



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY

BRIBERY AND CORRUPTION PREVENTION PROCEDURE MANUAL

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VERSION 2

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LIST OF ABBREVIATIONS/ACRONYMS

Abbreviation / Acronym Full Meaning

ABAC	Anti-Bribery and Anti-Corruption
ACECA	Anti-Corruption and Economic Crimes Act
BCPC	Bribery and Corruption Prevention Committee
EACC	Ethics and Anti-Corruption Commission
HoCC / HoCCs	Head(s) of Cost Centre(s)
IAC	Integrity Assurance Committee
IAO	Integrity Assurance Officer
ICT	Information and Communication Technology
ISO	International Organization for Standardization
MMUST	Masinde Muliro University of Science and Technology
QMS	Quality Management System
SOPs	Standard Operating Procedures

DEFINITIONS / INTERPRETATIONS

Advantage	Includes money, gifts, loans, fees, rewards, commissions, property, employment, contracts, services, favours, facilitation payments or any other benefit, including an offer or promise of such benefit. (Anti-Bribery Act, 2016, s.2)
Bribery	Offering, promising, giving, requesting, agreeing to receive or receiving an advantage intended to induce or reward improper performance of a function or activity. (Anti-Bribery Act, 2016, Part II)
Bribery and Corruption Prevention Committee (BCPC)	The MMUST committee responsible for coordinating, overseeing and monitoring bribery and corruption prevention measures.
Bribery and Corruption Risk Assessment	The systematic identification, analysis and evaluation of bribery and corruption risks and determination of appropriate controls and mitigation measures.
Bribery and Corruption Risk Mitigation Plan	A documented plan specifying actions and controls for identified risks, responsible officers, timelines and monitoring measures.
Commission	The Ethics and Anti-Corruption Commission established under the Ethics and Anti-Corruption Commission Act.
Coordinator, Integrity Assurance Unit	The officer responsible for leading and coordinating the IAU, including integrity promotion, corruption prevention, monitoring, reporting, technical support and liaison with relevant stakeholders.
Corruption	Includes bribery, fraud, embezzlement or misappropriation of public funds, abuse of office, breach of trust and other specified offences involving dishonesty. (Anti-Corruption and Economic Crimes Act, 2003, s.2)
Designated Officer	An officer authorized by MMUST to receive reports of suspected bribery or corruption and perform responsibilities assigned under these Procedures.
Due Diligence	Obtaining, verifying and assessing information about a person or entity to identify and manage integrity, bribery or corruption risks before entering into or continuing a relationship or transaction.

Economic Crime	An economic crime within the meaning of the Anti-Corruption and Economic Crimes Act, including specified offences involving dishonesty, public revenue or proceeds of corruption. (ACECA, 2003, s.2)
Enforcement Structure	The University mechanism responsible for appropriate inquiry, administrative, disciplinary or other action relating to violations of applicable anti-bribery and anti-corruption requirements.
Facilitation Payment	An unofficial or improper payment made to expedite or secure performance of a service, function or activity. (Anti-Bribery Act, 2016, s.2)
Giving a Bribe	Offering, promising or giving an advantage to induce or reward improper performance of a function or activity. (Anti-Bribery Act, 2016, s.5)
Head of Cost Centre (HoCC)	The officer responsible for management, administration and accountability of an MMUST academic, administrative or operational cost centre.
High-Risk Area	A University activity, process, transaction or relationship assessed as having an elevated likelihood or potential impact of bribery or corruption.
Informant	A person who provides confidential, privileged or sensitive information concerning suspected bribery or corruption.
Implementation Structure	The University structure responsible for coordinating implementation of applicable anti-bribery requirements, University policy and these Procedures.
Integrity Assurance Committee (IAC)	The University committee providing oversight, technical guidance and support on integrity assurance, corruption prevention and related risk-management matters.
Integrity Assurance Officer (IAO)	The officer responsible for supporting and coordinating integrity assurance, corruption prevention, awareness, monitoring and reporting activities.
Monitoring and Evaluation	Periodic assessment of implementation, compliance and effectiveness of corruption-prevention measures and controls to identify gaps and support improvement.
Private Entity	A person or organization that is not a public entity, including companies, partnerships and voluntary, charitable, faith-based or community-based organizations. (Anti-Bribery Act, 2016, s.2)

