



**Kenya National  
Highways Authority**

Quality Highways, Better Connections

# **ETHICS AND INTEGRITY POLICY**

**August 2022**



[www.kenha.co.ke](http://www.kenha.co.ke)

## **Vision**

The leading Authority in the provision of National Trunk Roads

## **Mission**

To develop and manage quality and adequate national trunk roads through innovation and optimal utilization of resources for sustainable development

## **Core Values**

The guiding principles in the operations of KeNHA are:

Teamwork  
Accountability  
Innovation

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## DOCUMENT CONTROL

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Attribute	Detail
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### Policy Approvals

The Ethics and Integrity Policy has been approved and issued under the signature of:

Ms. Winfrida Ngumi

  
.....

Date:

26.8.22  
.....

**Chairperson, Board of Directors**



## **FOREWORD**

Corruption is universally considered one of the major threats to both social development and market economy. It disturbs competitiveness thus leading to misallocation of resources. It also undermines the rule of law and public trust. To address this, countries have developed requisite legislation to enforce ethics and integrity.

Corruption Perception Index (CPI), an annual study undertaken by Transparency International (TI), shows that Kenya was ranked record low of 19 points out of 100 points in 2016. Over the years, due to the various legislation put in place, the country has improved whereby in 2021 the country scored a high of 31 points. This year, 2022, the country has been rated at 30 points.

Kenya has enacted additional laws in an effort to strengthen the fight against corruption and enhance ethical conduct. Laws such as the Anti - Corruption and Economic Crimes Act (2003), Public Officer Ethics Act (2003), Leadership and Integrity Act (2012), Bribery Act (2016), Proceeds of Crime, and Anti-money Laundering Act (2009) have contributed to the improved performance of CPI for Kenya.

The Authority is committed to inculcating a culture of ethical conduct and integrity in the execution of her mandate. In this regard, the Authority undertakes all her work in the most transparent way to ensure resources allocated are used to the utmost benefit of the public.

Similarly, the Authority is committed to zero tolerance to corruption, promotes a corrupt free business environment, and ensures ethical conduct by her various stakeholders in an effort to deliver value for money.

Acknowledging the complexity of the various projects, limited resource envelope against a higher demand for her services, KeNHA will apply best practice, seal potential avenues for corrupt practices, and promote a proactive approach to whistleblowing.

This Policy shall provide a framework for ethical practices both for internal and external stakeholders and provide a mechanism for reporting unethical practices through appropriate whistleblowing channels.

The Policy, further, provides for Corruption Risk Assessment for all the areas of operation and potential mitigation measures.



**Ms. Winfrida Ngumi**  
**Chairperson, Board of Directors.**

## **PREFACE**

The Kenya National Highways Authority (KeNHA) acknowledges the importance of ethics and integrity in the execution of her mandate. The Authority is committed to promoting zero tolerance to corruption and unethical practices both within and without the organization.

Ethical practices are critical in the execution of our mandate in the construction and management of national trunk roads. This is to ensure the Authority efficiently and effectively utilizes every resource allocated to further the economic and development agenda of the nation.


This Policy is anchored on the strength of the KeNHA Strategic Plan 2019-2023 and the Anti-Corruption Act, which provides guidelines on ethical practices, reporting mechanisms for malpractices, and procedures and processes for whistleblowing.

According to the annual evaluation process undertaken by the Ethics and Anti-Corruption Commission (EACC), the Authority has to put in place various mitigation measures hence reducing unethical incidences. For example, in 2020-2021 Financial Year, the Authority scored 78 percentage.

Through this Policy, the Authority is committed to zero tolerance to corruption and unethical practices. The Policy provides effective and sufficient mechanism for whistleblowing through the deployment and use of various reporting channels and follow up mechanism to ensure appropriate actions are taken in the event of corrupt malpractices.

Management, under the guidance of the Board of Directors, shall ensure the effective application of this Policy in an effort to enforce a corrupt free work environment for all of works of the Authority, for both internal and external stakeholders.

Management, therefore, commits to the implementation of this Policy and shall subject it to periodic reviews to ensure relevance in line with the changing circumstances and evolution of corruption and unethical practices.

