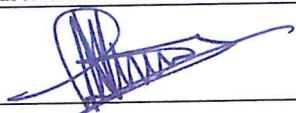




Kenyatta National Hospital

KNH CODE OF CONDUCT & ETHICS



DOCUMENT NO.	02
EFFECTIVE DATE	
DATE OF LAST REVIEW	-
APPROVED BY	KNH BOARD OF MANAGEMENT
SIGNED BY: CEO & SECRETARY TO BOARD	

VISION MISSION AND CORE VALUES

Vision

A world class patient-centered specialized care hospital

Mission

To optimize patient experience through innovative, evidence based specialized healthcare; facilitate training and research; and participate in national health policy formulation

Core Values

- Customer focus
- Accountability & Transparency
- Equity & Equality
- Professionalism & Integrity
- Security & Safety
- Teamwork & Team Spirit

Motto

We Listen, We Care

FOREWORD

Kenyatta National Hospital acknowledges dynamics of legal and environmental factors that affect the operations of the Hospital. In this regard, the Board and Management has found it necessary to review the Code of Conduct and Ethics in order to adhere to the highest standards of responsible and ethical business practices in interactions with all its stakeholders. The Code provides generally accepted rules that govern and regulate behaviour, relationships and actions of the Board, Management and employees to ensure that the Hospital is run efficiently and professionally. The Code is therefore intended to set out standards of conduct and ethical behaviour for Board, Management and employees.

Ethics and integrity is the cornerstone of the Hospital's transactions and interactions internally and with other external stakeholders. The Board, Management and employees are committed to the full implementation of the Code and shall take all necessary measures to ensure that it is enforced.

All the Board, Management and employees are expected to read and understand this Code. They shall uphold the rules and standards set herein, and comply with all applicable policies and procedures. They shall also ensure that all stakeholders are aware of, understand and adhere to the Code.


Mr. George O. Ooko,

CHAIRMAN - KNH BOARD OF MANAGEMENT

PREAMBLE

The management and employees shall adhere to the highest standards of ethics and professional behaviour as espoused in its policies and values. This Code of Conduct and Ethics sets forth the ethical and professional principles that guide the delivery of services, conduct of business and behaviour in and outside the workplace.

This Code guides employees in making the right choices when confronted with difficult situations. All employees are expected to recognize and avoid situations that might negatively affect the fundamental rights and freedoms, values and professional conduct internally and to the members of the public.

This Code has been revised to ensure that the management and employees meet the highest ethical standards with regard to emerging issues including the use of ICT, social media, solicitations, harassment, whistle blowing and confidentiality. It is a call for commitment to always act in compliance with the applicable laws and regulations and to avoid any impropriety, dishonesty or wrong-doing.

The Code addresses matters that create an ethical and professional understanding, defines clear parameters on acceptable behaviour and establishes minimum shared values for the management, employees and stakeholders.

All employees and our stakeholders are expected to abide by this code of conduct and ethics.



Dr. Evanson Kamuri, EBS

CHIEF EXECUTIVE OFFICER

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ESTABLISHMENT OF THE CODE

In exercise of the powers conferred by section 5(1) of the Public Officers Ethics Act, No.4 of 2009; section 37 of the Leadership and Integrity Act, No.19 of 2012 and Mwongozo Code of Governance for State Corporation, Kenyatta National Hospital Board hereby establishes the following Code of Conduct and Ethics.

PART I: PRELIMINARY

1.1 Citation

This Code may be cited as the Kenyatta National Hospital Code of Conduct and Ethics.

1.2 Introduction

This Code of Conduct and Ethics focuses on ethical conduct and integrity at the workplace. It defines the Board, Management and employee's commitment to the highest standards of behaviour so as to contribute to the achievement of the Hospital's mandate. The Code sets out expectations for individual behaviour necessary to meet these standards and includes requirements and guidance to help one to carry out their roles with integrity and in compliance with the law and ethics.

The Code cannot cover everything. It is therefore essential that The Board, management and employees understand applicable laws and detailed policies that are relevant to their role. It is also important that the Code is not used as a substitute for the good judgment expected of the Board, management and employees of the Hospital.