Public Entity	A government, State organ, public body, corporation or other body established by law or administering public funds. (Anti-Bribery Act, 2016, s.2)
Public Officer	A person holding public office, including an officer, employee or member of a public body as provided under applicable law. (Constitution of Kenya, 2010, Art. 260; ACECA, 2003, s.2)
Receiving a Bribe	Requesting, agreeing to receive or receiving an advantage intended to induce or reward improper performance of a function or activity. (Anti-Bribery Act, 2016, s.6)
Reporting Channels	Approved internal or external mechanisms through which suspected bribery, corruption, retaliation, intimidation or victimization may be reported.
Retaliation / Retribution	Any adverse action, reprisal, punishment, harassment or intimidation arising from reporting or providing information on suspected bribery or corruption.
Risk Register	A record of identified risks, risk ratings, existing controls, mitigation measures, responsible officers, timelines and implementation status.
Senior Officer	A director, manager, secretary or similar officer of a body corporate, or a partner in a partnership. (Anti-Bribery Act, 2016, s.2)
Stakeholder	Any person, group, organization or institution with a legitimate interest in or relationship with MMUST activities, operations or decisions.
Third Party	An external person or entity engaging with MMUST, including suppliers, contractors, consultants, agents, service providers, partners and clients.
Victimization	Unfair or detrimental treatment arising from a person's reporting, disclosure or participation in addressing suspected bribery or corruption.
Whistleblower	A person who reports bribery or other corruption to the Ethics and Anti-Corruption Commission or a law-enforcement agency. (Anti-Bribery Act, 2016, s.2)
Witness	A person who provides information or evidence relating to an offence or proceedings and may qualify for protection under the Witness Protection Act. (Witness Protection Act, 2006, s.2; Anti-Bribery Act, 2016, s.2)

INSTITUTIONAL COMMITMENT AND ZERO-TOLERANCE STATEMENT

Masinde Muliro University of Science and Technology (MMUST) is committed to maintaining an institutional environment in which its functions and resources are managed with integrity, transparency and accountability. In furtherance of this commitment, the University adopts a zero-tolerance position towards bribery and corruption in all its activities, operations and relationships.

Accordingly, the University prohibits the offering, promising, giving, soliciting, requesting, receiving or accepting of bribes or any other improper advantage, whether directly or indirectly. This prohibition applies to all members of the University community and to third parties acting for, on behalf of, or in their dealings with the University.

MMUST shall maintain appropriate measures to **prevent, detect, report and respond to bribery and corruption**. These shall include periodic assessment and management of bribery and corruption risks; effective internal controls; accessible and confidential reporting mechanisms; appropriate protection of whistleblowers, informants and witnesses; due diligence in relevant third-party engagements; and monitoring of compliance with established preventive measures.

All allegations or suspected incidents of bribery and corruption shall be handled promptly, fairly, confidentially and in accordance with applicable law and University policies and procedures. Where an allegation is established, the University shall take appropriate administrative, disciplinary, legal or referral action, as applicable. No person shall suffer retaliation, victimization or intimidation for making a report in good faith or for cooperating with an authorized inquiry or investigation.

The University expects all members of Council, Management, Senate, staff, students and persons or entities dealing with MMUST to comply with these Procedures and to refrain from conduct that may facilitate, conceal or condone bribery and corruption.

Responsibility for preventing bribery and corruption is shared across the University. The University shall therefore maintain appropriate governance, reporting, monitoring and accountability arrangements to support the effective implementation of these Procedures and continuous improvement of its bribery and corruption prevention measures.

1.0.INTRODUCTION

1.1.Objective for the Procedure Manual

The Bribery and Corruption Prevention Procedure Manual provides the operational framework through which the University's commitment to preventing bribery and corruption is implemented. It establishes procedures for identifying and managing bribery and corruption risks, reporting and processing suspected incidents, protecting whistleblowers, informants and witnesses, communicating and building capacity on bribery and corruption prevention, and collaborating with relevant stakeholders and oversight institutions.

The Manual therefore forms part of MMUST's broader institutional governance and integrity framework and provides a common reference point for the University community in preventing, detecting, reporting and responding to bribery and corruption in the course of university operations.

1.2. Legal and Regulatory Framework

These Procedures are developed pursuant to section 9(1) of the Anti-Bribery Act which provides that public and private entities shall put in place procedures appropriate to their size, scale and nature of their operations for the prevention of bribery and other forms of corruption.

1.2.1. Liability for failure to put in place Procedures

Under section 9(2) of the Anti-Bribery Act, a private entity commits an offence when it fails to establish procedures for the prevention of bribery and other forms of corruption.

Under section 19 of the Anti-Bribery Act, a private entity or its directors, senior officers or other responsible person shall be liable, on conviction, to a fine not exceeding five million shillings or imprisonment for a term not exceeding ten years, or both, for committing an offence under section 9(2).

