



ANTI-CORRUPTION POLICY

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AMENDMENT SHEET

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OUR IDENTITY

Vision

To be a leading global technology and innovation hub.

Mission

To develop a sustainable smart city and an innovation ecosystem, contributing to Kenya's knowledge-based economy.

Mandate

The mandate of KoTDA is to develop Konza Technopolis as a globally competitive smart city by creating an enabling environment through utilization of ICT for socio-economic development.

Strategic Objectives

- Develop and manage a world-class smart city with a vibrant, safe and secure, healthy and sustainable ecosystem.
- Form partnerships with other actors in the National Innovation System, to recruit, attract, and develop high-end talent as well as create relevant, and smart innovative solutions and commercialize them.
- Mobilise adequate and sustainable funding to meet the Authority's mandate and changing needs of the business community and residents.
- Create a strong brand and image of Konza Technopolis that will attract, facilitate and retain investors.
- Ensure that the Authority has adequate institutional capacity to fulfil its mandate.



LIST OF ACRONYMS & DEFINITION OF TERMS

Authority	Konza Technopolis Development Authority
CEO	Chief Executive Officer
CPC	Corruption Prevention Committee
EACC	Ethics & Anti-Corruption Commission
IAO	Integrity Assurance Officer
ICT	Information Communication Technology
KoTDA	Konza Technopolis Development Authority
PC	Performance Contracting
PSIP	Public Sector Integrity Programme



FOREWARD

The Management of Konza Technopolis Development Authority recognizes the critical role of ethical service delivery in efforts to achieve the Authority's Vision, Mission and Mandate.

In order to promote transparency and accountability in the Authority, it is important to eliminate mismanagement of public resources through corruption and inefficiency at all levels. The Management recognizes corruption as an impediment to social and economic development which also undermines confidence in public institutions. Therefore, corruption prevention at all levels remains a top priority.

The KoTDA Anti-Corruption Policy identifies corruption risk areas in the Authority and measures to mitigate these risks and minimize their consequences should they occur. In handling cases of corruption, the Management will adhere to the legal framework and act on all cases expeditiously.

The fight against corruption calls for a concerted effort from all stakeholders of the Authority and the Konza Technopolis Project. These include investors, partner organizations and ministries, media and the general public among others. KoTDA encourages reporting of any incidence of corruption, despite the perceived magnitude to the Authority or any other relevant authorities. Whistle blowers will be protected against reprisals relating to disclosure of corruption.

To re-affirm our commitment in the fight against corruption, I encourage members of staff and the Board, investors, partner organizations and ministries, media and the general public to take responsibility in prevention of corruption. The implementation of this policy is therefore not only the sole responsibility of the Corruption Prevention Committee (CPC) and the Integrity Assurance Officers (IAO) but the entire Authority and its stakeholders.

Eng. John Tanui

CHIEF EXECUTIVE OFFICER

1 POLICY STATEMENT

- 1.1. The Authority is committed to the implementation of Public Service Integrity Programme (PSIP) which seeks to establish and sustain transparency, accountability and integrity in the public service through zero tolerance to corruption.
- 1.2. To enhance the fight against corruption, the Authority has established and operationalized the Corruption Prevention Committee (CPC) and appointed Integrity Assurance Officers (IAO). To facilitate this committee and the IAO officers, the Authority has developed the KoTDA Corruption Prevention Policy and the KoTDA Code of Conduct Policy.
- 1.3. Corruption Reporting Boxes shall be strategically placed at the KoTDA offices at Konza Complex and at other offices that KoTDA may conduct its business. A dedicated email address, phone number and a vibrant social media presence shall also be established to receive any reports of corruption.
- 1.4. The implementation of the Corruption Prevention Policy will eliminate corruption in the Authority. The policy identifies risk areas and establishes strategies to address corruption prone management processes and practices. It explicitly indicates measures to detect, prevent and investigate corruption, while stipulating penalties against corrupt officers.
- 1.5. It is the sole responsibility of each member of KoTDA and the stakeholders to address any incidence of corruption within the Authority and between the Authority and its clients.

