



SOUTH EASTERN KENYA UNIVERSITY

CODE OF CONDUCT AND ETHICS

2014

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25. Contravening the Code of Conduct and Ethics

A member shall be contravening the Code of Conduct and Ethics if:

(1) The member causes anything to be done through another person that would, if the member did it, be a contravention of the Code of Conduct and Ethics, if the action is done with his or her full knowledge.

(2) The Member allows or directs a person under his supervision or control to do anything that is a contravention of the Code of Conduct and Ethics. However, this does not apply with respect to anything done without the member's knowledge or consent if the member took reasonable steps to prevent it.

PART XIII: Dynamism of the Code of Conduct and Ethics

26. The Code of Conduct and Ethics shall be:

- (1) Reviewed periodically to accommodate new national and global social, political, and economic trends to maintain its relevance in a dynamic world.
- (2) Be understood as merely a codification of existing rights and obligations contained within other University documents and national laws.
- (3) The University reserves the right to change the Code of Conduct and Ethics, and its policies.

PART XIV: Reference documents used in making the Code of Conduct and Ethics

27. The making of the Code of Conduct and Ethics policy derived inputs from the following documents:

- (1) Articles of governance of SEKU
- (2) The Code of Conduct and Ethics for Public Universities
- (3) SEKU Code of Conduct
- (4) Manual of Staff Terms of Service
- (5) SEKU Gender and Anti-sex Harassment Policy
- (6) The Public Officer Ethics Act
- (7) SEKU ICT Policy
- (8) Manual for SEKU Students
- (9) Public Procurement and Disposal Act of 2005

PART 1: Preamble

1. The South Eastern Kenya University (SEKU) fraternity, including members of Council and Board of Management, Faculty, Administrators, Staff and students of SEKU has established this Code of Conduct and Ethics to form the basis for their ethical standard. It aims at building and maintaining high levels of professional and ethical standards which shall be fundamental in strengthening loyalty, social responsibility and transparency in all activities of the University. It shall be a tool to encourage and promote a positive public image of the University.

2. The Code of Conduct and Ethics focuses on encouraging responsible freedom of research, teaching, and learning. SEKU being a public institution shall strive to achieve good interpersonal relations amongst its staff and students both in their public and private lives so as not to bring ridicule and dishonour to the University. Hence, we as SEKU community affirm our commitment to this Code of Conduct and Ethics to behave ourselves in ways that promote mutual trust as well as public confidence in the University. However, in complex situations where ethical principles, which may be legal or moral, and are in conflict with each other, the SEKU community shall openly discuss these ethical matters and make rational choices without prejudice so that SEKU shall achieve its academic and research vision.

3. SEKU aspires to be a regional model of excellent ethical behavior. Hence, it strategizes to achieve its vision alongside educating and producing graduates and staff of exemplary ethics, character and citizenship. Nevertheless, this code is not intended to create any new rights and obligations on the part of School faculty, administrators, staff and students of the University. It does not replace the terms and conditions of service of individual members, officers and employees, but it is to be applied concurrently with the University Constitution, the Universities Act and other relevant legislations.

PART II: Definition of terms

4. An 'ethic' is hereby defined as a moral principle or a code of conduct which governs the way people act or behave in a group or even in a profession.
5. A "SEKU member" here means an officer employed or appointed by the Council of the University under or for specified terms of duties.
6. A "student" means a person enrolled as a learner in the University.

PART III: Application of Code

7. This Code shall apply to all SEKU members and students.

PART IV: The thrust of the Code

8. The intrinsic driving force behind the application of the Code of Conduct and Ethics shall be based on the internalization of the set core values of SEKU, which are the pursuit of knowledge, personal integrity, mutual respect and justice.

