

FOREWORD

Meru Technical Training Institute has always adhered to the policy that one of our basic corporate responsibilities is to obey the letter and spirit of all laws, in our country. It is MTTI's policy to comply fully with all anti-corruption laws. The purpose of this Anti-Corruption Policy is to help assure compliance by MTTI with all anti-corruption laws. The laws prohibit bribes and other improper payments and gifts regardless of the fact that they may be widely accepted, customary or even seem necessary. All MTTI personnel are expected to conduct MTTI business legally and ethically. Improper gifts, payments or offerings of anything of value to any MTTI staff could jeopardize MTTI reputation and growth. The use of MTTI funds or assets for any unlawful, improper or unethical purpose is prohibited. This Policy extends to all of MTTI operations.

This Policy provides general statements of the complex requirements of anti-corruption laws, and specialized guidance for areas of our business most directly affected by these laws. This Policy should not be considered as a substitute for specific legal advice. Rather, this Policy is meant to aid you in complying with the law in your daily activities by helping you to identify issues and obtain advice. In certain respects, this Policy may be intentionally stricter than what is required by the law.

Unless stated otherwise below, this Policy extends to all operations of MTTI and applies to all BOG members, full and part time employees, contract workers, suppliers and anyone who conducts business on behalf of MTTI or in furtherance of its interests, wherever that business is conducted. Compliance with this Policy is expected of all MTTI staff. Three fundamental principles underlie this Policy:

Each member of MTTI Personnel has an individual responsibility to establish and maintain a high standard of ethical business conduct in compliance both with this specific Policy, all laws, and with MTTI Code of Conduct. Each Supervisor has a duty to aid MTTI Personnel in understanding the content, scope, and importance of this Policy and to illustrate by his or her own behavior, the spirit and practice of ethical business conduct. Each Supervisor must use reasonable efforts to learn of the ethical quality of business behavior engaged in by all MTTI Personnel he or she supervises.

Conduct in violation of this Policy is unacceptable in the workplace and in all work-related settings and gatherings outside of the workplace. Any member of MTTI Personnel who violates this Policy will be subject to disciplinary action, up to and including termination of employment

or engagement or as per TSC Code of Conduct. Questions regarding the interpretation of this Policy should be directed to your Supervisor, to the chairman Corruption Prevention Committee, or to the Chairman of the Board of Governors MTTI.

Alternatively, if you wish to report any such matter anonymously, you may do so by calling Corruption Prevention **hotline No. 0723839392**. If you have a reasonable suspicion of or actually observe a violation of this Policy, MTTI's Code of Conduct, this Policy requires you to report the violation or suspicion in accordance with the procedures set forth in this Policy, see Part V "Reporting Violations" below. All MTTI Personnel must comply with state, and applicable local laws, and must perform his or her duties in an honest and ethical manner. If an applicable written local law conflicts with guidelines in this Policy, MTTI Personnel must comply with the local written law; however, if a local custom, practice, tradition or policy conflicts with this Policy, MTTI Personnel must comply with this Policy. Where feasible, MTTI Personnel must discuss any potential conflicts with their supervisor or the chairman CPC in advance of taking any action that may conflict with this policy. Integrity, our first core value, provides the foundation for MTTI policies, procedures and guidelines. As such, MTTI expects and demands compliance with this Policy and the law. Our reputation for ethical business conduct must not be compromised. Your continued commitment to our high ethical standards is expected and appreciated.

Geoffrey M Rukunja

PRINCIPAL

Meru Technical Training Institute

2.0 POLICY STATEMENT

Corruption exists in an organization when provision of services and public relations are based on subjectivity and not qualification of set guidelines. The purpose of this Anti-Corruption Policy is to help assure compliance by MTTI with all Anti-corruption laws. The laws that prohibit bribes and other improper payments and gifts regardless of the fact that they may be widely accepted, customary or even seem necessary. The management has put in place clear communication channels to report any malpractice or unethical practice noticed within the Institute that includes a telephone number (0723839392), suggestion box and the institute website (www.merutechnical.ac.org).

