



# **THE KENYATTA INTERNATIONAL CONVENTION CENTRE**

## **WHISTLE BLOWING POLICY**

## 1. CIRCULATION

This policy applies to all staff who work for The Kenyatta International Convention Centre, whether full-time, part-time and interns.

## 2. SCOPE

The purpose of this policy is to outline ways in which all KICC employees can express concerns about malpractice/wrongdoing and to encourage employees to raise these at an early stage and in an appropriate way in line with the Anti-Corruption and Economic Crimes Act 2003.

## 3. DEFINITIONS

**Whistle blowing:** The official name for Whistle Blowing is ‘making a disclosure in the public interest’. It means that if you believe there is wrongdoing in your workplace, you can report this by following the correct processes and your employment rights are protected.

**Malpractice** – could be improper, illegal or negligent behaviour by anyone in the workplace.

## 4. AIMS AND OBJECTIVES

**4.1** The ‘Whistle Blowing’ Policy is intended to cover serious public interest concerns that fall outside the scope of other procedures.

- A criminal offence
- Suspected fraud or corruption
- Failure to comply with legal or regulatory obligations
- A breach of Code of Ethics
- A miscarriage of justice
- A danger to the health and safety of an individual
- Damage to the environment
- Disregard for legislation e.g. Public Officers Ethics Act
- Deliberate covering up of/failing to report information tending to show any of the above matters.

**N/B The list is not exhaustive**

The Policy aims to:

- Encourage you to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice
- Provide avenues for you to raise those concerns and receive feedback on any action taken
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from possible reprisals or victimization if you have made any disclosure in good faith.

## 5. YOUR SAFETY

The Board and the Chief Executive Officer are committed to this policy. They recognize the difficulty staff may face in voicing concerns and assures them of support and confidentiality during the investigation process. Any harassment or victimization will not be tolerated and you will be protected if you raise a genuine concern and in good faith. The KICC will not allow any retaliation or discrimination by its employees of any kind against any employee who submits a complaint in good faith. The employee will not be discharged, demoted, suspended, threatened, harassed or in any other manner discriminated or retaliated against, provided s/he lawfully provided information regarding any conduct, which the employee reasonably believes constitutes a violation of any Law. It does not matter if you are genuinely mistaken or if there is an innocent explanation for your concerns.

However, this assurance is not extended to those who maliciously raise a matter they know is untrue, in bad faith or for personal gain. If, following a thorough investigation, it is found that you raised a matter maliciously; this will be dealt with under the KICC's Disciplinary Policy.

## 6. CONFIDENTIALITY AND ANONYMITY

The corporation will protect the confidentiality of all matters raised by concerned employees. All correspondences entered into the whistle blowing process are absolutely confidential whether a person making the disclosure wishes to remain anonymous or not.

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you do not wish to disclose your identity, this will not be done without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential (for example in court cases). In such cases, we will discuss with you whether and how the matter can best proceed.

## 7. WHISTLE BLOWING PROCEDURE

### 7.1 Internal Stages

#### **Raising a concern**

You can raise your concern orally, (i.e. face to face or over the phone) or in writing. If you write, mark the envelope '**confidential**' and if the concern is of a serious nature, hand deliver the envelope to the officer you wish to report the matter to. You can also report through the confidential reporting email: [integrity@kicc.co.ke](mailto:integrity@kicc.co.ke)

Whichever way you choose, please give as much information as you can. You should identify or provide as much evidence as to the extent the detail is known or available to you.

Once you have reported your concern, we will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal

investigation. We will tell you who will be handling the matter, how you can contact them and what further assistance we may need from you.

## **7.2 The Formal Investigation**

If the concern raised is very serious or complex, a formal investigation may be held. The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until it becomes necessary to do so.

