



Principle

Maintaining ethical norms and standards in all DSA dealings, including the early identification and resolution of unethical conduct, is the responsibility of every DSA Stakeholder.

DSA members, personnel, public and private sector partners, contractors, suppliers, community and beneficiaries who have a 'stake' in some aspect of DSA's operations and outcomes are collectively considered as DSA Stakeholders. Adherence to this Code of Ethical Conduct shall therefore also constitute an integral part of all DSA contracts, and shall be available on the DSA website.

Although this Code endeavours to address a wide range of circumstances it cannot anticipate every issue that may arise. When doubts arise on either the letter or spirit of this Code, the DSA Secretary shall provide interpretive clarification and guidance.

Policies and Procedures

1. Governance, Risk Management, Internal Controls & Compliance:

DSA's governance structure is laid out in the DSA Constitution that describes the manner in which the DSA Board governs DSA's affairs. The DSA Board further adheres to the legal frameworks provided by the Kenyan Non-Governmental Organisation (NGO) Coordination Act and the Science and Technology Act of 1979, and to the governance principles outlined by the Kenyan National Council for Science and Technology (NCST) and the Ministry of Education, Science and Technology.

DSA ensures that critical information reaching the DSA Board is sufficiently complete, accurate and timely to enable appropriate management. DSA also provides the mechanisms to ensure that strategies, decisions and instructions from the Board are carried out systematically and effectively.

A central component of DSA Board management concerns the implementation of risk management systems and processes through which to identify, analyse, and where necessary respond appropriately to risks that might adversely affect the realisation of the DSA's objectives.

To mitigate identified risks the DSA Board ensures the following risk management systems and processes:

- Adequate internal controls are in place to prevent losses, or at the very least detect them in a timely manner.

DSA Stakeholders are required to strictly comply with DSA's internal controls while engaged in DSA operations. Internal controls assure achievement of DSA's objectives in, among others, operational effectiveness and efficiency, reliable financial management, and compliance with international ethical norms and standards.

- DSA ensures compliance with internal controls is achieved by: incorporating internal controls in contracts, policies and procedures; ensuring Project Managers emphasise and monitor the state of compliance; assessing the risks and potential costs of non-compliance against the projected expenses to achieve compliance; and prioritising and initiating any corrective actions deemed necessary.
- Annual internal and external audits, and prompt implementation of any recommendations made

as a result of these audits.

- Adequate security safeguards for DSA assets, and for DSA Stakeholder assets under DSA control.
- Adequate measures sensitising DSA Stakeholders of key DSA internal controls, policies and procedures, and technical support to ensure compliance.

2. Conditions in the Work Environment:

- DSA is committed to offering equal opportunities in the work environment and will seek to recruit, develop and retain the best talented people through a rigorous but fair and transparent selection process that shall be based on qualification, experience and suitability.
- DSA maintains a work environment where diversity is valued and respected. Discrimination, harassment or intimidation, whether based on a person's race, gender, colour, creed, religion, nationality, citizenship, age, disability, marital status, sexual orientation or socio-economic status is strictly prohibited and is completely inconsistent with DSA's aspirations of providing a respectful, professional and dignified work environment.
- DSA is committed to maintaining a healthy and productive work environment. Misuse of controlled substances, and/or the sale, manufacture, distribution, possession, use or being under the influence of mind-altering substances while on the job is prohibited.
- The safety of the work environment is of utmost importance. DSA shall comply with all applicable health and safety standards including applicable laws to help maintain secure work surroundings.

3. Preventing Fraud and Corruption:

DSA upholds a "Zero-Tolerance" to any form of fraud or corruption, whether direct or indirect.

DSA's Stakeholders (including the Stakeholders' personnel) are required to refrain from, and to have procedures in place to address, incidents of fraud and corruption.

Fraud can be defined as any act or omission that intentionally misleads, or attempts to mislead a party, to obtain a financial or other benefit, whether for oneself or for a third party. Fraud could involve misappropriation of cash or other assets, issuing fraudulent statements, or purposefully misreporting or omitting information.

Corruption can be defined as the offering, giving, receiving or soliciting, anything of value directly or indirectly in order to improperly influence the actions of another party or in exchange for the performance or omission of a function or activity whether or not these are to officers of public or private institutions.