9. The loyalty code

All staff and students shall demonstrate their loyalty to SEKU by;

- (1) Respecting the basic principle of implementing and maintaining excellence and honesty in teaching, innovation, research, respect for personal integrity, social fairness, equality, and truth.
- (2) SEKU loyalty shall be expressed through a commitment to maintain and raise the SEKU profile and values through teaching, research, artistic endeavours and public representations.

PART XI: Management code

23. Staff in management and administrative positions shall be expected:
 - (1) To adhere to the highest ethical standards.
 - (2) To maintain high levels of academic advancement.
 - (3) To seek consensus in their decision making by taking into account the short and long term effects of the proposals they introduce.

PART XII: Breaching of the Code of Conduct and Ethics

24. Obligations to the Code of Conduct and Ethics

- (1) All members and students have an obligation to bring suspected ethics violations to the attention of the appropriate personnel in the following responsible manner:
 - (a) Generally the first person to be informed shall be either one's immediate supervisor in the case of employees, or the Director of the University Campus concerned.
 - (b) All reported violations shall be investigated promptly in accordance with Procedures detailed in the relevant policy.
 - (c) No one shall falsely report misconduct of any sort about another individual for the purpose of discrediting or harming the reputation of that individual. Any complainant guilty of such abuse shall be subject to severe disciplinary action.
 - (d) When a member shall commit a breach of this Code of Conduct and Ethics, appropriate action shall be taken in accordance with its provisions and relevant laws, and the terms and conditions of service of staff.
 - (e) This might include verbal warning for light offences, written warning, suspension or termination of service as dictated by the magnitude of the offence.

- materials, whether living or dead; and
- (4) Motor vehicles and transport facilities provided for the University's purposes.

22. Governance of Resources

Resources shall be governed by the following standards:

- (1) Staff and students are obliged to use all equipments, facilities, and Finances entrusted to them in accordance with their proper purpose and with due diligence.
- (2) Resources shall never be used for private advantage but, shall be used economically to achieve the greatest benefit to the community and fully accounted for.
- (3) Members and students shall seek to protect and improve the natural environment by appropriately using and recycling resources and by avoiding conditions that may result in creating environmental destruction.
- (4) Computer programs, electronic mail, voice mail and electronic files are presumed to be private and confidential unless misuse is suspected. However, loopholes in security systems shall not be used to damage information systems, obtain extra resources or gain access to systems without due authorization
- (5) A member who is utilizing the University's resources to conduct research shall disclose this fact to the Chief Executive Officer and his activities shall be governed by such an agreement as may be made between oneself and the University.
- (6) A member shall observe the principles of the law governing intellectual property, copyright and other related matters in order to promote the culture of research and to uphold the integrity and academic freedom that members and students of public universities enjoy.

PART V: Mission code

10. SEKU members shall strive for professionalism, integrity and a responsible attitude towards their work and adopt a critical mind. They shall endeavour to exercise tolerance and openness to new ideas.

(1) Professionalism and courtesy.

- (a) A SEKU member shall strictly adhere to the terms of his/her employment contract. A breach of his employment contract shall be deemed to be a breach of this Code.
- (b) A SEKU member shall comport professionally with decency reasonable cause.
- (c) A SEKU member shall not absent himself from duty without an official permission
- (d) SEKU members shall actively and personally promote a culture in the University that aims at providing fast, friendly, responsive and efficient services and shall be courteous to all persons in the provision of such services.
- (e) The SEKU community shall practice and promote the principle that public officers should be appointed, nominated or selected on the basis of integrity, competence and suitability; or elected in fair elections.

(2) Performance of duties

The mission of SEKU shall be pursued by both staff and students through;

- (a) Full and consistent performance of teaching and research responsibilities and active participation in all University activities.
- (b) Initiatives and readiness to engage in other University delegated assignments when necessary.

PART VI: Integrity, tolerance and service code

11. The integrity of SEKU staff shall mainly be expressed through professional excellence and considerate ethical conduct following the guidelines below.

(1) Each member of SEKU shall conduct himself in a manner that promotes the universally recognized rights and freedoms of persons in order to protect the dignity of a person that the University seeks to serve satisfactorily.