1.3 Interpretation

In this Code, unless otherwise stated: -

- i) **'Code'** means the Kenyatta National Hospital Code of Conduct and Ethics.
- ii) **'Conflict of Interest'** means a situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.
- iii) **'Confidentiality'** means keeping information of a sensitive nature, whether or not specifically identified as confidential or private.
- iv) **'Commission'** means the Ethics and Anti-Corruption Commission.
- v) **'Employees'** means staff of Kenyatta National Hospital.
- vi) **'Favours'** means something done or granted out of goodwill, rather than for remuneration.

- vii) **'Gifts'** means something given voluntarily without payment in return, as to a gesture of assistance, present or honor on an occasion.
- viii) **'Hospital'** means Kenyatta National Hospital and its satellite facilities.
- ix) **'Personal Interest'** means matters in which the Board, Management or employees have a direct or indirect pecuniary or non-pecuniary interest and includes the interest of his/her spouse, child, business associate or agent.
- x) **'Professionalism'** means the conduct or behaviour expected from a professional person.
- xi) **'Stakeholder'** means interested parties who can affect or be affected by the Hospital processes. They include suppliers, students/interns, government, volunteers and other organizations and individuals.
- xii) **'Whistle blowing'** means making a disclosure in the public interest or exposing alleged misconduct, dishonest or illegal activity occurring in an organization.
- xiii) **'Regulations'** means the leadership and integrity Act Regulations, 2015.

1.4 Application of code

The Code applies to the Board, Management and employees of Kenyatta National Hospital. The provisions of Chapter Six of the Constitution shall form part of this Code.

1.5 Objectives of the code

- i) Strengthen organizational culture shared values.
- ii) Enhance ethical and professional understanding.
- iii) Promote acceptable behaviour.

1.6 Guiding values of the code

Guiding value	Description
Customer focus	Empathetic and caring, treating all people with worth and dignity and timely delivery of services
Transparency & accountability	The obligation of all staff in the Hospital to be responsible for activities and actions, and to disclose the results in an open manner.

Guiding value	Description
Equity & equality	Serving all customers with fairness and impartiality
Professionalism & integrity	Being ethical, honest and having strong moral principles. Competency and skill expected by a professional. It also includes confidentiality and privacy
Security & Safety	Offering services in a secure environment free from errors, accidents, injuries and infections.
Teamwork & Team Spirit	Co-operative or coordinated efforts among staff working together for the interest of a common cause in the Hospital.

PART II: CODE OF CONDUCT AND ETHICS

2.1 Compliance with the Code

The Board, Management and employees 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 2003 and the Leadership and Integrity Act 2012 which shall form part of this Code.

2.2 Professionalism and integrity

The Board, management and employees shall be ethical, honest and having strong moral principles.

2.3 Fundamental rights and freedoms

In carrying out of their duties, the Board, management and employees shall respect, protect and promote the fundamental rights and freedoms of persons without discrimination on the basis of race, ethnicity, political opinion, color, creed, sexual orientation, gender, disability, social status, age, culture or education.

2.4 Professionalism

The Board, Management and employees shall: -

- i) Carry out their duties in a way that uphold public confidence and the integrity of their offices;
- ii) Treat the public and fellow colleagues with courtesy and respect;
- iii) To the extent appropriate to their office, seek to improve the standards of performance and their level of professionalism in the Hospital;
- iv) Observe the ethical and professional standards of their respective professional bodies;
- v) Observe official working hours and not be absent without proper authorization or reasonable cause; and
- vi) Dress appropriately and observe personal hygiene.

2.5 Improper enrichment

- i) The Board, Management and employees shall not use their office to

- improperly enrich themselves or others.
- ii) Without limiting the generality of clause (i) the Board, management and employees shall not: -
 - (a) accept or request gifts or favours from a person who—
 - (i) has an interest that may affect the carrying out of the Board, management and employees' duties;
 - (ii) regulate activities with respect to which the Hospital has a role; or
 - (iii) has a contractual relationship with the Hospital.
 - (b) improperly use his/her office to acquire land or other property for himself/herself or another person, whether or not the land or property is paid for; or
 - (c) for the personal benefit of himself/herself or another, use or allow the use of confidential information.
 - iii) Subject to Article 76(2) (b) of the Constitution the Board, management and employees shall not accept personal loan or benefit which may compromise them in carrying out their duties.
 - iv) The Board, Management and employees shall not evade paying taxes or neglect their financial obligations.