2 LEGISLATIVE AND ADMINISTRATION FRAMEWORK

- 2.1. The Konza Technopolis Development Authority Anti-Corruption Policy is anchored on the following legal instruments and institutional mechanisms:
 - 1.6.1. The Constitution of Kenya
 - 1.6.2. The Public Officer Ethics Act, 2003
 - 1.6.3. The Anti-Corruption and Economic Crimes Act, 2003
 - 1.6.4. Witness Protection Act, 2007
 - 1.6.5. Leadership & Integrity Act 2012
 - 1.6.6. Official Secrets Act, Cap 187 of the Laws of Kenya
 - 1.6.7. The Public Finance Management Act, 2012
 - 1.6.8. Public Finance Management Regulations 2015
 - 1.6.9. Public Audit Act 2015
 - 1.6.10. The Public Procurement and Asset Disposal Act, 2015
 - 1.6.11. The Civil Service Code of Regulations 2006
 - 1.6.12. The KoTDA Performance Contract
 - 1.6.13. KoTDA Human Resource Policy & Procedures Manual (Rev.2018)

3 APPLICABILITY

- 3.1 This policy shall apply to Board, Staff and Stakeholders of the Authority from the date of its adoption.

4 DEFINITION OF CORRUPTION

- 4.1. According to “A Sourcebook for Corruption Prevention in the Public Service”, corruption can be defined as Abuse of socially accepted norms; Evil, immoral or wicked behavior; Unlawful acquisition of property at the expense of the public; and Misuse of office or authority for the benefit of an individual or a group through coercion, undue influence, misrepresentation, falsification, dishonesty or any other improper acts or means in breach of laws, regulations and the rules in force.
- 4.2. The Anti-corruption and Economic Crimes Act 2003 describes “corruption” as an offence under any of the provisions of sections 39 to 44, 46 to 47 of the same Act, bribery, fraud, embezzlement or misappropriation of public funds, abuse of office, breach of trust or an offence involving dishonesty in connection with any tax, rate or impost levied under any Act or under any written law relating to elections of persons to public office.
- 4.3. In this respect, corruption shall be deemed to have occurred when an official who is a holder of a position in the Authority receives or is promised significant advantage or reward as a person either on his own or with third parties for doing something that he/she is under a duty to do or, not to do, for improper legitimate discretion for improper reasons, and for applying illegal means to achieve approved goals of the Authority.

5 CORRUPTION RISK AREAS

- 5.1. Information on corruption prone areas and processes is crucial to the Authority in its fight against corruption. If these areas and processes are left unchecked, they may cause irreparable damages and consequences in the long run.
- 5.2. Therefore, the Authority has identified the following as the areas prone to corruption:

5.1.1 Supply Chain Management

- 5.1.2.1 Inventory Management
- 5.1.2.2 Tendering

5.1.2 Finance

- 5.2.2.1 Payment Approvals Request
- 5.2.2.2 Petty Cash Management
- 5.2.2.3 Imprest Management

5.1.3 Human Resource & Administration

- 5.2.3.1 Records Management
- 5.2.3.2 Payroll Processing
- 5.2.3.3 Pension Management
- 5.2.3.4 Leave Management



5.2.3.5 Training & Development

5.2.3.6 Internships & Apprenticeship

5.1.4 ICT

5.2.3.1 ICT Equipment Management

5.2.3.2 Information Management

5.1.5 Infrastructure Development

5.2.5.1 Supervision of contractors

5.2.5.2 Project Monitoring and Evaluation

5.2.5.3 Project Cost Estimation

5.1.6 Investor Facilitation

5.2.6.1 Investor Application approval process

5.2.6.2 Evaluation of potential Investors

5.2.6.3 Parcel Allocation Process

6 STRUCTURES TO FIGHT CORRUPTION AND RESPONSIBILITY

6.1 THE BOARD

6.1.1 The Board of Directors shall provide active oversight over the implementation of this policy and help re-enforce Management's commitment to create a culture with "zero tolerance" for fraud and corruption. The Board shall ensure that Management implements appropriate fraud and corruption deterrence and prevention measures to better protect the Authority's assets.

6.2 MANAGEMENT

6.2.2 The CEO, Heads of Department and Heads of Divisions are responsible for the communication and implementation of this policy in their work place. They are also responsible for ensuring that the staff under them are aware of the Authority's Rules and Regulations and that the requirements of each are being met in their everyday business activities.