1.2.2. Bribery Offences

The offences under the Anti-Bribery Act are: -

- i) Giving a bribe under section 5;
- ii) Receiving a bribe under section 6; and
- iii) Bribery of a foreign public official under section 8.

Other related offences are: -

- i) Failure to put in place procedures for the prevention of bribery under section 9 (2);
- ii) Failure of a private entity to prevent bribery under section 10;
- iii) Engaging in activities intended to enable bribery under section 13;
- iv) Failure to report bribery under section 14;
- v) To demote, admonish, dismiss from employment, transfer to unfavourable working area, harass or intimidate a whistle-blower or a witness under section 21(2); and
- vi) Knowingly or negligently disclosing information of informants and witnesses under section 21 (5).

1.2.3. Extra territorial application of the Anti-Bribery Act.

Section 15 of the Anti-Bribery Act provides that conduct by a citizen of Kenya or by a private or public entity, which takes place outside Kenya, shall constitute an offence if the conduct would constitute an offence under the Anti-Bribery Act.

1.2.4. PENALTIES UNDER THE ANTI-BRIBERY ACT

Under section 18 and 19 of the Act, an individual found guilty of an offence under section 5, 6, or 13 -

- i) on conviction shall be liable to imprisonment for a maximum term of ten years, or a maximum fine of five million shillings, or both; and
- ii) may be liable to an additional mandatory fine equal to five times the amount of the quantifiable benefit or quantifiable loss.

5.3.2 A person or a private entity found guilty of an offence under section 10 of the Act is liable on conviction to a fine.

5.3.3 Section 21(2), a person who demotes, admonishes, dismisses from employment, transfers to unfavourable working areas or otherwise harasses, intimidates a whistle blower or witness is guilty of an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year or to both.

5.3.4 Section 21(5) any person who knowingly or negligently discloses the information of informants and witnesses and as a result of which those informants are harassed or intimidated commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year or to both.

5.3.5 Section 19 any person who is convicted of an offence under this Act, for which no penalty is expressly provided, shall be liable on conviction to a fine not exceeding five million shillings, or to imprisonment for a term not exceeding ten years, or to both.

1.3.Relevant laws and policies

- i. The Constitution of Kenya 2010.
- ii. Ethics and Anti-Corruption Commission Act, 2011.
- iii. Anti-Corruption and Economic Crimes Act.,2003
- iv. Leadership & Integrity Act, 2012.
- v. Public Officer Ethics Act, 2003.
- vi. The Public Procurement and Asset Disposal Act, 2015.
- vii. Proceeds of Crime and Anti-Money Laundering Act, 2009.
- viii. Mutual Legal Assistance Act, 2011.
- ix. The Bribery Act, 2016
- x. MMUST Bribery and Corruption Prevention Policy
- xi. Whistleblower Protection Act 2014
- xii. Bribery Act, No. 47 of 2016
- xiii. Witness Protection Act, Cap 79
- xiv. Access to Information Act, 2016
- xv. Ethics and Anti-Corruption Commission (EACC) Guidance

2.0. MAIN PROCEDURES

2.1. PROCEDURE NUMBER I: BRIBERY AND CORRUPTION RISK ASSESSMENT AND MANAGEMENT

2.1.1 PURPOSE

To provide a clear and structured process for identifying, assessing, and managing bribery and corruption risks, ensuring compliance with statutory and regulatory requirements.

2.1.2 Bribery and Corruption Risk Assessment

The MMUST CPC shall conduct a bribery and corruption risk assessment and develop a mitigation plan during the 4th Quarter of the financial year and submit to EACC.

In conducting the bribery and corruption risk assessment and developing a mitigation plan, MMUST shall: -

- i. Identify, assess and map out the potential bribery and corruption risks in its operations;
- ii. Design and implement systems and controls (intervention measures) to mitigate those risks;
- iii. Monitor, evaluate and review systems and controls; and
- iv. Document and keep a record of the bribery and corruption risk assessment and mitigation process.

The bribery and corruption risk assessment and management shall be: -

- i. Overseen by the Corruption Prevention Committee;
- ii. Appropriately resourced in accordance to the scale of operations; and conducted on regular basis, based on the timing and frequency defined by the MMUST CPC depending on its risk exposure, taking into account the size, scale and nature of the operations.
- iii. The implementation of the Bribery and Corruption Prevention Plan shall be monitored at the end of each quarter. Monitoring reports shall be compiled and submitted to the Ethics and Anti-Corruption Commission (EACC) by the 15th day of the first month of the subsequent quarter.

