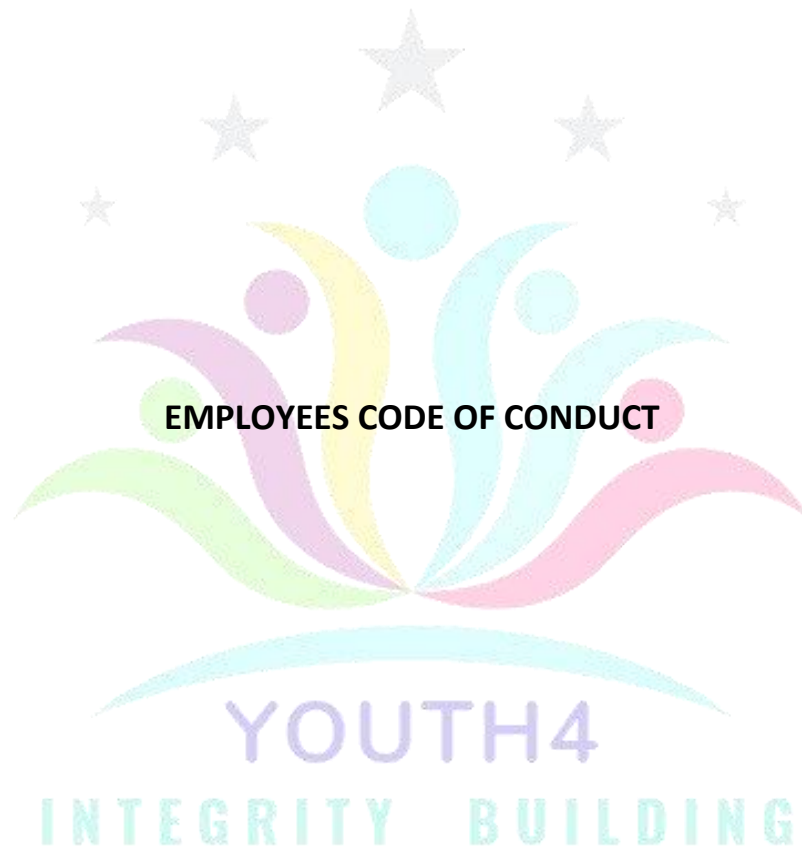




YOUTH FOR INTEGRITY BUILDING ORGANIZATION



JULY 2023.



PREAMBLE

The Youth for Integrity Building (YIB) organization is committed to upholding the highest standards of integrity, ethics, and accountability. We recognize that our actions and behaviors have a direct impact on our reputation and the trust placed in us by our stakeholders. As members of the YIB organization, we are dedicated to promoting a culture of integrity, transparency, and fairness in all our activities. We strive to act in the best interest of our stakeholders, including our employees, volunteers, partners, and the communities we serve.

This Code of Conduct serves as a guide to ensure that we adhere to the principles and values that define YIB. It outlines the expected behaviors and responsibilities of all individuals associated with our organization. By following this Code of Conduct, we commit to:

1. Upholding Ethical Standards: We will act with honesty, integrity, and professionalism in all our interactions and decision-making processes. We will not engage in any form of corruption, fraud, or unethical behavior.
2. Respecting Human Rights: We will respect and promote the fundamental human rights of all individuals, regardless of their race, gender, religion, nationality, or any other characteristic. We will not tolerate any form of discrimination, harassment, or abuse.
3. Ensuring Transparency and Accountability: We will be transparent in our operations, including financial management, reporting, and decision-making processes. We will be accountable for our actions and take responsibility for any mistakes or shortcomings.
4. Promoting a Safe and Inclusive Environment: We will create and maintain a safe and inclusive environment for all individuals associated with YIB. We will foster diversity, inclusivity, and equal opportunities for growth and development.
5. Protecting Whistleblowers: We will protect and support individuals who report suspected misconduct or unethical behavior. We will maintain confidentiality and ensure that no retaliation is taken against whistleblowers.
6. Complying with Laws and Regulations: We will comply with all applicable laws, regulations, and legal obligations in the countries where we operate. We will also respect the cultural norms and values of the communities we work with.

By adhering to this Code of Conduct, we contribute to the reputation and success of YIB as an organization dedicated to promoting integrity and ethical behavior. We understand that our commitment to these principles is essential in achieving our mission and making a positive impact on society.

