



THE CODE OF CONDUCT AND ETHICS OF THE COMMUNICATIONS AUTHORITY OF KENYA




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1. Preamble

Communications Authority of Kenya (CA) is the regulatory authority for the ICT Sector in Kenya.

The Authority was established in 1999 by the Kenya Communications Act (KCA) 1998. In recognition of the rapid changes in the ICT sector and promulgation of the Kenya Constitution 2010, the Kenya Information and Communications Act has undergone several amendments with the latest done in 2013. The amendments include the change of name from Communications Commission of Kenya to Communications Authority of Kenya. The amendment gave the Authority independence from government, political and commercial interest and at the same time gave it powers to develop certain regulations and prosecute offences under the Act.

The Authority is financially and administratively independent, transparent in its processes and protects the rights of operators and consumers alike.

It is headed by a Director-General while a Board of Directors plays a policy oversight role.

The Code is intended to set out standards of conduct and ethical behaviour for officers of the Authority.

CA's Vision, Mission and Values

The vision, mission and values of the Authority are:-

Vision

Access to and use of information communication services by all in Kenya by 2018.

Mission

Facilitate the transformation of lives through progressive regulation of the Information and Communication Technology sector.

CA's Values

➤ *Integrity*

CA will undertake all its engagements with the highest level of professional integrity.

➤ *Communication*

CA will be open and honest in its communication and promote transparency in all its undertakings.

➤ *Innovation*

CA will be innovative and embrace continuous improvement in all service delivery engagements.

➤ *Diligence*

CA will be diligent in all its engagements and discharge its duties with genuine passion and dedication.

➤ *Fairness*

CA will be fair in its engagements and discharge its duties with neutrality and impartiality, without fear or favour.

➤ *Results Focus*

CA will be results-oriented in the discharge of its duties

➤ *Teamwork*

CA will uphold teamwork and collaboration in order to realize the synergies of working together.

➤ *Respect*

CA will always treat people with utmost respect and honesty

The Code of conduct and ethics places a personal obligation on CA Staff to act with integrity in the public interest, and to exercise all reasonable professional skill and care. CA Employees should endeavor to uphold the core values as they carry out their duties.

PART ONE – PRELIMINARY

1. Citation

This Code may be cited as the Code of Conduct and Ethics for staff of Communications Authority of Kenya.

2. Interpretation

In this Code unless the context otherwise requires:-

“The Act” means the Public Officers Ethics Act, 2003

“CA Staff” means the employees of the Communications Authority of Kenya

“LIA” means the Leadership and Integrity Act (2012)

3. Application

This Code applies to staff of Communications Authority of Kenya.

PART TWO - REQUIREMENTS

Each staff of the Authority shall have a personal obligation to act with integrity in the public interest, and to exercise all reasonable professional skill and care.

1. Compliance with the Code

CA Staff shall comply with all the requirements in the general code of Conduct and Ethics set out in part III of the Public Officers Ethics Act and the Leadership and Integrity Act which shall form part of this Code.

2. Integrity

As a staff of CA, we shall be people of integrity, and carry out our duties with honesty and impartiality.

3. Gifts, Benefits, Favour

CA Staff shall not give, solicit or receive, directly or indirectly, any gift or other favour that may influence the exercise of our function, performance of duty or judgement. As prescribed in LIA, Monetary gifts, jewellery, or other gifts comprising of precious metals or stones, ivory or any other animal part protected under the Convention of International Trade in Endangered Species of Wild Fauna and Flora will not be accepted. This however does not include conventional hospitality or minor gifts worth Kshs 10,000/- and less.

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Gifts worth above Kshs 10,000/- shall be declared using the Gift Report Form B and registered in the Gifts Register as prescribed in LIA.

Staff should report any incidence of bribery or corruption that come their way.

4. Conflict of Interest

CA Staff shall avoid conflict – real or potential – between our personal interests and the interest of the CA. We shall promptly report any occurrence of such conflict using the Declaration of Conflict Form A and Conflict of Interest Register as prescribed in LIA.

5. Nepotism/Favouritism

CA Staff shall not favour relatives, friends or associates in decision making or provision of services.

We shall not seek to influence for private purposes any person or body by using our official position or offering them personal advantages. Likewise, we will not use public property, facilities, services and financial resources for private purposes except when permission is lawfully given.

6. Outside Employment / Business

CA Staff shall not engage in any other business or part-time employment which is in conflict with his/her employment.

7. Conduct in Public

CA staff shall ensure that their private conduct does not compromise their role as CA employees. CA Staff shall conduct himself/herself with dignity both in public and private.