4. Gifts and Benefits:

Gifts or benefits may not be accepted under circumstances in which it could appear that professional judgment has been compromised.

DSA Stakeholders shall not accept gifts or benefits from a third party if the benefit is attributable to the fact that the person is a DSA Stakeholder, or to any act or omission of the person as a DSA Stakeholder.

Where a gift or benefit is given without the DSA Stakeholder's knowledge, or where refusal of a gift or benefit would be offensive to custom or might amount to bad public relations, the recipient shall inform the DSA Secretary by filling the Gift/ Benefit Declaration Form (Form 5.A).

Under no circumstances shall DSA Stakeholders offer or accept anything of value to a public official for the purpose of influencing the recipient to take or refrain from taking any official action, or to induce the recipient to engage DSA's services.

5. Avoiding Conflicts of Interest:

DSA Stakeholders shall be sensitive to any activities, interests or relationships that might interfere with, or even appear to interfere with, their ability to act in the best interests of DSA.

DSA Stakeholders shall inform the DSA Secretary of existing or potential, real or perceived, conflicts of interest by filling the Conflict of Interest Disclosure Form (Form 5.B).

Areas in which conflicts of interest may arise include:

- Use of DSA's name, facilities or relationships for personal benefit or outside work without appropriate authorisation;
- Actual or proposed professional relationships or transaction between DSA and entities in which DSA Stakeholders are interested parties, or from which the latter may derive a benefit;
- Personal investment in enterprises if the investment might affect or appear to affect the DSA Stakeholders' ability to make unbiased professional decisions for DSA.

6. Dealing with Scientific Misconduct:

Scientific misconduct is understood as offences against the principles of ethics and good practice accepted in the scientific environment.

DSA Stakeholders facing allegations of scientific unreliability shall urgently undertake to offer compelling clarification of all facts and circumstances. If the allegations prove to be justified, the DSA Secretary shall arrange for thorough investigation of the allegations so that appropriate corrective actions can be undertaken. It is essential that persons with substantial experience in the domain in question participate in the investigation.

The response to revealed scientific misconduct shall depend on the gravity of the misconduct, on whether or not it was deliberate, as well as on other attenuating or aggravating circumstances.

Scientific misconduct may occur at the stage of the research proposal while applying for grants, in the process of conducting and reviewing research, in reference to the work of other researchers, or in the preparation of expert opinions.

Examples of misconduct that particularly undermine the scientific ethos, and that gravely infringe on the basic principles of science include:

- Fabricating research findings, inventing results and presenting them as genuine;
- Falsifying research findings by changing them or omitting uncomfortable data resulting in the false presentation of the findings;
- Plagiarising and or expropriating other persons' ideas, research findings, or texts, without mentioning the source is an unacceptable offence against other researchers and an infringement of intellectual property rights;
- Writing false reviews for doctoral dissertations, for applications for the title of Professor, for applications for employment in scientific institutions, or for research projects;
- Refraining from expressing an expert opinion or a refusal to do so, if the evaluation, in the expert's opinion would be negative;

- Failing to comply with the good practice of scientific work, especially adopting a negligent approach to conducting research or to the analysis of its findings, and slovenliness in handling data;
- Failing to conform to the guidelines on biomedical research involving human subjects requiring that the research be based on laboratory and animal experimentation and a thorough knowledge of the scientific literature in the area of the research;
- Omitting to transmit the protocol for experimental procedures involving human subjects to an appropriate ethics clearance committee independent of the investigator and the sponsor of the research for consideration, comment and guidance;
- Employing improper procedures related to revealed scientific misconduct, such as not reporting the observed scientific misconduct, attempts at cover-up or retaliation against the Whistle-blowers.

7. Appropriate Use of Assets:

All tangible and intangible assets belonging to DSA, and assets belonging to DSA Stakeholders that are under DSA control, shall be used only for their intended professional purpose. Such assets include money, confidential data and information, intellectual property, tools, equipment, hardware and software, among others.

DSA Stakeholders with access to non-public information about DSA shall protect the confidentiality of that information and will not disclose proprietary or confidential information about DSA to anyone who is not authorised to receive it.

Misappropriation of DSA assets will constitute an act of fraud against the DSA and affected DSA Stakeholder(s).

