



June 2017

Kenyatta National Hospital

---

## **KNH CODE OF CONDUCT & ETHICS**

---



<b>DOCUMENT NO.</b>	<b>01</b>
<b>EFFECTIVE DATE</b>	<b>5<sup>TH</sup> JUNE 2017</b>
<b>APPROVED BY</b>	<b>KNH BOARD OF MANAGEMENT</b>
<b>SIGNED BY: CEO &amp; SECRETARY TO BOARD</b>	

---

**VISION**

---

A world class patient centered specialized care Hospital.

---

**MISSION**

---

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

---

**MOTTO**

---

We listen, We care

---

**CORE VALUES**

---

- Customer focus
- Professionalism & Integrity
- Teamwork
- Equity and Equality
- Teamwork and Team Spirit
- Safety

**FOREWORD**

Kenyatta National Hospital is currently undergoing various stages of change. In this regard, the Board of Management has introduced a Code of Conduct and Ethics meant to ensure that the operations of the Hospital adhere to the highest standards of responsible and ethical business practices in its interaction with all its stakeholders.

The Code provides generally accepted rules that govern and regulate behaviour, relationships and actions of the Board Directors and employees to ensure that the Hospital is run efficiently and professionally.

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

All Directors and Hospital employees are expected to read and understand this Code, uphold the rules and standards set forth herein, comply with all applicable policies and procedures, and ensure that all service providers are aware of, understand and adhere to them.

MARK K. BOR, CBS  
**CHAIRMAN**  
**KNH BOARD OF MANAGEMENT**

**PREAMBLE**

The Board Directors and employees of Kenyatta National Hospital adhere to the highest standards of ethics and professional behaviour as espoused in its policies and values. The 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.

The Code is designed to assist each staff 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 emerging issues that affect the Board Directors and employees meet the highest ethical standards with regards to use of ICT, 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 shall addresses matters that create an ethical and professional understanding, defines clear parameters on acceptable behaviour and establishes minimum shared values for the Board Directors, employees and stakeholders.

LILY KOROS TARE  
**CHIEF EXECUTIVE OFFICER**

## **ARRANGEMENT OF THE CODE OF CONDUCT AND ETHICS**

<b>Foreword</b> .....	3
<b>Preamble</b> .....	4
<b>Establishment of the Code</b> .....	6
<b>Part I: Preliminary</b> .....	7
1. <b>Citation</b> .....	7
2. <b>Introduction</b> .....	7
3. <b>Interpretation</b> .....	7
4. <b>Application of Code</b> .....	8
5. <b>Objectives of the Code</b> .....	8
6. <b>Guiding Values of the Code</b> .....	8
<b>Part II: CODE OF CONDUCT AND ETHICS</b> .....	10
7. <b>Fundamental Rights and Freedoms</b> .....	10
8. <b>Professionalism</b> .....	10
9. <b>Improper Enrichment</b> .....	10
10. <b>Conflicts of Interest</b> .....	11
11. <b>Acting for Foreigners</b> .....	12
12. <b>Political Neutrality</b> .....	12
13. <b>Gifts, Benefits and Favours</b> .....	13
14. <b>Public Reports</b> .....	14
15. <b>Misuse of Official Information</b> .....	14
16. <b>Solicitation</b> .....	14
17. <b>Conduct in Public and Private</b> .....	15
18. <b>Harassment</b> .....	15
19. <b>Obedience to Lawful Instructions</b> .....	15
20. <b>Use of Information Communication Technology</b> .....	16
21. <b>Borrowing and Lending</b> .....	16
22. <b>Pecuniary Embarrassment</b> .....	16
23. <b>Whistle blowing</b> .....	16
24. <b>Confidentiality</b> .....	16
25. <b>Breach of Code</b> .....	17
26. <b>Implementation of the Code</b> .....	17
27. <b>Review</b> .....	18
<b>Appendix I: Report of Gifts Received</b> .....	20
<b>Appendix II: Declaration of Conflict of Interest</b> .....	21

**ESTABLISHMENT OF THE CODE**

**IN EXERCISE** of the powers conferred by section 5(1) of the Public Officers Ethics Act, No.4 of 2003; section 37 of the Leadership and Integrity Act, No.9 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. CITATION**

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

### **2. INTRODUCTION**

This Code of Conduct and Ethics focuses on ethical conduct and integrity at the workplace. It defines the Board Directors and employees' 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 you to carry out your role with integrity and in compliance with the law and ethics.