  
**Eng. Kungu Ndungu**  
**Director General**

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## LIST OF ABBREVIATIONS & ACRONYMS

DG	Director General
D (PRC)	Director, Planning, Research, and Compliance
DD (CC)	Deputy Director, Corporate Communications
KeNHA	Kenya National Highways Authority
CCD	Corporate Communication Department
BoD	Board of Directors
EACC	Ethics & Anti-Corruption Corruption
CPC	Corruption Prevention Committee
IAO	Integrity Assurance Officers
CRA/MP	Corruption Risk Assessment Mitigation Plan
CPI	Corruption Perception Index
TI	Transparency International

## DEFINITION OF TERMS

S/No	WORD/PHRASE	MEANING
1.	Ethics	Moral principles that govern the behavior of a person or conducting of an activity
2.	Integrity	Integrity is the practice of being honest and showing a consistent and uncompromising adherence to strong moral and ethical principles and values.
3.	Transparency	Undertaking activities in an open and visible manner
4.	Accountability	Process of being open and responsible
5.	National Trunk Roads	Roads comprising Classes S, A, and B
6.	Class S - Road	A Highway that connects two or more cities and carries safely a large volume of traffic at the highest speed of operation
7.	Class A- Road	A Highway that forms a strategic route and a corridor connecting international boundaries at identified immigration entry and exit points and international terminals such as international air or sea ports
8.	Class B - Road	A Highway that forms an important national route linking national trading or economic hubs, county headquarters and other nationally important centres to each other and to the National Capital or to Class A roads
9.	Stakeholders	All parties, both internal and external, impacted by the activities of the Authority
10.	Whistleblowing	An act of disclosing wrongdoing to the relevant authority



11.	Corruption Risk Assessment	A detailed analysis of potential areas of corruption, the possible loopholes, impact of the risk, and potential mitigation measures
12.	Board of Directors	The apex decision making body for the Authority which oversees and provides guidance to Management
13.	Management	Refers to the Director General, Directors, Deputy Directors, and Assistant Directors.
14.	Staff	All employees of the Authority, employed as permanent, fixed term, secondment, project staff, and casuals.
15.	Contractors	Entities undertaking works on behalf of the Authority
16.	Consultants	Persons undertaking services for the Authority
17.	Corruption Prevention Committee	A group of officers that oversee the implementation of ethics and integrity activities in the Authority as provided for in the procedures for the prevention of bribery and corruption.

## 1. INTRODUCTION

The Government of Kenya is committed to eradicating corruption and has developed National Ethics and Anti-Corruption Policy and requisite legislation to guide this process. The Ministries, Departments, and Agencies are required to put in place policies and procedures to promote ethical conduct, integrity, and fight and prevent corruption.

The Kenya National Highways Authority (KeNHA) is committed to promoting ethical practices and zero tolerance to corruption through its preventive, detective and corrective initiative measures. The Authority in collaboration with state Agencies such as EACC is committed to monitoring and evaluating its internal processes to ensure the promotion of good governance and ethical culture. Indeed, the Authority in conjunction with EACC has undertaken Corruption Risk Assessment and Mitigation Plan (CRA/MP).

According to the Corruption Perception Index (CPI), an annual study undertaken by Transparency International (TI) shows that Kenya was ranked record low of 19 points out of 100 points. Over the years due to the various legislation put in place, Kenya has improved whereby in 2021 the country scored 30 points. Similarly, EACC 2017-2018 annual report indicated a drop in ethical conduct from 79.4 to 70.4 percent a significant reversal since 2012.

This Policy seeks to promote ethical practices both internally and externally in the execution of KeNHA mandate. Internally, the Policy bounds all staff of KeNHA to act ethically, prudently and above board in the execution of their works. Externally, the Policy expect all stakeholders to uphold ethical practices while undertaking works on behalf of and for the Authority. The Policy provides for whistleblowing, the mechanisms and channels for whistle blowing and accords maximum protection for whistle blowers.

## **2. POLICY OBJECTIVE**

2.1. The objectives of this Policy are:

- a. To promote an ethical culture within the Authority and its stakeholders
- b. To provide a framework for Corruption detection, reporting and prevention as outlined in the procedures for the prevention of bribery and corruption.
- c. To provide necessary safeguards for the protection of the identity of whistleblowers'.
- d. To provide a guidelines on management of ethics and integrity reports as outlined in the procedures for the prevention of bribery and corruption.

## **3. SCOPE OF THE POLICY**

3.1. This Policy applies to the Board of Directors, Management, Staff, and external parties engaged by the Authority including consultants, contractors, suppliers and their respective employees. The ethics and integrity guidelines are outlined in the procedures for the prevention of bribery and corruption and the CRMP.

