





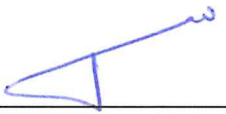
WHISTLEBLOWING POLICY

April, 2024

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Vision

Digital Access for All

Mission

Enabling a Sustainable Digital Society through Responsive Regulation

Core Values

The core values represent the guiding principles that characterise our culture, behaviours, and decision-making processes. They define our desired attitudes and standards that we uphold to achieve our Vision and Mission. The Authority shall be guided by the following shared core values:

- a) **Integrity:** We adhere to the highest corporate, moral and ethical standards and act professionally, honestly, fairly and transparently.
- b) **Excellence:** We strive for the highest standards of professionalism, performance and service delivery. We aim to consistently exceed expectations and deliver outstanding results in all endeavours.
- c) **Inclusion:** We engender diversity, equality and respect for all. We recognise the importance of diverse perspectives, experiences and talents, and we foster an inclusive environment that encourages collaboration, fairness and equal opportunities for all.
- d) **Innovation:** We embrace a culture of continuous improvement, creative thinking and seeks innovative solutions to address industry challenges. Embracing innovation enables us to adapt to a dynamic environment, leverage new technologies and stay at the forefront of industry developments.
- e) **Agility:** We pride ourselves on making timely decisions, embrace flexibility and exemplify a culture of openness and responsiveness to change.

1. Introduction

The Communications Authority of Kenya (CA) is committed to upholding the highest standards of integrity, transparency, and accountability in its operations. As part of this commitment, the Authority recognizes the importance of providing a safe and secure mechanism for employees, contractors, stakeholders, and the public to report concerns about wrongdoing, unethical behaviours, or violations of laws, regulations, or internal policies.

This Whistleblowing Policy outlines the procedures for reporting such concerns and ensures protection for whistle-blowers who come forward with information.

This policy is also aligned with international best practices and national laws and legislation on whistleblowing protection to ensure that the Authority adheres to universally accepted principles.

2. Scope

This policy applies to all employees, contractors, vendors, partners, and stakeholders of the Communications Authority of Kenya.

This policy also covers reports related to mismanagement of funds, misuse of authority, and any form of discrimination, corruption, maladministration, or prejudice.

3. Purpose

The Authority is committed to maintaining an environment where concerns about wrongdoing or unethical behaviours can be raised without fear of retaliation. Whistle-blowers play a vital role in helping the Authority identify and address issues that may harm its reputation, integrity, or effectiveness. The Authority prohibits retaliation against individuals who report concerns in good faith and shall take appropriate action to address any instances of retaliation.

The Authority is also dedicated to supporting individuals who come forward by providing access to counseling services and legal advice, where necessary.

4. Policy Statement

This Whistleblowing Policy aims to foster a culture of accountability, integrity, and transparency within the Communications Authority of Kenya and underscores CA's commitment to upholding the highest standards of governance and ethics in its operations.

5. Compliance with Applicable Laws and Regulations

This Whistleblowing Policy is designed to comply with relevant laws, regulations, and guidelines governing whistleblowing in Kenya, including but not limited to the Public Procurement and Asset Disposal Act, 2015, and the Ethics and Anti-Corruption Commission Act, 2011.

The policy shall also be reviewed in light of changes to national and international laws and regulations on whistleblowing to ensure continuous compliance and protection for whistleblowers.

6. Reporting Mechanisms

a) Internal Reporting:

Whistle-blowers are encouraged to report concerns internally first, through established channels such as those provided for in the Authority's Bribery and Anti-Corruption Policy, the Human Resources Department, or their immediate supervisor.

For internal reporting, a secure online portal shall be established for submission of reports, which shall be accessible 24/7, ensuring that whistleblowers can report issues at any time without fear of being observed.

b) External Reporting:

If whistle-blowers believe it is not appropriate to report concerns internally or if they do not feel comfortable doing so, they may report directly to external oversight bodies, such as the Ethics and Anti-Corruption Commission (EACC) or relevant regulatory authorities.

Whistle-blowers shall be advised on the procedure for reporting to external bodies, including contact details and any necessary forms or documentation required to file a report.

7. Confidentiality and Anonymity

The Authority shall make every effort to protect the confidentiality of whistle-blowers' identities and shall only disclose information on a need-to-know basis. Whistle-blowers have the option to report concerns anonymously, although providing contact information may facilitate a more thorough investigation.

In cases where anonymity is requested, the Authority commits to using encrypted communication channels to correspond with whistleblowers, further protecting their identity.

8. Investigation and Follow-Up

Upon receiving a report, the Authority shall promptly investigate the concerns raised and take appropriate action based on the findings of the investigation. Whistle-blowers shall be kept informed of the progress and outcome of the investigation to the extent possible without compromising confidentiality or the integrity of the process.

Investigations shall be conducted in line with the Authority's Human Resource Policies and Procedures Manual by an impartial team trained in sensitive handling of whistleblower reports, ensuring fairness and thoroughness in the investigative process.

9. Protection Against Retaliation

The Authority prohibits retaliation against individuals who report concerns in good faith. Any form of retaliation, including but not limited to harassment, intimidation, transfers, or adverse employment actions, shall be subject to disciplinary action.

The Authority shall establish a monitoring mechanism to regularly check in on the wellbeing of whistleblowers who have reported concerns, as a proactive measure against subtle forms of retaliation.

10. False Reporting

Whistle-blowers who make false and malicious allegations with the intent to harm others shall be subject to disciplinary action.

However, individuals who report concerns that are later found to be unfounded shall not be penalized if they genuinely believed in the accuracy of their report, distinguishing between errors made in good faith and malicious intent.

11. Training and Awareness

The Authority shall provide regular training and awareness programs to employees and stakeholders to educate them about the Whistleblowing Policy, their rights and responsibilities as whistle-blowers, and the importance of ethical conduct and compliance.

Training programs shall include interactive sessions and case studies to better equip employees and stakeholders with the skills to identify and report unethical behavior or wrongdoing effectively.

12. Review and Revision

This policy shall be reviewed every three (3) years from the date of last review to ensure its effectiveness and relevance. Any revisions shall be communicated to all stakeholders and made available through appropriate channels.

Feedback from employees and stakeholders shall be sought as part of the review process to ensure the policy remains responsive to their needs and concerns.

13. Effective Date

This policy is issued on this19th..... day ofJULY..... 20.24.....

Signed by:



David Mugonyi, EBS

Director General/CEO,