8. Accuracy of Records and Reporting:

All records, data and information owned, collected, used and managed by DSA, including reports, shall be accurate, complete and maintained in sufficient detail as to accurately reflect DSA's true position.

DSA Stakeholders shall be individually responsible for the integrity of the records, data, information and reports under their control, and records shall be retained in accordance with DSA Standard Operating Procedures (SOPs) and applicable laws.

DSA Financial Statements and Management Accounts shall be prepared in accordance with generally accepted accounting principles and fairly present, in all material respects, DSA's financial condition and results.

9. Reporting Incidents of Unethical conduct:

DSA Stakeholders who detect or suspect incidents of unethical conduct where DSA projects or operations may be prejudiced have an obligation to report the unethical conduct to the Project Manager responsible for the operations where the incident is supposed to have occurred, and must do so in sufficient detail to enable comprehensive and objective investigation of the matter reported.

All incidents of unethical conduct should be reported regardless of materiality.

If the reporter is not satisfied with the Project Manager's response to the incident report, or has reason to believe that the Project Manager might be involved, the reporter shall contact the DSA Secretary, either openly or anonymously using the Whistle-blower Policy.

The Project Manager or DSA Secretary, as the case might be, shall be responsible for completing the Incident Reporting Template (Form 5.C).

This document should be completed at the earliest opportunity – even though investigations may be underway – and submitted directly to the DSA Chairman for communication to the DSA Board. As new information becomes available, this document should be updated and resubmitted.

10. Investigation and Follow-up Actions:

The DSA Secretary shall be responsible for ensuring that reported incidents are properly and conclusively investigated. Investigations shall be conducted without regard to concerned parties' relation with DSA.

DSA Stakeholders shall co-operate fully with any officially authorised and communicated internal or external investigations into unethical conduct. The purpose of such investigation is to determine whether or not there are facts to support the allegation of unethical conduct. An investigation is an administrative fact-finding exercise to determine whether unethical conduct has occurred, and is not a punitive undertaking.

Once established, an act of unethical conduct shall constitute a serious breach of trust that may justify the termination of relations between DSA and the concerned DSA Stakeholders. DSA may also institute appropriate remedial measures, including:

- Using all available means to recover misappropriated funds or assets, including by making deductions from outstanding dues;
- Taking civil judicial action before the relevant national judicial authorities;
- Reporting appropriate cases to national authorities for criminal investigation and prosecution;
- When unethical conduct has occurred due to a weakness or breakdown in DSA SOPs, ensuring that improvements are promptly implemented in order to prevent recurrence.

Unethical conduct reported but not deemed to have been appropriately investigated and/or addressed should be promptly brought to the attention of the DSA Chairman, for the intervention of the DSA Board.

11. Whistle-blower Policy:

DSA's Whistle-blower Policy allows for anonymous reporting of detected and suspected incidents of unethical conduct of a particularly sensitive nature entailing a level of risk to the reporter (hereinafter referred to as the Whistle-blower), by providing the mechanism by which concerns can be raised and addressed, free of fear, harassment and retaliation.

Whistle-blowers seeking anonymity must act in good faith and have reasonable grounds for their allegations. No Whistle-blower who reports potential unethical conduct in good faith will suffer any form of retaliation. On the other hand, this policy does not protect a Whistle-blower who wilfully makes allegations that they know to be false, or makes allegations with intent to misinform.

The DSA Secretary shall receive the Whistle-blower's report and determine whether the report falls within the scope of this Policy. If the report is considered as having sufficient substance and falling within the scope of this Policy, the DSA Secretary shall render the report anonymous by removing the

name of the Whistle-blower from the report and completing the Incident Reporting Template (Form 5.C).

The DSA Secretary shall then forward the report to a special Investigation Committee composed of DSA members, who will be tasked with investigating the matter and, depending on the nature of the case, may wish to include external parties in the investigation. These investigations will be carried out in complete independence and confidentiality.

The Investigation Committee shall report its findings and possible action taken (or to be taken) to the DSA Secretary, who will be tasked with informing the Whistle-blower of the outcome.

The DSA Secretary shall also periodically report to the DSA Board on the level and nature of the reports made under this Policy, as well as the outcomes of investigations undertaken.