The Code cannot cover everything. It is therefore essential that Board Directors 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 Board Directors and employees of the Hospital.

### **3. INTERPRETATION**

In this Code, unless otherwise requires: -

- (a) **'Board of Directors'** means members of the Kenyatta National Hospital Board of Management.
- (b) **'Code'** means the Kenyatta National Hospital Code of Conduct and Ethics.
- (c) **'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.
- (d) **'Confidentiality'** means keeping information of a sensitive nature, whether or not specifically identified as confidential private.
- (e) **'Employees'** means staff of Kenyatta National Hospital.
- (f) **'Favours'** means something done or granted out of goodwill, rather than for remuneration.
- (g) **'Gifts'** means something given voluntarily without payment in return, as to a gesture of assistance, present or honor an occasion.
- (h) **'Hospital'** means Kenyatta National Hospital.

- (i) **‘Personal Interest’** means matters in which a Board Director or employee has a direct or indirect pecuniary or non-pecuniary interest and includes the interest of his/her spouse, child, business associate or agent.
- (j) **‘Professionalism’** means the conduct or behaviour expected from a professional person.
- (k) **‘Spouse’** means a wife or husband.
- (l) **‘Whistle blowing’** means making a disclosure in the public interest or exposing alleged misconduct, dishonest or illegal activity occurring in an organization.

#### **4. APPLICATION OF CODE**

The Code applies to the Board Directors and employees (including contract and temporary staff) of Kenyatta National Hospital. The provisions of Chapter Six of the Constitution shall form part of this Code.

Adherence to this Code is a condition of Board appointment or employment of staff.

#### **5. OBJECTIVES OF THE CODE**

- i) Create an ethical and professional understanding in the Hospital.
- ii) Defines clear parameters on acceptable behaviour within the Hospital.
- iii) Establishes minimum shared values for the employees and stakeholders.

#### **6. GUIDING VALUES OF THE CODE**

- (1) **Respect for People:** The Board Directors and employees are entitled to work in an environment in which people are treated with respect. Board Directors and employees must therefore avoid actions or behaviours that are or could be viewed as harassment and are required to treat all people with respect, dignity and fairness.
- (2) **Integrity:** The Board Directors and employees are expected to act with integrity by consistently upholding the highest standards of honesty and truthfulness. They should not use their positions to inappropriately obtain an advantage for themselves or to advantage or disadvantage others; and should take all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between their official responsibilities and their private affairs.



- (3) **Transparency and Accountability:** Transparency of operations, planning and reporting and a clear accountability framework are fundamental principles that underlie good governance. It is expected that Board Directors and employees will work together in a spirit of openness, honesty and transparency. This will encourage engagement, collaboration, effective and respectful communication.
- (4) **Stewardship:** Every Board Director and employee is responsible for using appropriately the assets entrusted to them. They are responsible for safeguarding the assets against waste, loss, damage, misuse, theft, misappropriation or infringement, in order to protect their value. All transactions of the organization must be reflected accurately and fairly in the books of accounts. Falsification of asset records or misrepresentation of facts will constitute fraud.
- (5) **Excellence:** The Board Directors and employees shall demonstrate excellence by providing fair, timely, efficient and effective services to the public. They should exercise high levels of discipline and commitment in the performance of their duties. They are also required to continually improve the quality of policies, programs and services by fostering a work environment that promotes teamwork, learning and innovation.

## **PART II: CODE OF CONDUCT AND ETHICS**

### **7. FUNDAMENTAL RIGHTS AND FREEDOMS**

- (1) In carrying out of their duties, Board Directors and employees shall respect, protect and promote the fundamental rights and freedoms of persons without discrimination on the basis of race, ethnicity, political opinion, colour, creed, sexual orientation, gender, disability, social status, age or culture.
  