The designated officer will offer to keep the member of staff informed about the investigation and its outcome. If the result of the investigation is that there is a case to be answered by any individual, the KICC's Disciplinary Policy will be used and the details discovered by the formal investigation, transferred to that process. Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer will ensure that the employee suffers no reprisals. If there is no case to answer but there is evidence that the allegation was made frivolously, maliciously or for personal gain, disciplinary action will be taken against the complainant. The matter will be dealt with promptly at each stage. Where appropriate, immediate steps will be taken to remedy the situation as soon as practicably possible. A final outcome may take more time but a final resolution/outcome at each stage should be available within ten working days.

## **7.3 Following the investigation**

The Chief Executive Officer will advise the designated officer as to the possible options open to KICC as a result of the outcome of the investigation. The designated officer will then arrange a meeting with the member of staff (where the identity has been disclosed) to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided as soon as possible.

## **7.4 Complaints about the Chief Executive**

In the event that the concern is about the Chief Executive Officer, this concern should be made to the Chairman of Board of KICC, by the member of staff, their manager or the designated officer, who will decide on how the investigation will proceed.

## **7.5 Raising Concerns with Outside Bodies**

The purpose of this policy is to ensure that employees are aware of the way to raise their concerns in-house and for staff to see that action is taken promptly to remedy a particular situation. It is hoped that this procedure will give KICC staff the confidence to raise concerns internally.

However, if members of staff are contemplating making a wider disclosure they are strongly advised to first seek further specialist guidance from professional or other representative bodies which includes but not limited to:

- Office of the Auditor General
- Ethics and Anti Corruption Commission (EACC)

- Criminal Investigation Department (CID)
- The Ombudsman Office
- Witness Protection Agency
- A relevant professional or regulatory body

## **8. RESPONSIBILITIES**

### **8.1 The Chief Executive Officer**

The Chief Executive Officer is the nominated board sponsor for the Whistle Blowing Policy and Procedure across KICC, ensuring that all concerns raised are dealt with fairly, thoroughly and in accordance with the policy.

### **8.2 General Managers /Heads of Departments /Corruption Prevention Committee/Integrity Assurance Officers**

The GMs', HODs', CPC members and IAOs' are responsible for ensuring that staff are aware of the policy and its application, and for creating an environment in which staff are able to express concerns freely and without fear of reprisal. They have a duty to:

- Treat concerns in a confidential manner.
- Take staff concerns seriously
- Consider them carefully and undertake an investigation.
- Understand the difficult position a member of staff may be in.
- Seek appropriate advice
- Take appropriate action to resolve the concern or refer it on to an appropriate person.
- Keep the member of staff informed of the progress.
- Monitor and review the situation
- Inform their seniors
- Ensure that individuals who genuinely report concerns are not penalized in any way

### **8.3 All staff**

All staff have a responsibility to ensure that the best possible standards of care are achieved and to act in accordance with their professional codes of conduct. Staff are advised to:

- Report to an appropriate officer as outlined in this policy, any concerns that something is happening which might compromise the rules contained in the code of conduct.
- Raise concerns provided s/he has a reasonable belief that malpractice and/or wrongdoing has occurred.
- Not raise concerns with any malicious intent or mischievous nature.
- Raise concerns with an appropriate officer as outlined in the KICC Anti-Corruption Policy.

## **9. TRAINING REQUIREMENTS**

There are no mandatory training requirements associated with this Policy. However training on the implementation of this framework is available from the Human Resource Department.

## **10. MONITORING AND COMPLIANCE**

This policy shall be reviewed by the Corruption Prevention Committee (CPC). The chairperson of the CPC is responsible for collating details of any cases which are dealt with under this procedure and will provide an aggregated report to the CPC Committee on an annual basis. The latter report will outline the nature of the concern and the outcome in a form that does not endanger the employee's confidentiality.

## **11. POLICY REVIEW**

The policy will be reviewed after three (3) years of implementation or as may be deemed fit for review to ensure that it remains relevant to the needs of KICC.

**Approved by:**

**KICC MANAGEMENT**

**Sign:.....**

**Date:.....**

**NANA W. GECAGA  
CHIEF EXECUTIVE OFFICER.**