All MTTI staff, students, suppliers and parents are expected to conduct their businesses legally and ethically. The management shall deal with any reported case of corruption without any favourism or prejudice to ensure fairness is in place in delivering services to our customers

3.0 LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS

This policy draws authority from;

- The Constitution of Kenya
- Ethics and Anti-Corruption Commission Act, 2011
- The Leadership and Integrity Act, 2012
- Anti-Corruption and Economics Crimes Act, 2012
- Public Officer Act, 2003
- Public Procurement and Disposal Act 2005
- The Public Finance Management Act, 2012
- MTTI QMS document
- Teacher's code of conduct

4.0 SCOPE OF THE POLICY

This policy applies to Management, Staff, Students and Suppliers of Meru Technical Training Institute

5.0 DEFINITION OF CORRUPTION

Corruption exists in an organization when provision of services and public relations are based on subjectivity and not qualification of set guidelines. "Anti-Corruption" measures forbid payments of money or anything else of value made corruptly to influence any act or decision (including a decision not to act) by an MTTI staff in his or her official capacity or to induce the staff to use his or her influence to affect an MTTI staff act or decision so as to assist any individual or organization in obtaining or retaining business or directing business to any person. Officers, employees, Third Party Representatives, and business partners of MTTI are prohibited from paying, promising, authorizing, or offering to give anything of value, directly or indirectly (e.g., through a service agreement representative, customs broker or other agent) to any government official, political party, party official, or political candidate to cause that official to do or not to do any act in violation of his official function or to secure any improper advantage.

The Anti-Corruption and Economic Crimes Act, 2003 explains corruption by setting out what constitute corruption. Section 2 of the Act lays out the general parameters of what constitutes corruption which include:

Breach of trust: This occurs when a public officer fails to render selfless service based solely on the public interest to people

Bribery: Occurs when a person dishonestly gives or receives a benefit as an inducement or reward for doing or omitting to do what is already under duty to do or omit to do

Abuse of office: Occurs when a person uses his/her office to improperly award a benefit to him/herself or another person

Fraud: Refers to a situation where a person intentionally makes a false statement or manipulates information in order to confer a benefit to oneself or other person(s) through dishonesty, deceit or trickery.

Embezzlement or misappropriation of public funds: refers to the dishonest acquisition and conversion of public funds or resources to one's use. Misappropriation on the other hand refers to wrongful use of public funds placed under his care

Deceiving the principal: refers to an agent, who to the disadvantage of his principal makes a statement to his principal, which he knows to be false or misleading in any significant respect, is guilty of an offence.

Conflict of interests: refers to a situation where an agent has a direct or indirect interest in a decision that his principal is to make, and knowing or having reason to believe that the principal is unaware of the interest, fails to disclose it and participates in the actions of his principal in relation to the decision. It can also arise where an employee /chief executive of the organization have a private interest that could potentially influence or appear to influence the partial and objective performance of his official duties. Private interests include any advantage to you or your family, close relatives, friends and persons or organizations with whom you have business or political relations.

Bid Rigging: This refers to a benefit that is given or received for not submitting a tender, quotation or a tender or submitting a tender or bid with a specified price or with any specified inclusions or exclusions

Dealing with suspect property: Occurs when a person handles property that he believes was acquired through corruption

Attempts and Conspiracies: Occurs when a person attempts to commit an offence involving corruption

6.0 FUNCTIONAL AREAS AND POSSIBLE CORRUPTION RISKS

S/NO.	FUNCTIONAL AREA	POSSIBLE CORRUPTION RISK
1	FINANCE	<ul style="list-style-type: none"> • Loss of Funds through payment of Fees • Payment of Suppliers • Salary Payments • Payment of Casuals • Payment of Allowances
2	REGISTRAR/ADMISSIONS	<ul style="list-style-type: none"> • Admission of unqualified Trainees • Late Admission
3	PROCUREMENT	<ul style="list-style-type: none"> • Awarding of Tenders to unworthy suppliers • Supply of sub-standard goods • Supply of expired goods • Receipt of unsupplied goods
4	HUMAN RESOURCES DEPARTMENT	<ul style="list-style-type: none"> • Employing Unqualified workers • Unfair grant of Leave

		<ul style="list-style-type: none"> • Unfair handling of Disciplinary cases
5	FARM	<ul style="list-style-type: none"> • Sales of farm produce/Animals • Stealing farm produce • Employment of casuals
6	EXAMINATIONS	<ul style="list-style-type: none"> • Setting sub-standard exams • Giving incorrect marks • Unfair marking by lecturers • Cheating
7	ACADEMIC DEPARTMENTS	<ul style="list-style-type: none"> • Lessons allocations • Duties/Responsibility allocations • Compensation of lost hours • Non-attendance of Lessons
8	INDUSTRIAL LIASON OFFICE	<ul style="list-style-type: none"> • Unfair selection of Assessors • Unfair awarding of trainees attachment marks • Un fair Reimbursement of assessment transport/expenses
9	BOARDING	<ul style="list-style-type: none"> • Unfair rooms allocation • Students feeding without payment

7.0 STRUCTURES TO FIGHT CORRUPTION

The following structures are put in place to prevent, detect, investigate and punish corrupt officers in the Institute;

S/no	FUNCTIONAL AREA	PREVENTION STRATEGIES	RESPONSIBILITY
1.	ADMINISTRATION	FINANCE: <ul style="list-style-type: none"> • Fees paid through bank • All payments must be approved by the authority 	FINANCE OFFICER/PRINCIPAL DISPOSAL