2.1.3 High Risk Areas

a) The high-risk areas shall include: -

- i) Gifts and hospitality;
- ii) Conflicts of Interest;
- iii) Academic processes
- iv) Research Processes
- v) Human Resource Management
- vi) Donations including political donations, collections and harambees;
- vii) Sponsorships and grants;
- viii) Facilitation payments;
- ix) Agents and intermediaries;
- x) Joint ventures and acquisitions;
- xi) Entertainment of officials; and
- xii) Procurement and Financial management procedures.

b) Managing Third Parties

The MMUST CPC shall identify all its third parties and manage them taking into account the level of risks of bribery and other forms of corruption, nature and value of engagement.

These shall include: -

- i) Incorporation of anti-bribery and anti-corruption provisions in contract documents;
- ii) Preparation of questionnaires for third parties to make such disclosure as may be required;
- iii) Declaration by third parties that they shall refrain from bribery and other forms of corruption;
- iv) Conducting due diligence on third parties;
- v) Incorporation of declaration of conflict of interest; and
- vi) Ensuring that these Procedures are communicated and understood by third parties.

2.1.4 REPORTS AND RECORDS

- i) Bribery and Corruption Risk Assessment forms
- ii) Bribery and Corruption Risk Mitigation Plan
- iii) Bribery and Corruption Mitigation Implementation Report

2.2. PROCEDURE NUMBER II: REPORTING MECHANISMS

2.2.1 PURPOSE

To provide a structured and confidential process for reporting suspected bribery and corruption, ensuring timely action, transparency, and protection of whistleblowers, informants and witnesses.

2.2.2 Reporting Channels

MMUST shall put in place bribery and corruption reporting channels and procedures.

Reporting channels shall include: -

- i. In-person to the CPC;
- ii. By writing to the CPC;
- iii. Email address: integrity@mmust.ac.ke
- iv. Telephone number:
- v. Reporting boxes;
- vi. Digital/social media platforms;
- vii. Anonymous reporting.

The MMUST CPC shall ensure that the reporting channels are secure, efficient and effective and that the reports are handled promptly with utmost confidentiality. The reports may be in the format set out in Annexure 1. The MMUST CPC may provide for additional information that may be given by an informant, witnesses or whistle blower but in any case, shall not diminish the information required in the form.

Bribery and corruption may also be reported to the Commission through the following channels:

- i. Report to the Commission through the anonymous whistle blower system on the website
- ii. By Phone- 020 2717468, 0715 00 77 00, 0783 77 77 00
- iii. Toll free: 1551
- iv. In person to any Commission office including EACC desk at Huduma Centres
- v. The Commission's digital/social media platforms
- vi. E-mail: report@integrity.go.ke

2.2.3. Processing Reports

The MMUST CPC shall process reports using the following steps:

- i. The report shall be received, acknowledged, recorded in a register and processed.
- ii. The Secretary to the CPC submits the report to both the CPC and the Commission within 24 hours after receiving the report.
- iii. The enforcement structure shall conduct an inquiry and submit the findings with recommendation to the implementation structure within the timelines set by MMUST.
- iv. The implementation structure shall consider the recommendations and determine appropriate action by taking administrative measures in accordance with MMUST policies and procedures and communicating the outcome to the Commission within 7 days from the date of determination.

2.2.4 Feedback

The MMUST CPC shall provide feedback to the informant, witness or the whistle blower on the action taken.

2.2.5 REPORTS AND RECORDS

- i) Reports
- ii) Communications log

2.3. PROCEDURE NUMBER III: PROTECTION OF WHISTLE BLOWERS, INFORMANTS AND WITNESSES

2.3.1 PURPOSE

The purpose of this procedure is to ensure that MMUST provides a safe, confidential, and supportive environment for whistle-blowers, informants, and witnesses by protecting them from retribution, victimization, or intimidation.

2.3.2 Ensuring Confidentiality

The MMUST CPC immediately ensures that the identity of the whistle-blower, informant, or witness is kept strictly confidential by:

- i) Restricting Access to Case Information
- ii) Using Coded Identifiers Instead of Names
- iii) Secure Communication Channels
- iv) Confidential Handling and Non-Disclosure Obligations

2.3.3 Reporting Channels

A whistle-blower, informant, or witness submits a report through approved reporting channels as stipulated in the reporting mechanisms procedure.