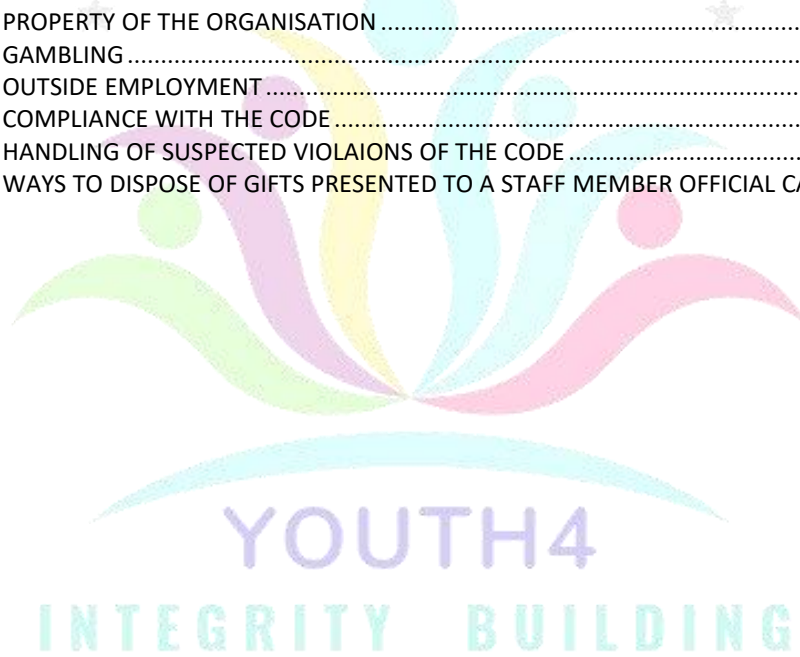


Executive Director,
Youth For Integrity Building (YIB).



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1. INTRODUCTION

1.1. Youth For Integrity Building (YIB) Overview

YIB is a community based organization established under the Community groups Registration Act No. 30 of 2022.

1.2. **YIB organization Mission:** to empower young people with the knowledge, skills, and resources to become lead agents of change in promoting integrity, ethical leadership and social justice.

1.3. **YIB organization vision:** To build a world in which all individuals and communities have the tools and resources they need to sustainably thrive, and where integrity, democracy, and social justice are valued and promoted.

1.4. YIB is fully committed to the principle of honesty, integrity and fair play in the delivery of services to the public. All staff should ensure that the operations of YIB, such as applications for services, procurement or staff recruitment, are dealt with in an open, fair and impartial manner.

2. PURPOSE

This Code of Conduct sets out the basic standard of conduct expected of all staff and the organization's policy on matters like acceptance of advantages and declaration of conflict of interest by staff in connection with their official duties.

3. SCOPE

This Code applies to all YIB staff including temporary or part-time staff employed by the organization.

5. LEGAL FRAMEWORK

This policy is premised on the following legal framework and administrative requirement, but not limited

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| a) Constitution of Kenya, 2010 | h) Data Protection Act |
| b) The Procurement and Asset Disposal Act, 2015 | i) Standards Act Cap 496 |
| c) The Ethics and Anti-Corruption (EACC) Act, 2011 | j) Anti-Bribery Act, 2017 |
| d) The Protected Disclosures Act, 2016 | k) Leadership and integrity Act 2012 |
| e) The Employment Act, 2007 | l) Anti-Corruption and Economic Crimes Act 2003 |
| f) The companies Act, 2015 | m) Penal Code, Cap 63 |
| g) The Access to Information Act, 2016 | n) YIB Whistleblower Act |
| | o) YIB HR Policy |
| | p) YIB ICT Policy |