(2) Each member of SEKU shall at all times uphold the dignity of the University by conducting his official duties and his private affairs with integrity and dignity.

(3) Each member of SEKU shall respect, protect and promote the human rights and freedoms of everybody in the University without discrimination on the basis of race, ethnicity, sex, political opinion, disability, religion or culture.

(4) Each member of SEKU shall at all times be guided by merit and sound judgments in giving any services or granting opportunities to persons seeking such services or opportunities from the University.

(5) Each member of SEKU shall promote tolerance of ethnic diversity and strive to advocate values in a responsible manner so as to prevent the tolerance of ethnic diversity from turning into indifference and apathy.

12. The service and anti-corruption code of SEKU members shall be guided by the following guidelines:

(1) A SEKU member shall not solicit for any property or benefit of any kind, for himself or for any person, on account of anything to be done or omitted by him in discharge of his duties or by virtue of his official position.

(2) A SEKU member shall ensure that no member of his family or relatives solicits or accepts any gift, money, hospitality, free passage or favours from any person or organization that might reasonably be thought to influence or be intended to influence the officer in discharging his official duties and responsibilities.

- (e) Where there has been an act of fraud or collusion to defraud;
- (f) Where examination irregularities have occurred; or
- (g) Where there has been any other breach of the Code of Conduct and Ethics or the terms and conditions of service by a member.

PART IX: The political code

17. A member who becomes selected or appointed as a representative of a political party may not be elected or appointed to any leading role in the University.

18. A member who wishes to contest a seat in the Central Government or a County Government or any other political office shall be required to resign his office in the University, and in accordance with the relevant election laws of the country.

19. A member shall not, in connection with the performance of their duties, act as an agent for, or so as to further the interest of, a political party; or indicate support for or opposition to any political party or candidate in an election.

20. A member shall not engage in political activity that may compromise or be seen to compromise the political neutrality of his office.

PART X: Resources utilization code

21. The University resources

The University's resources shall include;

- (1) Physical facilities such as buildings, recreational facilities, infrastructure and all moveable and immoveable assets;
- (2) Funds, however obtained, including funds received from students as tuition or accommodation fees, any donations, contributions or gifts, and any funds otherwise obtained for use for activities of the University;
- (3) Furniture, equipment, apparatus, stationery and research

(5) Each member shall not sexually harass a member of the public or a fellow public officer by making a request or exerting pressure for sexual activity or favours; making intentional or careless physical contact that is sexual in nature; and making gestures, noises, jokes or comments, including innuendoes, regarding another person's sexuality.

(6) Staff and students shall respect the values and ethical standards as defined by this Code of Conduct and Ethics when acting or speaking outside SEKU premises.

(7) Staff and students shall have the right of joining political parties, professional associations, religious groups, and other legal organizations. They may at those forums express their own opinions as private persons. However, when they speak or act as private persons they are expected to avoid engaging in potential conflicts of interest so that their activities do not conflict with their responsibilities and duties at SEKU.

(8) Academic staff who performs political and social analyses as experts according to their academic standards may privately present their findings and opinions to the general public or during their courses.

16. Disclosure of personal involvement

(1) A member shall be under obligation to disclose to the Chief Executive of the University any violation of this code or the General Code of Conduct and Ethics, and in particular:

- (a) Where an officer is charged with a serious offence under the Penal Code or any other law where a prison sentence may be imposed other than in default of payment of a fine; except in respect of proceedings for minor offences under the traffic laws, the local government by-laws, or the like.
- (b) Where an officer is declared bankrupt by a court of law;
- (c) Where there has been sexual harassment of an Officer by another officer, or of a student by a staff;
- (d) Where there has been neglect of duty or absenteeism at the place of work;

(3) Where a gift as shown in (b) above is given without the officer's knowledge or where refusal of a gift would be offensive to custom or might amount to bad public relations, the officer shall inform the Chief Executive Officer of the University who shall decide how the gift is to be disposed of.