8. Respect

CA Staff shall treat his/her fellow officers and the public with courtesy and respect.

We will work as a team and respect one another to ensure that we achieve our Corporate mandate and live upto our motto of '*opening your world*'

9. Non-discrimination

In our work we do not discriminate in respect of tribe, gender, colour of skin, religion, culture, education, social status, or nationality.

10. Sexual Harassment

CA Staff shall not sexually harass a member of the public, or a fellow colleague.

11. Workplace Harassment

CA Staff shall avoid unwelcome, abusive, belittling or threatening behavior to his/her fellow employees.

12. Confidentiality

CA Staff shall strive to achieve maximum openness and transparency towards our external constituencies. However, confidentiality will be applied when necessary to safeguard the national interest, rights of our clients, staff and others.

13. Dress Code

CA staff shall dress decently and appropriately. Safety Gear will must be actively promoted and worn accordingly.

14. Political Associations

CA is a public entity. While staff are not barred from belonging or subscribing to political parties, politics shall not be exercised to the extent that it negatively affects the Authority's activities and services.

15. Social Associations and Recreation

CA Staff shall make their Code of Conduct known to their professional partners. We shall participate as individuals and as corporate towards corporate social responsibility to ensure the image of the Authority is enhanced.

16. Reporting and Protection of Whistle-blower

In accordance with the principle of "zero tolerance", we are obliged to report any evidence of corruption committed by the people we interact with.

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CA Staff will however not be involved in any witch-hunting or hearsay.

We shall respect the principles of the Code and will report any evidence or suspicion of breaches of the Code. Reports may be to the Director-General, Integrity Committee, Management Committee, Board or to the EACC.

CA shall ensure the legal rights and due protection of the whistleblower and the accused before, during and after any investigation.

17. Penalty

The Management of CA shall ensure staff comply to the Code. Failure to adhere to the Code may lead to disciplinary action through laid down procedures as provided in the Human Resource Policy Manual.

18. Enforcement of the Code

CA shall be responsible for ensuring that this Code is understood, implemented and observed by the staff. CA will enforce all enabling laws governing financial and economic matters.

The Director-General is overall responsible for enforcement of the Code and may delegate this authority to the Management Committee of CA.

19. Review

This Code shall be reviewed from time to time as may be deemed necessary by CA.

20. Conclusion

This Code of Conduct and Ethics for Communications Authority of Kenya is an attempt to bring all matters pertaining to the general conduct of staff as public officers.

It may not cover all matters, but with periodical reviews other new aspects and emerging issues will be incorporated. This Code is not an end in itself; staff shall comply to applicable laws, rules and regulations at all levels.

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(Form A)

Declaration of Conflict of Interest

To: (Approving Authority)

I would like to report the following **existing/potential*** conflict of interest situation arising during the discharge of my official duties:

Persons/Companies with whom/which I have official dealings and / or personal interest

- 1.
- 2.
- 3.

Brief description of my duties which involve the persons/companies mentioned above and these are the areas of real/possible conflict of interest.

- 1.
- 2.
- 3.

.....
Date

.....
Name and signature of declaring staff
Title/Department

Part B-acknowledgement (to be completed by approving authority)

To: (declaring staff)

The information contained in your declaration for..... is noted .
It has been decided that:

You should refrain from performing or getting involved in performing the work as described in Part A, which may give rise to conflict of interest.

You should continue to handle the work as described in Part A, provided that there is no change in the information declared above.

Other conditions (please specify).....

.....
Date

.....
Name & Signature of approving Authority
Title/Department

(Form B)

Report of Gifts Received

Part A- Declaration (to be completed by declaring officer)

To: (approving Authority)

Description of Offeror

Name and Title:

Company:

Relationship (Business/Personal) :

Occasion on which the gift was/is to be received:

Description & (assessed) value of gift:

Suggested Method of Disposal

- * Retained by receiving staff
- * Retained for display/as a souvenir in the office
- * Shared among the officers
- * Reserve as luck draw prize at staff function
- * Retained for use within CA
- * Donate to charitable organization
- * Return to offeror
- * Disposed of in line with public procurement laws
- * Others (please specify)

.....
Date

.....
Name of receiving staff & Signature
Title / Department

Part B – Acknowledgement (to be completed by approving Authority)

To (receiving staff)

The recommended method of disposal is *Approved/Not Approved (*delete as appropriate)

The gift(s) concerned should be disposed of by way of.....

.....
Date

.....
Name of Approving Authority & Signature
Title/Department