6. OBJECTIVES OF THIS CODE.

- 6.1. The code sets clear standards of behavior and conduct for all staff of YIB, ensuring that everyone understands the expected ethical standards and values.
- 6.2. The code promotes integrity by outlining the principles and values that guide the YIB's actions and decision-making processes. It encourages honesty, transparency, and ethical behavior in all aspects of the YIB's operations.
- 6.3. The code serves as a reference point for members to make informed decisions and take appropriate actions in various situations. It provides guidance on how to handle ethical dilemmas, conflicts of interest, and other challenging situations.
- 6.4. The code helps prevent misconduct within the organization by clearly defining acceptable behavior and outlining consequences for violations. It sets expectations and serves as a deterrent against unethical actions.
- 6.5. It demonstrates the organization's commitment to ethical conduct and creates a positive reputation.
- 6.6. It helps prevent legal and regulatory violations and promotes a culture of compliance.
- 6.7. The code aims to protect the interests and rights of stakeholders, such as employees, customers, partners, and the community. It establishes guidelines for fair treatment, respect, and privacy protection.
- 6.8. The code encourages members to report any suspected misconduct or unethical behavior, providing mechanisms for reporting and protecting whistleblowers.
- 6.9. It promotes a positive and ethical work environment, fostering collaboration, respect, and shared values.
- 6.10. It ensures that YIB's ethical standards remain relevant and effective through its regular reviews, updates, and communication.

7. ROLES AND RESPONSIBILITIES.

7.1 Whistleblower:

- a. The policy defines the role of the whistleblower as an individual who reports concerns or wrongdoing in good faith.
- b. Whistleblowers have the responsibility to provide accurate and complete information regarding the reported issue, ensuring that their report is made in a timely manner.
- c. Reporting any unethical or illegal activities within the organization.
- d. Providing accurate and detailed information about the reported misconduct.
- e. Cooperating with the investigation process and providing any necessary evidence.
- f. Maintaining confidentiality and protection from retaliation.

7.2 Whistleblower Officer:

- a. Receiving and documenting whistleblower reports.
- b. Ensuring the confidentiality and protection of whistleblowers.
- c. Conducting thorough investigations of reported misconduct.
- d. Reporting findings to the Board of Directors and Executive Director.



- e. Implementing appropriate actions to address the reported misconduct.
- f. Providing support and guidance to whistleblowers throughout the process.

7.3 Investigation Team:

- a. In cases where further investigation is required, the policy allows the Executive Director to establish an investigation team or designate specific individuals responsible for conducting the investigation.
- b. The team is responsible for gathering evidence, interviewing relevant parties, and analyzing information to reach a resolution.

7.4 Board of Directors and Executive Director

- a. Overseeing the implementation and effectiveness of the organization's whistleblower policy.
- b. Reviewing and acting upon whistleblower reports and investigation findings.
- c. Ensuring appropriate actions are taken to address reported misconduct.
- d. Promoting a culture of transparency, integrity, and accountability within the organization.
- e. Providing necessary resources and support to the whistleblower officer.
- f. Communicating with stakeholders about the organization's commitment to integrity.

7.5 Employees and other Stakeholders:

- a. Familiarizing themselves with the organization's whistleblower policy and procedures.
- b. Reporting any suspected misconduct or unethical behavior.
- c. Cooperating with investigations and providing accurate information when required.
- d. Respecting the confidentiality of whistleblower reports and investigations.
- e. Supporting a culture of integrity and ethical behavior within the organization.
- f. Raising awareness and understanding of the importance of whistleblowing within the organization.

8. PREVENTION OF BRIBERY ORDINANCE

An employee of YIB who solicits or accepts an advantage in connection with his work without the permission of YIB may commit an offence. The term "advantage" is defined in the Ordinance and includes almost anything of value, except entertainment, such as money, gift, commission, loan, fee, reward, office, employment, contract, service or favour.

"Advantage" means :

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
 - (b) any office, employment or contract;
 - (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
 - (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
 - (e) the exercise or forbearance from the exercise of any right or any power or duty;
- and



(f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e), but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), particulars of which are included in an election return in accordance with that Ordinance. Appendix 2

8.1 Acceptance of Advantages

- a). It is the policy of this organization to prohibit all staff from soliciting any advantage from any persons having business dealings with the organization (e.g. clients, suppliers, contractors). Staff who wish to accept any advantage from such persons should seek special permission from the management prior to the acceptance.
- b). Any gifts offered voluntarily to the staff in their official capacity are regarded as gifts to the organization and they should not be accepted without permission. Staff should decline the offer if the acceptance could affect their objectivity in conducting the organization's business, or induce them to act against the interest of the organization, or lead to complaints of bias or impropriety.
- c). For gifts which are presented to staff in their official capacity and of nominal value (below KES. 1,000), the refusal of which could be seen as unsociable or impolite (e.g. a plaque presented to a staff member during a seminar in which he/she is invited to be the guest speaker), the management has given a blanket permission for the staff to accept these gifts. In other circumstances, the staff should apply in writing to the management for permission to accept the gifts. Each application should be carefully considered by the management delegated the authority to consider such applications. Proper records of these applications should be kept showing the name of the applicant, the occasion of the offer, the nature and estimated value of the gift, and whether permission has been granted for the applicant to retain the gift or other directions have been given to dispose of the gift. Possible ways of disposal of such gifts are listed under clause 17 of this policy.
- d). There is however no restriction on the acceptance of advantages, in the staff's private capacity, from any person who does not have any official dealings with the organization. In case of doubt, the staff should refer the matter to the Executive Director or Programme Manager/Operations Manager (in absence of the Executive Director) for further advise.