(4) This rule shall not prohibit an officer from participating in social activities and accepting gifts during such occasions if the officer is participating in such activities in his personal or private capacity.

(5) ASEKU member shall not use the place of work as a venue for soliciting or collecting funds either as collector or promoter of a public collection, obtain money or other property from a person by using his official position in any way to exert pressure.

(6) Each SEKU member shall be responsible and obligated in upholding the University, School, departmental service charter and create an environment that enhances the achievement of the performance contract of the University.

PART VII: The academic code

13. SEKU shall strive to maintain academic freedom as a right and a fundamental responsibility of all staff and students. However, staff and students shall exercise their academic freedom through teaching, research, learning and creative activities, and shall be aligned with the generally accepted ethical and SEKU standards. All teaching and methods of instruction shall be based on proven scientific findings and empirical evidences.

(1) General academic code

- (a) Staff and students shall maintain a reasonable level of constructive criticism and responsible acceptance of new ideas to ensure a high level of quality and prevent oversimplification and extremism.
- (b) Members shall maintain openness to new ideas so as to form a basis of innovation and creativity for the advancement of the University's teaching and research.

(2) The instructional and assessment code

- (a) Each member of the academic staff shall organize his instruction, assessment and examination in a manner that complies with all institutional requirements and expectations.
- (b) Each member of the academic staff shall ensure that the examinations are delivered to the students as scheduled and that the result thereof is processed without undue delay.
- (c) Each member of the academic staff shall exercise fairness, diligence, care and attention in the performance of his duties, and shall seek to achieve high standards in teaching or administrative duties.
- (d) Each member of the academic staff shall promote the culture of research among University students, and shall assist in the overall development of the student as a scholar and a productive citizen.
- (e) Each member of the academic staff involved in the conduct of examinations shall ensure that the contents of the examination papers are kept secret and are only released to students when they are sitting for the particular examination.
- (f) Each member of the academic staff whose duties involve the grading or assessment of examination performances shall at all times be guided by the rule of merit in grading or assessing the examination candidates.

(3) The research code

Research activities shall be guided by the principles of research freedom, academic freedom, personal integrity, and high level of research honesty.

- (a) Researchers' honesty shall involve consistent respect of authorship, correct recognition and citation of other authors' works, objective setting of research hypotheses, the consistent use of acceptable scientific research methods, and professional irrefragable interpretation of results, honest data reporting and reviewing of manuscripts.
- (b) Researchers shall also carefully adhere to internationally recognized ethical rules and standards that apply to their specific fields of research.

PART VIII: Staff private business and interests conduct code

14 Private operation interests and association code.

- (1) Each member shall ensure that he does not subordinate his official duties to his private interests or put himself in a position where there is conflict between his official duties and his private interests;
- (2) Each member shall not associate outside his official duties with any financial or other activities in circumstances where there could be suspicion that his official position or official information available to him was being turned to his private gain or that of his associates;
- (3) Each member shall endeavour not to engage in any occupation or business which might prejudice his status as an officer or bring his office or University education into dispute. This shall include prohibition of drug and substance abuse as an officer of SEKU at all times.
- (4) Each member shall not in any way trade with his employer or allow his spouse or relatives to do so, or trade with any other institution where he is likely to have an advantage by virtue of his office.

15 Conduct of private affairs code.

- (1) Each member shall individually conduct his private affairs in a way that maintains and enhances public confidence in the integrity of the University.
- (2) Each member shall not neglect his financial and other obligations to his family and other persons or organizations or government taxes.
- (3) Each member shall prudently manage his finances to avoid financial embarrassment to himself and the University.
- (4) Each member shall endeavour to be a role model to his students, colleagues and other people around him and shall therefore refrain from engaging in activities that undermine this role or bring the University into disgrace.