2.6 Conflicts of interest

- i) The Board, Management and employees shall avoid conflicts of interest between their private activities and their duties in the Hospital.
- ii) Without limiting the generality of clause (i) the Board, Management and employees should:
 - (a) excuse themselves from any decision-making that may create a conflict of interest with their private interests;
 - (b) disclose in the official prescribed form (Appendix II), to the Chairman in the case of Board Directors or the Chief Executive Officer in the case of employees, the facts and explain the circumstances that create or could create the conflict of interest;
 - (c) conduct their relationships with contractors and suppliers in a professional, impartial and competitive manner and not allow

- relationships with contractors and suppliers to influence business decisions made on behalf of the organization;
- (d) refrain from allowing the direct or indirect use of Hospital property, for anything other than officially approved activities;
 - (e) ensure that concurrent appointments in other Boards, for a Board Director, are managed appropriately.
 - (f) not get involved in the hire, direct supervision and/or management or career progression of any relative;
 - (g) not make improper use of one's position or of confidential information gained to achieve personal interests or direct gain; and
 - (h) not to pursue and perform for money or other form of compensation or remuneration work which is inherently incompatible with the responsibility of the Board, Management or employees, or which results in the impairment of the judgment of the Board, management or employees in the execution of their functions.

iii) The Board, Management and employees shall not participate in a tender for supply of goods, works or services to the Hospital. However, a company or entity associated with them shall not be construed as participating in the tender with the Hospital unless they have controlling interest in the company.

iv) The Hospital shall maintain a conflict of interest register.

2.7 Acting for foreigners

i) For the purpose of this section:

(a) an individual is foreign if he/she is not a citizen of Kenya; and

(b) an organization is foreign if it is established outside Kenya or it is owned or controlled by foreign government, organization or individual.

ii) The Board, Management or employee shall not in any manner that may be detrimental to the security interests of Kenya, be an agent for, or further the interests of, a foreign government, organization or individual.

2.8 Political neutrality

- i) The Board, Management and employees shall not, in the performance of their duties: -
 - (a) act as an agent for, or further the interests of a political party or candidate in an election;
 - (b) manifest support for or opposition to any political party or candidate in an election;
 - (c) engage in any political activity that may compromise or be seen to compromise the political neutrality of the office subject to any laws relating to elections;
 - (d) adorn themselves with symbols or clothing associated with a political party; or
 - (e) use of the Hospital's resources to advance any political cause or view.
- ii) Making speeches, propaganda or joining in demonstration in favour of any political cause is prohibited within the Hospital's premises or anywhere else during official working hours.

2.9 Gifts, benefits, and favors

- i) A gift or donation given to a Board, management or employee on a public or official occasion shall be treated as a gift or donation to the Hospital, and must be declared in an official prescribed form (Appendix I) and recorded in the hospital gift register maintained at the CPC secretariat.
- ii) Notwithstanding clause 9 (i) the Board, management or employee may receive a gift given to him/her in an official capacity, provided that: -
 - (a) the gift is within the ordinary bounds of propriety, a usual expression of courtesy or protocol and within the ordinary standards of hospitality;
 - (b) the gift does not exceed a value of Kes.20,000 or an amount as prescribed by the commission in the regulations, leadership and integrity act, 2012. or any other law; any gift beyond this value must be surrendered to the Hospital.
- iii) The Board, management or employees shall not:-
 - (a) accept or solicit gifts, hospitality or other benefits from a person who:-

- is under investigation;
- has a contractual or legal relationship with the Hospital; and/ or
- has any interest that is directly or indirectly connected with the Board, management or employee's duties.