2.3.4 Take Appropriate Action on Reports of Retribution, Victimization or Intimidation of Informants, Witnesses and Whistle Blowers

Protection of whistle blowers shall be handled through existing laws which include;

- i) Witness Protection Act No. 16 of 2006 (2020).
- ii) Bribery Act 2016
- iii) Anti-Economic Crimes Act 2003

2.3.5 REPORTS AND RECORDS

- i) Reports of Bribery and Corruption

2.4. PROCEDURE NUMBER IV: COMMUNICATION AND TRAINING

2.4.1 PURPOSE

To ensure that all employees, third parties and relevant stakeholders understand the organization's commitment to conducting business with integrity, transparency and accountability.

2.4.2 Planning for communication and training

Planning for communication and training shall be done by the MMUST CPC at the beginning of every financial year to ensure compliance with legal and regulatory requirements.

The MMUST CPC shall put in place efficient and effective channels of communication including;

- a) Training sessions and workshops
- b) publishing of the procedures
- c) posting on the MMUST website.
- d) Use of posters and banners
- e) Interactive platforms
- f) Orientation programs for new members
- g) Collaboration with student organizations
- h) Anonymous reporting mechanisms
- i) Guest lectures

2.4.3. Training and sensitization

The MMUST CPC shall carry out continuous training sensitization, awareness creation and disseminate relevant materials on prevention of bribery and corruption.

The MMUST Council, Management, Senate, Heads of Cost Centers, academic and non-academic staff and students shall undergo training through seminars and workshops on prevention of bribery and corruption annually.

2.4.4. Reports and records

- i) Training plan
- ii) Training program
- iii) Training register

- iv) Training assessment tool
- v) Training report

2.5. PROCEDURE NUMBER V: COLLABORATION AND CO-OPERATION WITH OTHER ENTITIES

2.5.1 PURPOSE

To provide a structured process of sharing information, practices and mutual consultations on effective strategies to prevent, detect and report bribery and corruption.

2.5.2 Collaboration and coordination with other entities

The MMUST CPC shall define collaboration and coordination scope and clarify the purpose, activities and expected outcome of the collaboration and coordination.

After defining the scope, both entities will conduct joint risk scoping to identify where bribery, facilitation payment or improper influence risks may occur.

After joint planning, both entities shall;

2.5.3 Share information and best practices in collaboration and coordination

The MMUST CPC shall establish clear ABAC information sharing channels. CPC shall conduct joint training sessions on ABAC using the laid down regulations where there will be common understanding on stronger systems on how both sides can reduce bribery and corruption risks. After Sharing information and best practices in collaboration and coordination, MMUST CPC shall hold:

2.5.4 Mutual consultation on the most effective strategies to prevent, detect and respond to ABAC

The MMUST CPC shall establish a formal consultation framework and develop structured and productive discussions.

Both entities shall jointly agree on preventive, detective and responsive strategies that create alignment and consistency across entities on ABAC. The MMUST CPC shall therefore hold;

2.5.5. Peer review on collaboration and coordination with other entities

The MMUST CPC shall establish the scope and agree on review framework to understand the system before evaluation begins.

The MMUST CPC shall hold evaluation to assess the strengths and weaknesses of both entities with a view of prevention, detection and mitigation of ABAC. MMUST CPC shall hold;

2.5.6 Capacity building to assess training needs of third party with a view of tailoring the training to the participants roles and risk exposure.

The MMUST CPC shall develop a structured training program annually using experts to ensure interactive, practical and relevant learning that reflect current trends and emerging issues in ABAC.

The MMUST CPC shall enforce continuous learning to enhance sustainability and improvement.

2.5.7. Reports and records

- i) Correspondences
- ii) Training/Workshop/Conferences programs

3.0. IMPLEMENTATION OF THESE PROCEDURES

In implementing these Procedures, top level management shall be committed to preventing bribery and other forms of corruption by: -

- i) Fostering a culture in which bribery and other forms of corruption are not acceptable;
- ii) Determining and executing bribery and other forms of corruption prevention strategies;
- iii) Making key decisions relating to management of bribery and corruption risks including decisions on resource allocation, internal policies, appointment of key personnel among others;
- iv) Communicating to internal and external stakeholders the University's bribery and other forms of corruption prevention policy and commitment to zero tolerance to bribery and other forms of corruption;
- v) Appointing a designated senior officer to be in charge of prevention of bribery and other forms of corruption and to protect whistle blowers, informants and witnesses;
- vi) Designated senior officer consultation with the implementation structure shall set up the enforcement structure.
- vii) Putting in place mechanisms to detect and take appropriate action for violation of the Anti-Bribery Act within the University such as establishment of corruption prevention/integrity committees.
- viii) Providing necessary resources to ensure that these procedures are adequately implemented; and
- ix) Periodically assessing compliance with the prevention of bribery and other forms of corruption guided by the attached checklist in **Annexure 2**.