9. CONFLICT OF INTEREST

9.1. A conflict of interest situation arises when the "private interests" of the staff compete or conflict with the interests of the organization. "Private interests" means both the financial and personal interests of the staff or those of their connections including:

- family and other relations;
- personal friends;
- the clubs and societies to which they belong; and
- any person to whom they owe a favour or are obligated in any way.

9.2. Staff should avoid using their official position or any information made available to them in the course of their duties to benefit themselves, their relations or any other persons with whom they have personal or social ties. They should avoid putting themselves in a position that may lead to an actual or perceived conflict of interest with the organization.

9.3. Failure to avoid or declare any conflict of interest may give rise to criticism of favouritism, abuse of authority or even allegations of corruption. In particular, staff involved



in the procurement process should declare conflict of interest if they are closely related to or have beneficial interest in any company which is being considered for selection as the YIB's supplier of goods or services. Check below for some examples of conflict of interest situations which may be encountered by staff.

9.4. When called upon to deal with matters of the organization for which there is an actual or perceived conflict of interest, the staff member should make a declaration in writing to his supervisor. He should then abstain from dealing with the matter in question or follow the instruction of his supervisor who may reassign the task to other staff.

Examples of Conflict of Interest Situations

- A staff member takes part in the selection of suppliers or contractors, one of the bidders under consideration being his family member, relative or close personal friend.
- A staff member has a financial interest in a company which is being considered for selection as YIB's supplier of goods or services.
- A staff member accepts frequent or lavish entertainment or expensive gifts from YIB's suppliers or contractors.
- A staff member serves as a member of YIB's recruitment or promotion board, and one of the candidates under consideration by the board is his family member, relative or close personal friend.
- A staff member responsible for processing applications for admission to a home for the elderly operated by YIB is considering an application from his family member, relative or personal friend.

10. ENTERTAINMENT

"Entertainment" refers to food or drink provided for immediate consumption on the occasion, and any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour and is not an "advantage", staff must not accept lavish or frequent entertainment from persons with whom YIB has official dealings (e.g. suppliers or contractors), so that they will not be placed in a position of obligation to the person or entity offering the entertainment.

10. MISUSE OF OFFICIAL POSITION

Staff who misuse their official position for personal gains or to favour their relatives or friends are liable to disciplinary action or even prosecution. Examples of misuse include a staff member responsible for the selection of suppliers giving undue favour or leaking tender information to his relative's company with a view to awarding the contract to the latter.

11. HANDLING OF CLASSIFIED OR PROPRIETARY INFORMATION

11.1. Staff are not allowed to disclose any classified or proprietary information to anybody without authorization. Staff who have access to or are in control of such information should at all times provide adequate safeguards to prevent its abuse or misuse. Examples of misuse include disclosure of information in return for monetary rewards, or use of information for personal interest.

12.2. It should also be noted that unauthorized disclosure of any personal data may result in a breach of the Personal Data (Privacy) Ordinance (Cap. 486).



12. PROPERTY OF THE ORGANISATION

12.1. Staff given access to any property of the organization should ensure that it is properly used for the purpose of conducting the organization's business.

12.2. Misappropriation of the organization's property for personal use or resale is strictly prohibited.

13. GAMBLING

Staff must not engage in frequent or excessive gambling with persons who have business dealings with the organization as well as among colleagues, particularly with subordinates. If on social occasions where refusal of gambling is considered unsociable, the amount of money involved should not be significant. Gambling in the organization's premises is strictly forbidden.

14. OUTSIDE EMPLOYMENT

15.1. Staff who wish to take up paid outside work, including those on a part-time basis, must seek the written approval of the organization before accepting the job.