- (b) receive a gift which has the potential of compromising his or her integrity, objectivity or impartiality; or
- (c) accept any type of gift expressly prohibited under the Leadership and Integrity Act, 2012 or any other relevant statutes and policies.

iv) Subject to clause 9 (ii), a Board Director or employee who receives a gift or donation shall declare the gift or donation to the Hospital within fourteen (14) days of receipt of the gift.

2.10 Public reports

The Management shall maintain appropriate books, records and accounts in reasonable detail in order to accurately reflect all the hospital transactions. The management and employees must not, under any circumstance, engage in inaccurate, false or misleading record keeping.

2.11 Misuse of official information

The Board, Management and employees shall not directly or indirectly use or allow any person under the officer's authority to use any information obtained through or in connection with the office, which is not available in the public domain, for the furthering of any private interest whether financial or otherwise.

2.12 Solicitation

- (i) With the exception of fundraising for officially supported activities the Board, management or employees may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or company who has dealings with the Hospital.
- (ii) Solicit for contributions from the public for a public purpose unless the President has, by notice in the Gazette, declared a national disaster and

allowed a public collection for the purpose of the national disaster in accordance with the law;

- (iii) When fundraising for supported official activities, Board, management or employees shall ensure that they have prior written authorization from the Chairman in the case of Board Directors or the Chief Executive Officer in the case of employees in order to solicit donations, prizes or contributions in kind from external organizations or individuals.
- (iv) This Code does not however stop the Hospital from soliciting, receiving or giving out gifts for charitable purposes.

2.13 Public collections

The Board, Management, and employees shall not participate in a public collection of funds in a way that reflects adversely on their integrity, impartiality or interferes with the performance of the official duties

2.14 Care of property

The Board, management and employees shall take all reasonable steps to ensure that Hospital property that is entrusted to their care is adequately protected and not misused or misappropriated.

2.15 Conduct in public and private

The Board, Management and employees shall conduct themselves with dignity and decorum in both public and private as stipulated under the relevant laws including leadership and integrity Act 2012 and this Code.

2.16 Harassment

- (i) The Board, Management and employees shall not threaten, belittle, abuse or demonstrate unwelcome behaviour to colleagues, client or other members of the public.
- (ii) A Board Director or employee shall not sexually harass fellow colleagues or members of the public. Sexually harassing behaviour may include, but not limited to:
 - (a) Demands for sexual favors in exchange for or threat of withdrawal of

- employment;
- (b) Unwanted flirtation;
- (c) Intentional physical contacts that are sexual innature;
- (d) Sexual propositions, making gestures, noises, advances or sexist jokes or anecdotes or comments that are insulting;
- (e) Demeaning, body shaming or derogatory comments or behaviors towards a person because of gender which is either obviously offensive or continue after the speaker is informed that those comments have caused offence.

2.17 Bullying

A Board Director or employee shall not bully any person. For this purpose, “bullying” includes repeated offensive behaviour which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

2.18 Obedience to lawful instructions

Employees must obey lawful instructions of those placed in authority over them. They may, however, point out to such persons any conflict between such instructions and the law or Hospital’s procedures, systems and policies.

2.19 Use of Information Communication Technology (ICT)

- (i) Board Directors and employees using ICT for personal or professional use are expected to exercise the same kind of judgment and criteria as would be applied to any other workplace decision.
- (ii) Incidental personal use must not interfere with the operation of ICT resources.

2.20 Use of social media platforms

- (i) Use of social networks in an official capacity must comply with the legislative requirements of the Information and Communications Act and the Hospital ICT policy on the use of internet and electronic networks.
- (ii) An employee on social media shall ensure that any content published, written or shared through the social media platform—
 - (a) does not degrade or intimidate a recipient of the content;
 - (b) is not prejudicial against a person or group of people based on their race,

gender, ethnicity, nationality, religion, political affiliation, language, ability or appearance; and

(c) is fair, accurate and unbiased.