3.1. MONITORING, EVALUATION AND REVIEW

The University shall establish and maintain a Monitoring and Evaluation (M&E) Framework to assess the implementation, compliance, effectiveness and continuous improvement of the Bribery and Corruption Prevention Procedures (**Appendix 5**)

The Framework shall provide a systematic mechanism for determining whether the procedures are being implemented as intended, whether established controls are effective in mitigating identified bribery and corruption risks, and whether corrective or preventive action is required.

Monitoring and evaluation shall cover the five principal areas addressed by these Procedures:

- Bribery and Corruption Risk Assessment and Management;
- Reporting and Processing of Bribery and Corruption Reports;
- Protection of Whistleblowers, Informants and Witnesses;
- Communication, Awareness and Training; and
- Collaboration and Cooperation with Relevant Stakeholders.

Monitoring shall also cover the adequacy of governance arrangements, implementation structures, internal controls, resources, records, reporting systems and corrective actions necessary for effective implementation of the Procedures.

3.2. M&E Responsibility and Accountability

Overall responsibility for implementation of the M&E Framework shall rest with University Management, with oversight by the appropriate University governance structures. The Integrity Assurance Unit (IAU) shall coordinate routine monitoring, compilation and analysis of implementation information and preparation of periodic reports. The Coordinator, Integrity Assurance Unit shall coordinate the M&E process and facilitate reporting to the relevant University structures and external agencies as applicable.

Heads of Cost Centres and other responsible officers shall provide the information and documentary evidence required to monitor implementation within their respective areas and shall ensure that agreed corrective actions are implemented within prescribed timelines.

The relevant implementation and enforcement structures shall provide information relating to matters falling within their respective mandates while observing applicable confidentiality and

3.3. DECLARATION OF COMMITMENT TO IMPLEMENT THE REQUIREMENTS OF THE ANTI-BRIBERY ACT, REGULATIONS, GUIDELINES AND THESE PROCEDURES

Masinde Muliro University of Science and Technology is committed to implement these Procedures on prevention of bribery and other forms of corruption developed pursuant to section 9 of the Anti-Bribery Act, 2016.

Name: PROF. SOKONON SHIBAIRO

Designation: VICE CHANCELLOR.

Signature: 

Date: 5/10/2024

Date of Next Review; **02 September 2027**

APPENDICES

APPENDIX 1: CONFIDENTIAL CASE REGISTER

(Protection of Whistle-blowers, Informants and Witnesses Procedure)

Case ID	Date Received	Category (Whistle-blower / Informant / Witnesses)	Nature of Report / Allegation (Summary)	Risk Level (Low/Medium/High)	Protection Measures Implemented	Officer Assigned	Status (Open/Closed)	Remarks / Follow-up Actions

Usage Notes

Case ID: Use coded identifiers (e.g., MMUST-001/2025) to avoid revealing identities.

Category: Select one—Whistle-blower, Informant, or Witness.

Nature of Report: Keep very brief to avoid sensitive details in the register.

Risk Level: Based on assessment (security, exposure, retaliation).

Protection Measures: e.g., confidentiality assurance, restricted access, relocation, secure communication.

Officer Assigned: Use role/title, not personal names if anonymity is required

APPENDIX 2; Confidential Handling and Non-Disclosure Obligations
(For CPC Members, Investigators, and Involved Officers)

1. Purpose

This Confidentiality and Non-Disclosure document ensures that all individuals involved in handling whistle-blower, informant, or witness information commit to protecting identities, case details, and any sensitive information obtained during the complaints and investigation process.

2. Obligations of the Officer

By signing this document, I hereby commit to the following:

2.1 Confidential Handling of Information

I shall treat all information related to whistle-blowers, informants, and witnesses as **strictly confidential**.

I will only access information that is necessary for my role in the case.

2.2 Non-Disclosure of Identities

I shall not disclose the identity or any identifying details of a whistle-blower, informant, or witness to **any unauthorized person**, including colleagues, students, or external parties.

2.3 Protection of Records and Communication

I shall store all case notes, reports, documents, and digital records in **secure and authorized MMUST systems or locations**.

I shall not discuss case information using informal or unapproved communication channels.

2.4 Use of Information

I shall use confidential information **solely for official purposes** related to the case.

I shall not use such information for personal, political, academic, or any other non-official purpose.

2.5 Reporting Breaches

I shall immediately report any suspected or actual breach of confidentiality to the CPC Chair or the EACC.

