, roads, signages, grounds, flower beds and trees.
- (n) Public Address Systems (PAS) and other sound producing devices shall be used in the University premises to the extent that sound produced does not exceed limits allowable by applicable laws and authorities.

9.0 REPORTING SUSPECTED VIOLATIONS

(a) Reporting to Management

- (i) University members shall report suspected violations of applicable laws, regulations, government contracts, grant requirements and this Code.
- (ii) Reporting shall normally be made initially through standard Management channels, beginning with the immediate supervisor, instructor or advisor in the Department.
- (iii) If for any reason it is not appropriate to report suspected violations to the immediate supervisor, members shall report to the University Public Complaints Committee or a higher level of Management.

(b) Confidentiality

- (i) Reports shall be made confidentially and even anonymously, although the more information is given, the easier it is to investigate the violations.
- (ii) Raising violation concerns is a service to the University and does not in itself jeopardize employment or any other status.

(c) Cooperation

All University members are required to cooperate fully during investigation of a given misconduct or violation.

9.1 Implementation and Review of the Policy

- (a) The Vice-Chancellor shall appoint a committee to implement this Code of Conduct and Ethics Policy.
- (b) Monitoring and evaluation of this Code of Conduct and Ethics Policy shall be undertaken by the Implementation Committee.
- (c) The recommendations of the Implementation Committee shall be used to review and amend this Code of Conduct and Ethics Policy from time-to-time to keep it abreast with changing times.
- (d) Amendments of this Code of Conduct and Ethics Policy shall be contained in the annexes of this document.

10.0. REFERENCES

Anti-Corruption and Economic Crimes Act, 2003. National Council for Law Reporting.

<http://www.kacc.go.ke/docs/legal/aceca.pdf>. Accessed on 8.8.2011.

GLUK Charter, 2013. Commission for University Education, Nairobi.

GLUK Statutes, 2013.

Employment Act, 2007. Government Printer, Nairobi, Kenya.

Environmental Management and Coordination Act, 2009. Government Printer, Nairobi.

Government Financial Management Act, 2004. National Council for Law Reporting.:
<http://www.kenyalaw.org/Downloads/Acts/GovernmentFinancialManagement.pdf>.

Human Resource Management Act of 2012. Government Printer, Nairobi, Kenya.

Kenya Constitution, 2010. Government Printer, Nairobi, Kenya

Labour Institutions Act, 2007. Government Printer, Nairobi, Kenya.

Labour Relations Act, 2007. Government Printer, Nairobi, Kenya.

Leadership and Integrity Act of 2012. Government Printer, Nairobi, Kenya.

Occupational Health and Safety Act, 2007. Government Printer, Nairobi, Kenya.

Public Officer Ethics Act, 2003. National Council for Law Reporting.

Public Procurement and Disposal Act of 2005. National Council for Law Reporting.

Public Procurement and Disposal Regulations of 2006. National Council for Law Reporting

Public Service Integrity Programme: A Resource Manual for Corruption Prevention in the Public Service of 2003. Government Printer, Nairobi, Kenya.

Universities Act, 2012. National Council for Law Reporting. Nairobi, Kenya.

Work Injury Benefits Act, 2007. National Council for Law Reporting. Nairobi, Kenya.