

Anti-Corruption Policy

1.0 Introduction

The **Higher Education Commission (HEC)** recognizes that the risk of corruption is present and may occur in the organization. It is committed to maintain the highest level of integrity in the conduct of its affairs through the adoption of corruption prevention strategies in the organisation.

This anti-corruption policy sets out the full commitment of the **HEC** for the deterrence and detection of corruption and for adherence to a culture of integrity.

The objectives of the HEC are as follows:

- The monitoring and overseeing of the Higher Education Sector
- Ensuring the availability of adequate resources (HR, Physical), rationalization of teaching programmes in Public Higher Education Institutions, and promotion of research
- Promotion and Development of higher Education
- Foster the achievement of international standards of scholarships
- Facilitate the implementation of the national higher education strategy

The officers of the Commission should abide to the regulations and guidelines set out by the Commission in the performance of their duties and they should adopt with anti-corruption strategies in areas of activity falling under their responsibility for allocation of funds to the Higher Education Institutions under its purview and to ensure accountability and optimum use of resources.

2.0 Statement of Intent

The organisation will not tolerate corruption in the administration of its responsibilities, whether from inside or outside. It expects the highest standards of conduct from staff, and those who have dealings with the organisation including stakeholders and the general public. It is committed to ensuring that the risks of corruption and the potential losses that might result are minimized.

The staff at HEC is required to:-

- **act with integrity, competence, diligence, respect, and in an ethical manner with the public, clients, prospective clients, employers, employees and colleagues.**
- **act in a professional and ethical manner that will reflect credit on themselves and the profession. Officers are encouraged to voice out malpractices through an integrity reporting mechanism which will be kept confidential (not disclosed to any unauthorised party).**

The factors for an effective and ethical organizational culture is based on the following initiatives:

- **Management commitment to instill a culture of integrity in the organisation**
- **Capacity building and engagement of staff at all levels**
- **Effective communication within the organisation and with all stakeholders**
- **Regular monitoring of staff performance**
- **Appropriate actions taken regarding suspected acts of corruption**
- **Adherence to principles of transparency, accountability and fairness**

3.0 Policy Statement

The **Higher Education Commission** is committed to promoting and adhering to the highest standards of probity, transparency and accountability in the operations and management of the affairs of the Commission. Through this policy it engages itself to fully and unequivocally adopt a zero-tolerance stance towards corruption and other malpractices and shall ensure compliance with the anti-corruption legislation.

4.0 Anti-corruption Commitment

The **Higher Education Commission** has adopted its Anti-Corruption Policy and has thus committed itself to use all available means and resources at its disposal to combat corruption in all its forms with zero tolerance for any wrong undertaking at all times including the application of appropriate prevention and detection control measures.

For the purpose of ensuring sound implementation of this policy, the HEC will ensure that:

- Employees have sufficient knowledge concerning the anti-corruption policy and that it is applied to all undertakings.
- Adequate controls to counteract corruption are known and used within the organization.
- There are clear procedures and systems to avoid corruption and for handling suspected cases of corruption.
- All our stakeholders are aware of the organization's anti-corruption policy.

The main objective of this anti-corruption policy is to strengthen and sustain an integrity culture within the Commission. This will be achieved through:

- The setting-up of effective processes characterized by broad participation and transparency.
- Regular evaluation of corruption risks, systems and procedures.
- Ensuring that projects have clearly formulated goals, expected results as well as monitoring and follow-ups.
- Learning from experiences and continually improving organizational performance and the corporate image.

5.0 Scope and Applicability

This policy covers measures and practices of the **Higher Education Commission** on preventing and combating corrupt, fraudulent, collusive or coercive practices (with regard to conflict of interests and gifts) in its activities and operations. This policy applies to all staff working at the Commission. It ensures that each employee performs his/her duties and responsibilities with integrity and professionalism.

Higher Education Institutions and other relevant stakeholders having a business relationship with the organization should be made aware of this policy to ensure integrity in dealings.

6.0 Definitions

For the purpose of this policy, an act of corruption is defined as per section 2 of the Prevention of Corruption Act as amended.

"act of corruption" -

- (a) means an act which constitutes a corruption offence; and

- (b) includes -
- (i) any conduct whereby, in return for a gratification, a person does or neglects from doing an act in contravention of his public duties;
 - (ii) the offer, promise, soliciting or receipt of a gratification as an inducement or reward to a person to do or not to do any act, with a corrupt intention;
 - (iii) the abuse of a public or private office for private gain;
 - (iv) an agreement between 2 or more persons to act or refrain from acting in violation of a person's duties in the private or public sector for profit or gain;
 - (v) any conduct whereby a person accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification for inducing a public official, by corrupt or illegal means, or by the exercise of personal influence, to do or abstain from doing an act in the exercise of his duties to show favour or disfavour to any person.