(iii) Where a social media platform is created for a group of persons,

(a) it shall be the responsibility of the group administrator to notify the group members of the social media platform of his or her intentions to form a group platform:

(b) approve the members of the group;

(c) approve the content to be published in the platform; and

(d) control undesirable content and discussion

2.21 Communication with news media

(i) The Board, Management and employees who are intent on giving contributions on stories, incidents or sensitive issues shall convey the same to the Marketing & Communications Manager as soon as possible so that facts can be established and timely response made through appropriate channels.

(ii) Subject to clause 21 (i), employees of various disciplines may respond to media inquiries directly when acting in their areas of professional practice or expertise with approval from the CEO.

2.22 Borrowing and lending

The Hospital employees are forbidden from borrowing or lending from or to fellow employees, or borrowing money from a member of the public with whom his official duties bring them into contact.

2.23 Pecuniary embarrassment

Board Directors and employees shall manage and conduct their financial affairs sensibly and responsibly to avoid being exposed to financial embarrassment.

2.24 Confidentiality

Board Directors and employees shall not disclose or cause to be disclosed any information in their custody to any unauthorized person.

2.25 Acting through others

A Board Director or employee contravenes the Code if he/she causes anything to be done through another person that would constitute a contravention of the code, if he/she did it; or allows or directs a person under his/her supervision or control to do anything that is a contravention of the Code.

2.26 Whistleblowing

Any person who has reason to believe that a Board Director or employee has not acted within this Code, existing Hospital policies and the law shall report the matter as prescribed

PART III: IMPLEMENTATION

3.1 Execution of the code

The KNH Board of Management is responsible for approving this Code. The Chief Executive Officer is responsible for the day-to-day implementation of the Code.

The Director, Human Resource is responsible for distribution of this Code to all employees and ensure that they are sensitized. It is the duty of the line managers to ensure that employees carry out their duties efficiently, honestly and to the best of their ability and knowledge within the confines of this Code.

3.2 Reporting improper orders

Where a Board Director or employee considers that anything required of him is a contravention of the Code of Conduct and Ethics or is otherwise improper or unethical, he shall report the matter through the established channels or to the commission.

3.3 Breach of the code

- i) A Board Director whose conduct and dealings with the Hospital run contrary to the provisions of the Code may be cited as per the provisions of the Code and shall where appropriate, through a recommendation of the Board to the appointing authority, be removed or separated from the Hospital.
- ii) Breach of this Code by employees shall amount to misconduct for which the employee may be subjected to disciplinary proceedings.
- iii) Board Directors and employees may also report any suspicious matter bordering on corruption through the whistle-blower mechanisms provided in the Whistle Blower Protection policy.
- iv) Information disclosed during the course of the investigation will remain confidential, except as necessary to conduct the investigation and take any remedial action.
- v) The Hospital shall cooperate fully with the appropriate authorities, where laws have been violated.

3.4 Review

This policy shall be reviewed as need arises but, in any event, not more than three years should lapse between the last review and the next.

ACKNOWLEDGMENT

I have received and read the Kenyatta National Hospital Code of Conduct and Ethics. I agree to comply with this Code at all times during my tenure of appointment/service with the Hospital. I understand that my failure to comply with these requirements may result in the imposition of appropriate sanctions.

I further understand that this Code may be amended or modified from time to time by Board of Management as deemed necessary.

Name

Signed: this..... day of20.....

Witnessed by

Name: Sign:..... P/No:.....

this.....day of.....20.....

APPENDIX II: DECLARATION OF CONFLICT OF INTEREST

Part A: Declaration (to be filled by the declaring staff)

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

Persons/companies having with whom/which I have official dealings and or personal dealings:

- (1).....
- (2).....
- (3).....
- (4).....

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

- (1).....
- (2).....
- (3).....
- (4).....

Name & Signature..... Date.....

Declaring Director/Employee

Part B: Acknowledgement (to be completed by the approving authority)

To declaring Director/Employee

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

- (i) You shall refrain from performing or getting involved in performing the work as described in Part A which may give rise to conflict of interest.
- (ii) You should continue to sit in the Board/handle the work as described in Form A provided that there is no change in the information declared above.
- (iii) Other conditions (Please specify).....

Name & Signature.....Date.....

Approving authority