6.2.3 It is the Management's responsibility to maintain internal control systems. These include the responsibility for the prevention of fraud and other illegal acts. By undertaking an agreed plan of work, the Internal Audit & Assurance Division will evaluate the adequacy and effectiveness of these controls as a means of assisting management to discharge its responsibilities. Management and staff should ensure that:

- 5.1.2.1 They understand how the Authority's policies, procedures, rules and regulations impact on their activities.
 - 5.1.2.2 They comply with the Authority's policies and procedures and are aware of any service specific procedures in relation to fraud and corruption.
 - 5.1.2.3 Internal Audit advice and recommendations are fully considered and acted upon promptly when system weaknesses which expose the Authority to the corruption risks.
- 6.2.4 Management shall strive to create an environment in which the staff under them is able to report fraud and any suspected corrupt practices with ease. The Management is responsible for initially investigating any allegation of fraud or corrupt practices reported.
- 6.2.5 Management at all levels are responsible for ensuring that the staff are aware of the Authority's Rules and Regulations and that the requirements of each are being met. In addition, Managers are responsible for ensuring that appropriate procedures are in place to safeguard the resources for which they are responsible and to prevent financial irregularities.

6.3 EMPLOYEES

- 6.3.1 Employees are expected to work towards giving the highest possible standards of service to the public. Employees must act in accordance with the Authority's standards including Code of Conduct & Ethics.
- 6.3.2 Employees also have a duty to protect the assets of the Authority including information and physical assets.
- 6.3.3 Employees who are members of professional bodies are expected to act in accordance with the standards laid down by their respective Professional Bodies.
- 6.3.4 All employees should be aware of key policy documents and legislature in addition to this policy:
- 6.3.5 The employees may be required to disclose information about their personal circumstances in accordance with these documents.
- 6.3.6 Employees play an important role in detecting theft, fraud and corruption at work place. They should always be aware that corrupt practices may exist at the work place and the Management and the Board shall deal with any reported cases without exposing the officer who has reported. If for any reason, they feel unable to speak to their Supervisor, they must refer the matter to one of those named below:
 - 6.2.6.1 CEO, KOTDA
 - 6.2.6.2 Chief Managers and Heads of Divisions
 - 6.2.6.3 Members of the Integrity Committee
 - 6.2.6.4 Integrity Assurance Officers

6.3.7 If employees still feel unable to report suspected or detected fraud and corrupt practices through any of the above internal routes, then they should use the Confidential Reporting channels that include Post Office Box, Corruption Reporting Hotline, Corruption Reporting Email, Corruption Reporting Boxes or to any other spelt channels provided for by law.

6.4 INTERNAL AUDIT

6.4.1 The Internal Audit & Assurance Division plays a major preventative role in trying to ensure that the systems and procedures are in place to prevent and deter fraud are adequate. It examines and evaluates the adequacy and effectiveness of various internal control systems in order to determine their effectiveness. Internal Audit liaises with Head of Divisions and Departments to recommend changes in procedure to prevent further losses to the Authority.

6.4.2 In carrying out this responsibility, the Internal Audit determines whether:

- 6.4.2.1 The Authority's environment fosters control consciousness;
- 6.4.2.2 Written policies that describe prohibited activities and the actions required whenever violations are discovered exist;
- 6.4.2.3 Appropriate authorization policies for transactions are established and maintained;
- 6.4.2.4 Policies, practices, procedures, reports and other mechanisms are developed to monitor activities and safeguard assets, particularly in high risk areas; and
- 6.4.2.5 Communication channels exist to provide the management with adequate and reliable information.

6.5 EXTERNAL AUDIT

6.5.1 Independent External Audit is statutory and is an essential safeguard of the stewardship of public resources. The role is delivered through carrying out specific reviews that are designed to test the adequacy of the Authority's financial systems and arrangements for preventing and detecting fraud and corrupt practices.

6.5.2 External Auditors are always alert to the possibility of fraud and irregularity and will act without due delay if grounds for suspicion come to their notice. The External Auditor has a responsibility to review the Authority's internal controls in place to prevent and detect fraud and irregularities and their effectiveness in reducing opportunities for corrupt practices.

6.6 GENERAL PUBLIC

6.6.1 Members of the public are encouraged to report concerns through any of the routes outlined here below:

- 6.6.1.1 Post Office Box
- 6.6.1.2 Corruption Reporting Hotline
- 6.6.1.3 Corruption Reporting Email
- 6.6.1.4 Corruption Reporting Boxes.

