



# Anti-Bribery and Anti-Fraud Policy

Youth for Green Action Kenya (YGAK)

## 1. Introduction

Corruption and fraud undermine social justice, economic development and public trust. For YGAK, they pose a direct threat to our mission of youth empowerment, climate action and inclusive governance. YGAK acknowledges its responsibility to remain accountable to the public, beneficiaries, donors, and partners, and commits to upholding the highest standards of integrity in line with Kenyan legislation including; the Bribery Act (2016), Anti-Corruption and Economic Crimes Act (2003), and Penal Code as well as international standards such as the UN Convention Against Corruption and the UN Global Compact Principle 10.

## 2. Policy Statement

YGAK maintains a zero-tolerance approach to bribery, fraud and corrupt practices. We are committed to preventing, detecting and responding to misconduct through robust systems, transparent procedures and ethical leadership. All suspicions of fraud or corruption will be taken seriously and addressed promptly. Breaches of this policy may result in disciplinary action, termination of engagement and legal referral.

## 3. Purpose

This policy communicates YGAK's stance and framework for mitigating the risk of bribery and fraud. It outlines expectations for all staff, volunteers, board members, partners, donors and contractors in upholding ethical conduct and protecting organizational resources.

## 4. Scope

This policy applies to all individuals and entities associated with YGAK, including employees, volunteers, board members, implementing partners, donors, vendors, contractors, and grantees. It covers all organizational activities, including procurement, financial management, program delivery, and stakeholder engagement.

## 5. Definitions

- ❖ **Bribery:** Offering, promising, giving, accepting, or soliciting an advantage to induce or reward improper conduct. Includes kickbacks, facilitation payments, and favours.
- ❖ **Fraud:** Intentional deception for personal or organizational gain, including forgery, misrepresentation and misuse of funds or assets.

- ❖ **Corruption:** Abuse of entrusted power for private gain, encompassing bribery, nepotism, and extortion.
- ❖ **Theft:** Unauthorized taking or use of property belonging to another.
- ❖ **Extortion:** Coercion to obtain a benefit through threats or intimidation.
- ❖ **Conflict of Interest:** A situation where personal interests compromise professional judgment or duties.
- ❖ **Suspicion:** A reasonably held belief that misconduct may have occurred.

## 6. Prohibited Practices

YGAK prohibits all forms of bribery, fraud, and corruption. This includes:

- ❖ Offering or accepting bribes, kickbacks, or facilitation payments.
- ❖ Misuse or misappropriation of funds, assets, or information.
- ❖ Falsifying records or reports.
- ❖ Nepotism or favoritism in recruitment or procurement.
- ❖ Concealing conflicts of interest.
- ❖ Making donations or payments to gain undue advantage.
- ❖ Engaging in collusive or coercive practices.

## 7. Gifts and Hospitality

Gifts and hospitality may be construed as bribery if intended to influence decisions or create a sense of obligation. YGAK staff and affiliates must not accept or offer gifts that compromise professional judgment. Small, reasonable tokens may be accepted only if they do not create a conflict of interest or perception of impropriety.

## 8. Prevention Measures

YGAK will implement the following safeguards:

- ❖ **Leadership Commitment:** The Board and Secretariat will set the tone for ethical conduct and oversee implementation.
- ❖ **Risk Assessment:** Fraud and bribery risks will be assessed during program design and monitored through YGAK's risk management framework.
- ❖ **Internal Controls:** Clear procedures, segregation of duties, and financial oversight will be maintained.
- ❖ **Due Diligence:** All third parties will undergo risk-based screening and contractual obligations will include anti-fraud clauses.
- ❖ **Training and Awareness:** Staff, volunteers and partners will receive induction and periodic training on this policy.
- ❖ **Monitoring and Evaluation:** Effectiveness of controls will be reviewed regularly and improvements guided by the Board.

## 9. Reporting Misconduct

All YGAK representatives are required to report suspicions of fraud or bribery immediately. Reports may be made to a line manager, senior officer, or directly to the Chief Executive Officer or Chairperson of the Board. Anonymous reports will be accepted. All reports will be treated confidentially and investigated promptly.

## **10. Investigations and Response**

Credible suspicions will be investigated by qualified personnel or external experts. Investigations will be conducted with fairness, confidentiality, and adherence to due process. Outcomes may include disciplinary action, recovery of assets, and external reporting to authorities such as the Ethics and Anti-Corruption Commission.

## **11. Malicious Reporting**

No one will face retaliation for reporting concerns in good faith. However, malicious or frivolous reports made to harm others may result in disciplinary action.

## **12. Grantee and Partner Obligations**

Partners and grantees must maintain proportionate procedures to prevent fraud and bribery in YGAK-funded programs. Suspicions must be reported within 48 hours. Investigations must be conducted ethically, and outcomes shared confidentially with YGAK. Compliance with this policy is a contractual requirement.

## **13. Records and Documentation**

YGAK will maintain a register of all reported cases and outcomes. Managers must ensure proper documentation of financial decisions, procurement, recruitment, and gifts. The Board will receive anonymized quarterly reports.

## **14. Roles and Responsibilities**

- ❖ **Board of Directors:** Provide strategic oversight and ensure accountability.
- ❖ **Secretariat and Management Staff:** Implement controls, monitor compliance, and respond to allegations.
- ❖ **Volunteers:** Uphold ethical standards and report concerns.
- ❖ **Partners and Contractors:** Comply with this policy and cooperate with investigations.

## **15. External Reporting**

Where required by law or donor agreements, YGAK will report confirmed cases to relevant authorities, including the Ethics and Anti-Corruption Commission.

## **16. Data Protection**

All investigation records and reports will be handled in accordance with YGAK's Data Protection Policy. Information will be shared strictly on a need-to-know basis.

## **17. Review and Approval**

This policy shall be reviewed every two years or earlier if needed. This Policy takes effect upon approval by the YGAK Board of Directors and remains in force until reviewed or amended. All staff, volunteers, and partners are required to acknowledge receipt and understanding of this policy upon engagement with YGAK.

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**Prepared by:**

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**Approved by:**

Chairperson, YGAK Board of Directors

**Date:** \_\_\_\_\_

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