- (2) Board Directors and employees shall not be members of organizations that they know promote or practices discrimination on the basis set out in paragraph (1) above.

### **8. PROFESSIONALISM**

The Board Directors and employees shall: -

- (a) carry out their duties in a way that uphold public confidence and the integrity of their offices;
- (b) treat the public and fellow colleagues with courtesy and respect;
- (c) to the extent appropriate to their office, seek to improve the standards of performance and their level of professionalism in the Hospital;
- (d) observe the ethical and professional standards of their respective professional bodies;
- (e) observe official working hours and not be absent without proper authorization or reasonable cause; and
- (f) dress appropriately and observe personal hygiene.

### **9. IMPROPER ENRICHMENT**

- (1) Board Directors or employees shall not use their office to improperly enrich themselves or others.
  
- (2) Without limiting the generality of subsection (1), a Board Director or employee 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 Director or employee's 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.
- (3) Subject to Article 76(2) (b) of the Constitution, Board Directors or employees shall not accept personal loan or benefit which may compromise the Board Director or employee in carrying out his or her duties.
- (4) Board Directors and employees shall not evade paying taxes or neglect their financial obligations.

#### **10. CONFLICTS OF INTEREST**

- (1) The Board Directors and employees must avoid conflicts of interest between their private activities and their part in the conduct of the Hospital's business.
- (2) Without limiting the generality of subsection (1), a Board Director or employee should: -
- (a) excuse themselves from any decision-making that may create a conflict of interest with their private interests;
  - (b) disclose in writing, to the Board Chairman in the case of 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 your relationship 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 the direct or indirect use of, or allowing the direct or indirect use of Hospital property, for anything other than officially approved activities;
  - (e) for Board Director, ensure that concurrent outside appointments, such as to another Board, are managed appropriately and that any resulting conflicts of duties are resolved in the public interest.

- (f) not get involved in the hire, supervision, management or career planning of any relative;
  - (g) not make improper use of one's position or of confidential information gained in that position to achieve personal interests or direct gain; and
  - (h) not to pursue and perform for money or other form of compensation or remuneration which is inherently incompatible with the responsibility of the Board Director or employee, or which results in the impairment of the judgment of the Board Director or employee in the execution of their functions.
- (3) Board Directors and employees shall not participate in a tender for supply or services to the Hospital. However, a company or entity associated with the Board Member or employee shall not be construed as participating in the tender with the Hospital unless the Board Director or employee has a controlling shareholding in the company.
- (4) The Hospital shall maintain a register to record conflicts of interest.

#### **11. ACTING FOR FOREIGNERS**

- (1) No Board Director or employee shall in a 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) 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.

#### **12. POLITICAL NEUTRALITY**

- (1) Board Directors 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.
- (2) 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.

### **13. GIFTS, BENEFITS AND FAVOURS**

- (1) A gift or donation given to a Board Director or employee on a public or official occasion shall be treated as a gift or donation to the Hospital.
- (2) Notwithstanding subsection (1), a Board Director 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 an amount prescribed by the Public Officers Ethics Act, 2003 or any other law.
- (3) A Board Director or employee shall not: -
- (a) accept or solicit gifts, hospitality or other benefits from a person who: -
    - (i) is under investigation;
    - (ii) has a contractual relationship with the Hospital;
    - (iii) has any interest that is directly or indirectly connected with the Board Director 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 other relevant statutes and policies.

- (4) Subject to section 12(2), 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.
- (5) The Hospital shall maintain a register of all gifts received by the Board Directors and employee as provided by law.

#### **14. PUBLIC REPORTS**

- (1) The Board Directors and employees shall maintain appropriate books, records and accounts in reasonable detail in order to accurately reflect all the Hospital transactions.
- (2) The Board Directors and employees must not, under any circumstance, engage in inaccurate, false or misleading record keeping.
- (3) No Board Director or employee shall enter false or artificial entries in the books and records of the Hospital.

#### **15. MISUSE OF OFFICIAL INFORMATION**

Board Directors and employee 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.