		<p>DISPOSAL OF ITEMS</p> <ul style="list-style-type: none"> Any items to be disposed is done by disposable committee <p>FARM:</p> <ul style="list-style-type: none"> Farm products are sold through cash office <p>PROCUREMENT:</p> <ul style="list-style-type: none"> PPOA Guidelines are adhered in all procurement processes 	<p>COMMITTEE</p> <p>FARM MANAGER</p> <p>Procurement Officer</p>
2.	REGISTRAR	<p>ADMISSIONS:</p> <ul style="list-style-type: none"> Admission is guided by government policy on min. admission grades and institute admissions policy/QMS <p>PROVISION OF SECURITY:</p> <p>Security services are procured/outsourced competitively from security firms</p> <p>INSTITUTE PROGRAMMES PROMOTION</p> <ul style="list-style-type: none"> Adverts are put on daily papers and local papers Local media is used Road shows are done 	<p>Registrar</p> <p>Registrar</p> <p>Registrar</p>
3	INDUSTRIAL RELATIONS OFFICE	<p>students risk cover:</p> <ul style="list-style-type: none"> Insurance for students is competitively outsourced Student's attachment marks are awarded guided by 	<p>Industrial Relations Officer</p> <p>Industrial Relations</p>

		<p>laid down marking scheme.</p> <ul style="list-style-type: none"> • Trainee assessors are selected from departmental level using list to ensure fairness. 	Officer
4	STUDENTS DEAN'S OFFICE	<p>ROOMS ALLOCATION</p> <ul style="list-style-type: none"> • Rooms are issued through registrar office on the basis of first come first served. <p>ELECTION OF STUDENTS COUNCIL</p> <ul style="list-style-type: none"> • Student leaders are democratically elected. <p>CATERING</p> <ul style="list-style-type: none"> • Meals sold to students are received 	<p>Student's Dean</p> <p>Institute Electoral Commission</p> <p>Finance Officer</p>
5	ACADEMIC DEPARTMENTS	<p>CURRICURUM DELIVERY:</p> <ul style="list-style-type: none"> • Schemes of work are drawn by every lecturer for every term • Teaching Diaries are drawn and marked by class representatives and signed by teachers • Class Registers are marked by teachers for students lessons attendance • Students are evaluated at the end of every term to see their progress <p>DUTIES ALLOCATION</p> <ul style="list-style-type: none"> • Lecturers are 	<p>Heads Of Departments</p>

		allocated duties according to their areas of specialization, abilities and interest. <ul style="list-style-type: none"> • Tally method is used to ensure fairness-No overloading of some lecturers at the expense of the others 	Heads Of Departments
6	EXAMINATIONS	Examinations are vetted by panels Marked scripts are returned through departmental Quality officers	Examinations Officer

Any detected unethical practice is supposed to be reported to the Institute Integrity Officer through **hotline No. 0723839392** or through suggestion boxes strategically located.

The case shall be investigated by the appointed Anti-corruption Investigation committee members and the corrupt officer(s) shall sternly be punished.

8.0 COMPOSITION OF THE CORRUPTION PREVENTION COMMITTEE

The following officers constitute the corruption prevention committee in the Institute;

1. The CEO(Chairman)
2. Procurement Officer-Member
3. Dean of Students-Member
4. HOD-Applied sciences-Member
5. HOD-Business dept.-Member
6. Registrar-Member
7. HOD Electrical dept.-Member
8. HOD Examinations-Member
9. Quality Assurance Officer/IAO(Secretary)

9.0 MANDATE AND OPERATIONS OF THE CORRUPTION PREVENTION COMMITTEE

The following are the functions of the Institute Corruption prevention committee:

- Setting priorities in the prevention of corruption within the Institute
- Planning and coordinating corruption prevention strategies
- Integrating all corruption prevention initiatives in the Institute
- Receiving and reviewing all the reports on corruption prevention initiatives and recommend appropriate action
- Receiving and taking action on corruption reports made by the staff and other stakeholders
- Spearheading anti-corruption campaigns within the Institute
- Monitoring and evaluating the impact of corruption prevention initiatives
- Preparing and submitting quarterly progress reports to the performance contract Steering Committee

10. OBLIGATIONS OF STATE AND PUBLIC OFFICERS UNDER THE GENERAL LEADERSHIP AND INTEGRITY CODE : Section 10 - Performance of duties

- a) Carry out the duties of the office efficiently and honestly;
- b) Carry out the duties in a transparent and accountable manner;
- c) Keep accurate records and documents relating to the functions of the office; and
- d) Report truthfully on all matters of the organization which they represent.