6.7 INTEGRITY COMMITTEE/ CORRUPTION PREVENTION COMMITTEE

6.7.1 The Authority acknowledges the immense and diverse efforts needed to fight corruption at all levels of management. In this regard, the Authority shall establish the Integrity Committee who shall be appointed by the CEO. The Committee shall be comprised of 7-9 members. The membership shall be as follows:

- | | |
|-------------------------------------------------------------------|-----------|
| a) Chief Executive Officer | Chairman |
| b) All Chief Managers and Managers who report directly to the CEO | Members |
| c) Human Resource & Administration Manager | Member |
| d) Internal Audit & Assurance Manager/Integrity Officer | Secretary |

6.7.2 The Corruption Prevention Committee is tasked with keeping a constant check on the Authority's internal and external operations and procedures. It ensures that any opportunities for corruption are timely identified and mitigated.

6.7.3 The composition of this Committee shall be continuously adapted as the Authority grows its composition and operations.

6.7.4 The core functions of the Corruption Prevention Committee are:

- 6.7.4.1 To prioritize activities in the implementation of corruption prevention programmes;
- 6.7.4.2 To ensure that all corruption prevention initiatives are integrated into the Authority's core programmes;
- 6.7.4.3 To receive and analyze Reports on corruption prevention initiatives and recommend appropriate actions;
- 6.7.4.4 To co-ordinate corruption prevention strategies in the Authority;
- 6.7.4.5 To consider and recommend trainings on the Public Service Integrity Programmes for staff in the Authority;
- 6.7.4.6 To ensure that all decisions and guidelines on corruption prevention are communicated effectively to all staff and other stakeholders;
- 6.7.4.7 To prepare and submit to the Public Service Integrity Programme (PSIP) Secretariat quarterly progress reports on implementation of the programme;
- 6.7.4.8 To receive complaints and information on alleged corrupt activities and thereafter analyze, evaluate and recommend appropriate actions; and



- 6.7.4.9 To monitor and evaluate the impact of the Authority's corruption prevention initiatives.

6.8 INTEGRITY ASSURANCE OFFICERS

6.8.1 The Authority shall appoint Integrity Assurance Officers who shall be drawn across all divisions of KoTDA.

6.8.2 The role of IAOs shall be:

- 6.8.2.1 Conducting Corruption Risk Analysis in their respective departments
 - 6.8.2.2 Conduct awareness programs on integrity, corruption prevention and ethics to all KoTDA staff and relevant business partners
 - 6.8.2.3 Foster a culture of adherence to Ethical Procedures in all operating levels of the Company
 - 6.8.2.4 Nurturing relationships with relevant Stakeholders to improve Corporate Awareness regarding Corruption and Economic Crimes
 - 6.8.2.5 Assist the Corruption Prevention Committee in implementation of corruption prevention programmes at the Authority
 - 6.8.2.6 Participate in preparation of quarterly reports on Corruption Eradication
- 6.8.3 Upon appointment, the IAOs shall undergo a training to enable them acquire skills and information to discharge their duties. Subsequent training will be provided biennially or on need basis.

7 INTERNAL AND EXTERNAL REPORTING MECHANISMS

The following communication channels shall be used to report Corruption Cases to the Authority:

7.1 INTERNAL REPORTING MECHANISMS

7.1.1 Corruption Reporting Boxes

- 7.1.1.1 Members of the Authority, clients and stakeholders are invited to drop complaints into the Corruption Reporting Boxes. These boxes are strategically placed at various sections within the Authority's Offices.
- 7.1.1.2 Persons reporting should avoid signing names in such correspondences to deter intimidation and harassment. The boxes shall be opened regularly by Integrity Assurance Officers and cases analyzed appropriately.

7.1.2 Reporting to the Chief Executive Officer

- 7.1.2.1 Any person/officer can report directly to the Chief Executive Officer for further investigation of alleged corruption.



7.1.3 Reporting to Authority Integrity Assurance Officers

- 7.1.3.1 Any person/ officer may report corruption cases to appointed Authority Integrity Assurance Officers who shall forward the information to the Corruption Prevention Committee for deliberation.

7.1.4 Writing Anonymous letters

- 7.1.4.1 Anonymous letters on corruption allegations can be written and dropped in corruption reporting boxes that have been placed at designated strategic points where they can be picked by the relevant authorities for further action.