#### **16. SOLICITATION**

- (1) With the exception of fundraising for officially supported activities such as those relating to corporate social responsibility, Board Directors 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.
- (2) When fundraising for supported official activities, Board Directors or employees shall ensure that they have prior written authorization from the Board Chairman in the case of 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.

- (3) This Code does not however stop the Hospital from soliciting, receiving or giving out gifts for charitable purposes in line with the Hospital's corporate social responsibility.

#### **17. CONDUCT IN PUBLIC AND PRIVATE**

The Board Directors and employees shall conduct themselves with dignity and decorum in both public and private as stipulated under the relevant laws, good corporate governance principles and this Code.

#### **18. HARASSMENT**

- (1) Board Directors and employees shall not threaten, belittle, abuse or demonstrate unwelcome behaviour to colleagues, client or other members of the public.
- (2) 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 favours in exchange for or threat of withdrawal of employment;
  - (b) Unwanted flirtation;
  - (c) Intentional physical contacts that are sexual in nature;
  - (d) Sexual propositions, making gestures, noises, advances or sexist jokes or anecdotes or comments that are insulting;
  - (e) Demeaning, or derogatory behaviour towards a person because of gender which is either obviously offensive or continue after the speaker is informed that those comments have caused offence.
- (3) Board Directors and employees shall not bully colleagues or members of the public. Bullying includes repeated offensive behaviour which is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

#### **19. 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.

**20. USE OF INFORMATION COMMUNICATION TECHNOLOGY**

- (1) Use of social networks in an official capacity must comply with the legislative requirements and the Hospital ICT policy on the use of internet and electronic networks.
- (2) 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.
- (3) Incidental personal use must not interfere with the operation of IT resources, burden the Hospital with costs, and interfere with the user's obligations to the Hospital.

**21. 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 him into contact.

**22. PECUNIARY EMBARRASSMENT**

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

**23. WHISTLE BLOWING**

Any person who has reason to believe that a Board Director or Employee has not acted with this Code, existing Hospital policies and the law shall report the matter as prescribed in the KNH Whistle Blowing Policy.

**24. CONFIDENTIALITY**

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



**25. BREACH OF CODE**

- (1) Any Board Director whose conduct and dealings with the Hospital ran 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.
  
- (2) Breach of this Code by employees shall amount to misconduct for which the employee may be subjected to disciplinary proceedings including removal from office as stipulated in the Human Resource Manual.
  
- (3) A person alleging a breach of this Code, shall in the case of Board Directors be reported to the Board Chairman or to the Chief Executive Officer in the case of employees.
  
- (4) Board Directors and employees may also report any suspicious matter bordering on corruption through the whistle-blower mechanisms provided in the whistle blowing policy.
  
- (5) Information disclosed during the course of the investigation will remain confidential, except as necessary to conduct the investigation and take any remedial action.
  
- (6) The Hospital shall cooperate fully with the appropriate authorities, where laws have been violated.

**26. IMPLEMENTATION OF THE CODE**

The KNH Board of Management is responsible for approving this Code and is fully committed to playing an oversight role in implementing and enforcing the Code.

The Chief Executive Officer is responsible for the day-to-day implementation of the Code of Conduct and Ethics within the Hospital and its respective divisions/departments.

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.

**27. REVIEW**

This Code shall be reviewed every three (3) years unless circumstances dictate for an earlier review.

**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.

Signed.....

Date.....

Name .....



**APPENDIX I: REPORT OF GIFTS RECEIVED**

**Part A: Declaration of Gifts (to be completed by declaring person)**

To (Approving Authority).....

Description of Offeror .....

Name and Title .....

Organisation.....

Relationship (Business/Personal).....

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

Description and assessed value (KES).....

Suggested method of disposal

- Retained by receiving staff
- Retained for display as souvenir in the office
- Shared among the officers
- Reserve as luck draw price during the staff function
- Donate to charitable organization
- Return to offeror
- Other  
(specify).....

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

**Declaring Director/Employee**

**Part B: Acknowledgement (to be filled by the approving authority  
(Chairman or Chief Executive Officer)**

To (receiving Director/Employee).....

The recommended method of disposal is approved/not approved.

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

....

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

**Approving authority**



**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 Form 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**