2.6 Continuing Obligation

These confidentiality obligations continue **even after my involvement in the case ends**, or after I cease to hold office within the CPC or MMUST.

3. Declaration and Signature

I, the undersigned, acknowledge that I have read, understood, and agree to comply with the Confidential Handling and Non-Disclosure Obligations outlined above. I understand that any breach of these obligations may result in disciplinary action in accordance with MMUST policies and applicable laws.

Name of Officer.....

Designation/Role.....

Department/Unit.....

Signature.....

Date.....

APPENDIX 3. PREVENTION OF BRIBERY AND CORRUPTION COMPLIANCE CHECKLIST

1. Commitment

- i). Does the University have a written and accessible statement of commitment on prevention of bribery and other forms of corruption from the top-level management?
- ii). Have the staff members committed to uphold all relevant policies and code of conduct?
- iii). Has the University made it mandatory to all individuals and parties at all levels to comply with and adhere to Procedures to prevent bribery and other forms of corruption?
- iv). Has the University designated a senior officer to be responsible for anti-bribery and anti- corruption compliance?
- v). Has the University established an enforcement structure to take action on violations of the Anti-Bribery Act?
- vi). Has the top management made a declaration of commitment to implement the Anti-Bribery Act?

2. Bribery and Corruption Risk Assessment and Management

- i) Has the University conducted bribery and corruption risk assessment(s)?
- ii) Does the University have a clear understanding of all bribery and corruption risks?
- iii) Is the mitigation plan reviewed and updated periodically?
- iv) Is the assessment undertaken on a regular basis?
- v) Has the University accurately documented and maintained information demonstrating that bribery and corruption risk assessment(s) have been conducted?
- vi) Has the University developed and implemented a risk mitigation plan to address all the identified risks?
- vii) Has the University managed third party risks and applied a consistent risk-based approach?
- viii) Has the University undertaken due diligence proportionate to the level of risk?
- ix) Does the University perform due diligence reviews and vetting on all new third parties?
- x) Has the University clearly communicated its gift policy internally and externally to control gifts, hospitality, donations, harambees and similar benefits to ensure that they are not for corrupt purpose?

- xi) Has the University established controls and procedures covering payments to third parties, including gifts, hospitality, entertainment, travel, charitable contributions, sponsorships and other expenses to ensure that they are appropriate?
- xii) Does the University have a strict reporting policy of all entertainment of foreign officials?
- xiii) Has the University ensured that situations that might give rise to a conflict of interest are disclosed to the University and managed appropriately by an independent person e.g. Designated officer?
- xiv) Do the staff understand that all relationships with third parties must be documented fully and that all payments made to third parties must be appropriate, justifiable and accurately documented?

3. Communication and Training

- (i) Has the University effectively disseminated its code of conduct to all employees and third parties in a way that is easily accessible?
- (ii) Is there a requirement for all employees and third parties to certify that they have read and complied with the code of conduct?
- (iii) Has the University clearly communicated its anti-bribery and anti-corruption programme as well as policies in place and ensured that it is understood across all levels of the University and within its business networks?
- (iv) Has the University sensitized staff on facilitation payments in relation to bribery?
- (v) Does the University have a regular formal training programme for all staff, members, board of directors, management and third parties that specifically addresses anti-bribery and anti-corruption and ensure that anti-bribery and anti-corruption programmes and policies are understood and adhered to?
- (vi) Does the University carry out interactive anti-bribery and corruption prevention training for high-risk employees?

4. Reporting and Inquiry

- (i) Are there procedures to report any instance of fraud, bribery, corruption, collusion, obstructive or coercive practices or any other information relating to any possible violation of the Anti-Bribery Act?
- (ii) Does the University have a whistleblower policy and effective channels for employees and third parties to report knowledge or suspicion of instances of bribery and other forms of corruption?
- (iii) Are there procedures which facilitate inquiry of reported cases of bribery and other forms of corruption?

(iv) Are there procedures which require appropriate action in the event the inquiry reveals that bribery or other forms of corruption occurred?

5. Monitoring, Evaluation and Review

(i) Are the bribery and corruption prevention policies and procedures reviewed periodically and compliance controls tested regularly?

(ii) Are review methods and results of anti-bribery performance documented and retained as evidence?

(iii) Are engagements with third parties monitored on an ongoing basis commensurate with their risk profile?

APPENDIX 4; BRIBERY AND CORRUPTION REPORTING FORM

1. Please Note:

(a) THAT this form may be filled by anyone who wishes to report a case of bribery or other forms of corruption perpetrated by official(s) of the University.