## **4. POLICY STATEMENT**

4.1. The Authority is committed to upholding integrity, Ethics, rule of law, transparency and accountability in its operations in line with our Core values. The Authority is committed to building capacity to safeguard the interests of the Government in entrenching a culture of ethics and integrity, and shall make available at all times the code of conduct to the Board of Directors and all staff

4.2. The authority in conjunction with EACC have developed a CRMP which acts as a guide in addressing potential areas of corruption. The authority shall cooperate with EACC in their mandate to undertake Corruption Index Surveys amongst Government Agencies

4.3. The responsibility of fighting Corruption rests with the Board, Management, Staff and all stake holders.

## **5. ROLES AND RESPONSIBILITIES**

### **5.1 BOARD OF DIRECTORS**

- 5.1.1. Provide oversight over the implementation of this Policy through the Audit, Risk and Governance Committee
- 5.1.2. Ratify actions-proposed by management in relation to corruption related cases.
- 5.1.3. Promote accountability and transparency in the operations of the Authority in line with the Mwongozo Code of Conduct.

### **5.2 CORRUPTION PREVENTION COMMITTEE (CPC)**

- 5.2.1 The DG shall Chair the Corruption Prevention Committee (CPC) and Ensures provision of adequate support and operationalization of this Policy
- 5.2.2 Comprises Directors of the Directorates and heads of functions reporting directly to the DG.
- 5.2.3 The coordinator of the Integrity Assurance Officers (IAO'S) shall be the secretary to the CPC.
- 5.2.4 The Committee shall;
  - a. Prioritize implementation of Corruption strategies and review their impacts in the fight against corruption.
  - b. Ensure zero tolerance to corruption through implementing measures and strategies in support of this commitment
  - c. Receive and process corruption and whistle-blower reports and ensure implementation of recommendations. of the CPC In line with the ethics and anti-corruption commissions guidelines on whistle blowers protection
  - d. Prepare and submit quarterly progress reports and performance targets on Anti-Corruption Prevention to EACC.
  - e. Provide mechanisms for the protection of whistle blowers informants and witnesses in line with the guidelines provided by the EACC
  - f. Designate a committee to set up the enforcement structure of this policy



### **5.3 INTEGRITY ASSURANCE OFFICERS (IAO'S)**

5.3.1 They will be staff appointed to represent Directorates and Departments will undertake the following functions;

- a. Responsible for the implementation of the policy and give reports to the CPC.
- b. Carry out Corruption Risk Assessment (CRA) and develop a mitigation plan for approval by CPC
- c. Create awareness on Ethics and Integrity programs.
- d. Receive and record reported cases of corruption for onward transmission to CPC.

### **5.4 MANAGEMENT TEAM**

5.4.1 It comprises Directors of Directorates, Deputy Directors, and Assistant Directors. The management team will:

- a. Have a responsibility to ensure that appropriate mechanisms to promote ethical practices are in place within their areas of control.
- b. Ensure implementation of this policy in their directorates and departments.
- c. Ensure implementation of recommendation by the CPC/audit and any other authorized agency.
- d. Create conducive environment for staff to participate in the Authority's Anti-Corruption Initiatives.
- e. Give feedback to the CPC on the effectiveness of the Corruption Prevention Plan.

## **6. ACTIONS TO ADDRESS RISKS AND RESPONSIBILITIES**

6.1 In the implementation of this Policy, requisite mitigation measures shall be put in place to address all risks as identified in the procedures for the prevention of bribery

and corruption.

## **7. MONITORING AND EVALUATION**

7.1 Monitoring of this policy shall be done annually while evaluation will be undertaken at mid and end term of the policy.

7.2 The Authority shall prepare quarterly monitoring and evaluation report of the implementation of the CRMP in line with EACC guidelines

## **8. POLICY REVIEW**

8.1. This Policy shall be reviewed from time to time as necessary but in the periods not exceeding three (3) years from the date it comes into effect.

## **9. REFERENCE DOCUMENTS**

- a. Constitution of Kenya
- b. Kenya Roads Act, 2007
- c. Anti-Corruption and Economic Crimes Act, No 3 of 2003.
- d. KeNHA strategic plan 2019-2023
- e. Public Officer Ethics Act No.4 of 2003
- f. Leadership and Integrity Act, No 19 of 2012.
- g. Bribery Act, No.47 of 2016.
- h. Proceeds of Crime and Anti-Money Laundering Act, No.9 of 2009.
- i. Commission on Administrative Justice Act, No.23 of 2011.
- j. Public Procurement and Asset Disposal Act, No.33 of 2015.
- k. Witness Protection Act, No. 16 of 2006.
- l. Public Finance Management Act, No.18 of 2012.
- m. Public Private Partnership Act of 2012.
- n. Public Audit Act, no 34 of 2015
- o. Access to information Act, 31 of 2016
- p. The Penal Code (Cap 63)

- q. National Ethics and Anti-Corruption Policy Sessional Paper No.2 of 2018
- r. KeNHA Human Resource Procedures Manual
- s. (Other internal policies and procedures to be included/ Risk Assessment and Mitigation Plan as may be revised from time to time)