All the corruption offences are described in sections 4 to 17A of the Prevention of Corruption Act 2002 as amended. These include, amongst others, bribery by public official, bribery of public official, taking gratification to screen an offender from punishment, public official using his office for gratification, traffic d'influence and conflict of interests.

7.0 Responsibilities for implementing the policy

The responsibility to develop and coordinate the implementation of the policy shall rest upon the Anti-Corruption Committee (ACC). The ACC shall set priorities, provide advice when ethical issues arise and communicate the policy to all levels of management and staff.

The Anti-Corruption Committee - The committee shall comprise of members from both operational and support departments of the Commission.

The person identified by the Commission shall lead the project and chair all meetings. The ACC shall be responsible for coordinating and implementing the ACC. It shall develop a time-bound programme with clear and precise deliverables and related budget and execute it once approved by top management. The organisation shall designate an officer to act as Secretary to the Committee.

The committee shall meet on a regular basis, preferably every month or as decided by the Chairperson of the ACC. The Chair shall decide upon the setting up of sub-committees to assist the ACC in the implementation of any initiatives decided by the ACC.

Role of Management -It is the responsibility of Commissioner and Heads of divisions to promote the **anti-corruption policy** within their areas of operation. They are expected to actively deter, prevent and detect corruption by maintaining effective control systems and ensuring that their staff is familiar with the policy.

Role of Employees -Each employee shall read, be familiar with and strictly comply with the policy. The organisation shall ensure that each employee is provided with a copy of this policy or otherwise has on-line access.

Role of Internal Auditor- The Internal Audit has the responsibility to ensure the effectiveness and adequacy of the Internal Control System in place. It should ensure that system is subject to regular audit to provide assurance that they are effective in countering corruption opportunities.

Role of Integrity Officer -An Integrity officer, designated by the HEC, is expected to act as secretary of the ACC, coordinate with the ICAC in the implementation of integrity and ethics programme and training and facilitate the development, implementation and monitoring of anti-corruption policies and procedures in the ACC.

8.0 Risk Assessment

The **Higher Education Commission** is conscious that the risk of corruption may occur in every sphere of its activities and may evolve in the light of changing circumstances and working environment. In its endeavour to proactively address risks of corruption, the **Higher Education Commission** shall ensure that a proper risk management process is in place. Risk assessment should focus on a thorough analysis of the functional activities in close collaboration with officers involved in the process with a view to identifying potential or actual corruption risk areas. With respect to risk identified necessary corruption prevention measures including policies and procedures should be developed to address the risks. The responsibility to plan, coordinate and monitor the risk management process rests with the ACC.

9.0 Handling and reporting corruption

Reporting suspected cases of corruption - Notwithstanding Section 44(1) of the Prevention of Corruption Act 2002 as amended which provides that where an officer of a public body suspects that an act of corruption has been committed within or in relation to that public body, he **shall** forthwith make a written report to the ICAC, the Commission shall put in place measures that shall facilitate the reporting of suspected cases to the ICAC.

Section 45 of the PoCA, as amended, provides that where in the exercise of his functions, the Chief Executive of a public body is of the opinion that an act of corruption may have occurred, he may refer the matter to the ICAC for investigation.

The Higher Education Commission may consider the setting up of a committee to assist the Commissioner in determining whether there is a reasonable doubt for suspicion of corruption prior to referral of the case to the ICAC for Investigation. However, it should ensure that members of the Committee have the necessary capacity and expertise to determine reasonable doubt for suspicion of corruption and maintain total confidentiality in order to uphold integrity of any subsequent investigation.

10.0 Protection of whistleblowers

There will be no reprisal by management against “the public official” who in good faith reports an act of corruption or malpractice or suspected illegal and dishonest activity or any activity that he/she has witnessed. However, disciplinary actions may be taken against any person who knowingly had made false allegations.

11.0 Disciplinary measures

The **Higher Education Commission** is committed to ensuring that this policy is duly implemented in the organisation.

Disciplinary measures in accordance with established procedures will be taken against any staff that is found guilty of a breach of the provisions contained in this policy.

12.0 Training and Communications

The Higher Education Commission recognises that the success and credibility of this policy depends on effective training, communications and the awareness of all employees throughout the organisation. Management should ensure that the anti-corruption policy is clearly disseminated to all staff and that its contents are understood.

13.0 Review of policy

This policy will be reviewed annually or earlier if necessary or in the event of any changes in the laws and regulations that are relevant to the Higher Education Commission. The Chairperson of the ACC should recommend the review to the Board or Commissioner as applicable.

14.0 Approval




Chairman of Board

 10/6/21

Date



Commissioner

 14/6/21

Date