11.0 INTERNAL AUDIT REVIEWS

Meru Technical Training Institute has established Internal Audit Department that plays a crucial role in prevention and detection of corruption within an Institution. It provides an Institutionalized mechanism for supervision, control and view of operational systems within the Institution. It also plays an important role in assessing the nature and extent of any fraud and corruption risk.

12.0 HOW TO REPORT CORRUPTION INTERNALLY AND EXTERNALLY

Any corrupt practices noticed within the Institute should be reported to the Institute Integrity Officer through mobile no. 0723839392 or dropping a note in the Institute suggestion boxes strategically located within the Institute at the main service points or through the Institute e-mail (merutechnical@gmail.com) or through our website, www.merutechnial.org. Such disclosures should be made to the Institute's Integrity officer. Staff and stakeholders can also report corruption externally through the Commission's anonymous reporting in its website (www.eacc.org.ac)

Any person who alleges a breach a breach of the code by a public officer is required to lodge a claim to the Institute which will be registered inquire in the allegation. The CPC of the Institute shall deliberate on the allegations and advice management on the appropriate action to be taken based on the findings of investigation of the allegations.

12.1 Conduct of investigations

In the course of investigations into an alleged breach of the code, the following applies:

- I. The public officer shall be informed of the investigation by the investigating authority
- II. The public officer shall be given reasonable opportunity to make a representation in respect of the matter before conclusion of the investigation
- III. If an investigation is initiated while the officer is in the office, it may be continued even after he/she has ceased to be a public officer
- IV. The complainant shall be informed of any action taken or to be taken against the public officer
- V. The public officer shall be accorded an hearing in respect of any matter relevant to the investigation

The public officer under investigation may be suspended from the office pending the investigation and determination of the allegations against him or her where such suspension is considered necessary to facilitate investigations

12.2 Sanctions for Breach of the code by a public officer

Breach of the code amounts to misconduct for which the public officer may be subjected to disciplinary proceedings. If after an investigation, a public officer is found to have breached the code, the following actions may be taken:

- I. The Institute may take a disciplinary action against the public officer serving in the Institute
- II. If the wrongful conduct of the public officer is in the opinion of the Institute, liable to criminal proceedings, the Institute shall refer the matter to the director of public Prosecution of the public officer
- III. If civil proceedings are considered necessary, the matter shall be referred to the Attorney general of the Commission

- IV. The Institute may also take any other action or further investigation even where the matter has been referred to the Attorney general or the commission

12.3 Referral of a matter under investigation

The Institute may refer any matter to the Commission if in the opinion of the Institute civil proceedings ought to be instituted against a public officer. In such cases, the Commission is required to consider the matter and take appropriate action. The Commission may institute civil proceedings against the public officer. Where the Institute considers that criminal proceedings ought to be preferred against the public officer, the Institute shall refer the matter to the Director of public prosecutions.

13. HANDLING OF CORRUPTION CASES

Any reported cases of corruption will be dealt with fairly, promptly, expeditiously within the law and appropriate actions taken against the accused officer. Corruption cases deliberated upon and supported by sufficient evidence or reasonable suspicion that a corruption offence has occurred or about to occur shall be reported to the Commission for appropriate action to be taken.

14. PROTECTION AGAINST WHISTLE BLOWERS

Section 33 of the Witness Protection Act 2006 provides for the protection of persons who may assist the Institute with information or investigation of corruption offences. Therefore, we want to give an assurance that no action, including disciplinary action, may be taken against an informer for his or her assistance as long as the person believes the information to be true at the time of giving it.

15. DISCIPLINARY MEASURES

A person found guilty and convicted of a corruption offence shall be liable to:

- a) A fine of up to one million shillings or imprisonment for up to 10 years, or to both; and
- b) An additional compulsory fine if, as a result of the conduct that constituted the offence, the person received a gain, or any other person suffered a loss that can be quantified
- c) A person who participated in the corrupt conduct will not have a right to payment for any loss he may have suffered.

16. TRAINING

To ensure all members of staff in the Institute are aware of the code and the possible consequences of the committed offences, the Integrity officer shall make all effort to sensitize the members of staff and students about the code. Copies shall also be distributed to all departments and kept in the library for easy reference.

17. MANAGEMENT AUTHORITY

It is the responsibility of the Management to enforce the implementation of this policy in liaison with all Departments in the Institute. The Anti-Corruption Committee shall also oversee the success of the policy by providing the necessary support in receiving and investigating any reported case and making the necessary recommendations to the management for the appropriate action.

18 .POLICY REVIEW

This policy shall be reviewed after every **three years** or any other time that is deemed right for review in order to align the policy to changing trends in the society.

19. EFFECTIVE DATE

Issued this 30th day of June 2015