(b) THAT the information in this form will be used by the University in the inquiry and determination of the matter.

2. I/We (name/s) (Optional)

(a)

(b)

(c)

(Tick appropriately)

Staff Stakeholder Third Party Other (specify).....

3. Wish to make a complaint against the following person/University:

(a)

(b)

(c)

4. On the grounds of:

Bribery Corruption suspicion Other (specify).....

5. Please give details bribery/corruption/concern (include as much details as possible e.g. date(s), time(s), location(s), amount of money involved, nature of advantage, circumstances of bribery etc.) Attach separate sheet if space is not sufficient.

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6. Witnesses/person(s) who may be interviewed or person(s) with knowledge of matter being complained of: (where possible explain why such person(s) should be contacted and their contacts) (Optional)

- (a)
- (b)
- (c)

7. Have you filed this report elsewhere? (Either internally or externally – the EACC, National Police Service etc)

.....
8. Any other relevant information.....

I certify that:

- (a) The information provided is true and correct to the best of my knowledge and belief;
- (b) I have the right to expect the highest level of confidentiality as relates to this report; and
- (c) The university may take disciplinary action against me should the reporting be proven to be malicious or frivolous.

Signature (where applicable):.....

Date:.....

Email Address (optional):.....

Phone Number (optional):.....decla

APPENDIX 5 MONITORING AND EVALUATION MATRIX

	M&E Area	Key Indicators	Means of Verification/Data Source	Frequency	Responsibility
1.	Bribery and corruption risk assessment	% of Cost Centres completing risk assessment; number of risks identified and assessed; % of identified risks with mitigation measures	Risk assessment reports; risk registers; mitigation plans	Annually	HoCCs; IAU; BCPC
2.	Implementation of risk mitigation measures	% of mitigation measures implemented within agreed timelines; number of overdue actions; effectiveness of controls	Risk mitigation plans; implementation reports; follow-up reports	Quarterly	HoCCs; IAU; BCPC
3.	Emerging bribery and corruption risks	Number/type of new or emerging risks identified; controls introduced or revised	Updated risk registers; audit reports; incident reports; management reports	Quarterly	HoCCs; IAU; BCPC
4.	Reporting mechanisms	Number and type of reporting channels operational; accessibility and functionality of channels; number of reports received	Reporting-channel records; complaints/register; system records	Quarterly	Designated Officer/IAU
5.	Processing of reports	Number of reports received; % acknowledged/processed within prescribed timelines; number referred to appropriate structures/EACC where applicable; status of cases	Confidential reports register; referral records; case records	Quarterly	Designated Officer; Enforcement Structure; IAU
6.	Whistleblower, informant and witness protection	Number of protection concerns/retaliation complaints received; % acted upon; confidentiality breaches reported; protective measures instituted	Confidential protection records; complaints; action reports	Quarterly	Designated Officer; relevant University structures
7.	Communication and awareness	Number of sensitization activities undertaken; proportion of targeted	Activity reports; attendance lists;	Quarterly/Annually	IAU; relevant Cost Centres

		stakeholders reached; types of communication materials disseminated	communication materials; website records		
8.	Training and capacity building	Number of training activities conducted; number/proportion of staff and other targeted stakeholders trained; proportion of high-risk personnel trained	Training reports; attendance registers; pre/post assessments where applicable	Annually	IAU; relevant University units
9.	Third-party risk management	Proportion of relevant third parties subjected to due diligence; number of conflict-of-interest declarations; proportion of applicable contracts containing anti-bribery provisions	Due-diligence records; declarations; contracts; procurement records	Annually	Relevant Cost Centres; Procurement; IAU
10.	Collaboration and cooperation	Number of collaborative anti-bribery activities undertaken; information-sharing/consultation engagements; peer reviews/capacity-building activities	Meeting reports; correspondence; collaboration reports; activity records	Annually	IAU; BCPC; relevant University structures
11.	Compliance with Procedures	Level of compliance with procedural requirements; number/nature of non-conformities identified; % of corrective actions implemented	Compliance checklist; internal audit reports; EACC assessments; management review reports	Annually	IAU; Internal Audit; BCPC
12.	Overall effectiveness	Trends in reported bribery/corruption risks and incidents; control effectiveness; stakeholder awareness; recurring weaknesses; improvement actions undertaken	M&E reports; surveys; risk registers; audit reports; incident trends	Annually	IAU; BCPC;
13.	Review of Procedures	Reviews undertaken within prescribed period; amendments arising from legislative, institutional or risk changes	Review reports; approved revised Procedures; minutes/approvals	Annually	CPC; IAU;