15.2. Applications for outside work should be made to the Executive Director for consideration.

15.3. Approval will not be given if the outside work is in conflict with the interest of the organisation.

15. COMPLIANCE WITH THE CODE

17.1. It is the personal responsibility of every staff member to understand and comply with the Code of Conduct.

17.2. All managers should also in their daily supervision ensure that their subordinates understand and comply with the standards and requirements stated in the Code. Any problems encountered as well as any suggestions should be channeled to the Executive Director for consideration and advice.

17.3. Any staff member who violates any provision of the Code will be subject to disciplinary action. In cases of suspected corruption or other criminal offenses, a report will be made to the appropriate authorities.

16. HANDLING OF SUSPECTED VIOLAIONS OF THE CODE

16.1. All YIB employees are encouraged to report any violations of this code to their immediate supervisor, H.R manager, Operations Manager, Programmes manager or the Executive Director.

16.2. Once a case is reported, the receiver shall:-

- a. Document the Report: When a code of conduct violation is reported, document the details of the report, including the date, time, nature of the violation, individuals involved, and any supporting evidence or documentation provided.
- b. Assess Credibility: Evaluate the credibility of the report by conducting a preliminary assessment. Consider the source of the report, the clarity of the allegations, and any supporting evidence. Determine if further investigation is warranted.



- c. Initiate Investigation: If the report appears credible, initiate a formal investigation. Assign a qualified individual or team to conduct the investigation. Ensure they are impartial and have the necessary expertise to handle the specific violation.
- d. Gather Evidence: Collect all relevant evidence related to the reported violation. This may include documents, emails, witness statements, or any other evidence that supports or refutes the allegations. Maintain the confidentiality and integrity of the collected evidence.
- e. Conduct Interviews: Interview all relevant parties involved, including the individual who reported the violation, the accused party, and any witnesses. Prepare interview questions in advance to ensure a thorough and fair investigation. Document all interviews and obtain written statements when possible.
- f. Analyze Findings: Analyze the evidence and information gathered during the investigation. Assess the credibility and consistency of the information provided by all parties involved. Consider any applicable laws, regulations, or policies that may have been violated.
- g. Determine Violation and Severity: Based on the investigation findings, determine if a violation of the code of conduct has occurred. Assess the severity of the violation, taking into account the impact on individuals, YIB, and its stakeholders.
- h. Decide on Disciplinary Actions: Determine the appropriate disciplinary actions or corrective measures to address the violation. Consider factors such as the severity of the violation, any previous incidents, and YIB's policies. Ensure that the actions taken are fair, consistent, and proportionate to the violation.
- i. Communicate Findings and Actions: Notify the individual who reported the violation, the accused party, and any other relevant stakeholders of the investigation findings and the actions taken. Maintain confidentiality to the extent possible, while ensuring transparency and accountability.
- J. Implement Corrective Measures: Implement any necessary corrective measures to address the violation and prevent future occurrences. This may include additional training, policy revisions, or strengthening internal controls and monitoring mechanisms.
- k. Monitor and Follow-Up: Monitor compliance with the code of conduct and conduct periodic follow-ups to ensure that the violation has been effectively addressed. Provide support to the individual who reported the violation and ensure that they are protected from any form of retaliation.
- l. Document and Retain Records: Maintain proper records of the reported violation, investigation process, findings, and actions taken. This documentation is essential for record-keeping, accountability, and legal compliance.

16.3 The investigation report including the proposed disciplinary measure must be reviewed by either the H.R Manager, Operations Manager or the Programmes Manager and approved by the Executive Director.

16.4. In instances where the H.R. Manager, the Operations Manager or the Programmes Manager, then one of the remaining two shall be allowed to review then submit to Executive Director for approval. .

17. WAYS TO DISPOSE OF GIFTS PRESENTED TO A STAFF MEMBER OFFICIAL CAPACITY

- If the gift is of perishable nature (e.g. food or drink), it may be shared among the office or during an activity organized by a service unit of the NGO.



- If the gift is a useful item, it may be sent to a charitable organization or a service unit of the NGO.
- If the gift is of historical or other interest, it may be sent to a library or museum.
- If the gift is suitable for display (e.g. a painting, vase, etc), it may be retained for display in the recipient's office or elsewhere in the organization.
- If the gift is of low value (below 5,000 KES), it may be donated to the organization's social function as a lucky draw prize.
- If the gift is a personal item of low value (below 1,000 KES), it may be retained by the recipient.



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