7.1.5 Sending Third Parties

- 7.1.5.1 One may opt to use third parties to deliver a written report on alleged corruption cases to avoid harassment and victimization.

7.1.6 Authority Anti-corruption email and Hotline

- 7.1.6.1 Incidences of corruption may be reported to KoTDA by use of its dedicated email address: integrity@konza.go.ke or through text messages to a corruption reporting mobile telephone number that will be provided. In addition, the approved government corruption reporting website channels can be used.

7.2 EXTERNAL REPORTING MECHANISMS

7.2.1 Whistle Blowing

- 7.2.1.1 This is a reporting system that guarantees complete and secure anonymous mode of reporting corruption.
- 7.2.1.2 The Authority shall develop Whistle Blowers' Policy and establish mechanisms to facilitate whistle blowing.
- 7.2.1.3 The information provided to the Ethics and Anti-Corruption Commission helps in fighting corruption as the whistle blower is protected against victimization.

7.2.2 Reporting Corruption cases to EACC

- 7.2.2.1 One may directly write to the Ethics and Anti-Corruption Commission to report corruption practices in the Authority. Disclosure of one's identity is optional.

7.2.3 Reporting through the Media

- 7.2.3.1 Corruption cases can be reported to the media either through telephone or correspondence. Employees are however encouraged to utilize internal reporting mechanisms before exploring external channels.



8 HANDLING CORRUPTION CASES

- 8.1. Corruption cases shall be dealt with expeditiously according to existing laws and regulations without discrimination by the Integrity Committee.
- 8.2. The following shall be done when the Authority receives a report on suspected fraud or corrupt act:
 - 8.2.1 Report the matter to the Chief Executive Officer
 - 8.2.2 Deal promptly with the matter.
 - 8.2.3 If the risk exposure by the fraudulent or corrupt action is insured, notify the Authority's insurers.
 - 8.2.4 Implement the Authority's disciplinary procedures where appropriate.

9 DISCIPLINARY MEASURES

- 9.1. Any officer found guilty of a corruption offence shall be dealt with in accordance with the provisions of the Public Officer Ethics Act 2003, the Civil Service Code of Regulations 2006 and the KoTDA's Code of Conduct and Ethics. This will also apply to persons maliciously giving falsified corruption allegations.

10 TRAINING AND SENSITIZATION ON ANTI-CORRUPTION

- 10.1. The Authority recognizes that the continuing success of its Anti-Corruption Policy and its general credibility will depend largely on the effectiveness of programmed training and the responsiveness of employees throughout the organization.
- 10.2. The Authority shall support the sensitization of all members of staff and training employees involved in internal control systems to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced.
- 10.3. The Integrity Assurance Officers (IAOs) shall lead other staff members in raising awareness about dangers of corruption and promoting integrity in the Authority.
- 10.4. Staff shall be kept fully informed about the Authority's Anti-Corruption Policy and what part they are expected to play in it. This shall be achieved through:
 - 10.4.1 Giving every employee a copy of the organizations Code of Conduct/Anti-Corruption Policy and ensuring its availability to all staff via networked computer system.
 - 10.4.2 Conduct sensitization of new staff during induction training.
 - 10.4.3 Establishing a training programme and ensuring all staff attend it.
 - 10.4.4 Making the Anti-Corruption Policy available to stakeholders
 - 10.4.5 Including information on fraud matters in a KoTDA Staff Bulletin.
 - 10.4.6 Reporting to staff outcomes of investigations and disciplinary action against employees who perpetrate theft or fraud.



11 PERFORMANCE CONTRACT REPORTS TO EACC

11.1. Based on the Performance Contract Cycle guidelines issued at the beginning of each Financial Year and PC Cycle, the Authority shall submit Corruption Prevention Reports in the prescribed formats and at required intervals, for instance, on a quarterly basis.

12 REVIEW OF THE POLICY

12.1. This policy shall be reviewed by the Integrity Committee after three years, or as may be deemed necessary as a result of the changes in the environment KoTDA operates in. Any need for change shall be reported to the CEO for approval.

13 EFFECTIVE DATE

This policy comes into effect on this 29th day of July 2020.

Eng. John Tanui

CHIEF EXECUTIVE OFFICER