



NATIONAL WATER HARVESTING & STORAGE AUTHORITY

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NWHSA CODE OF CONDUCT

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FOREWARD

The mandate entrusted to the National Water Harvesting and Storage Authority (NWHSA) is the management of water harvesting and storage infrastructure to enhance water security and encourage sustainable development throughout Kenya. To achieve this goal, the Authority must conduct all of its operations with the highest standards of professionalism, honesty, accountability, and ethical behavior.

This Code of Conduct Policy provides a comprehensive framework of ethical standards and behavioral expectations for Board members, management, employees, consultants, contractors, and all persons acting on behalf of the Authority. The policy aligns with the values and principles of public service enshrined in the Constitution of Kenya 2010 and the Code of Conduct and Ethics issued by the Public Service Commission.

By adhering to these standards, officers ensure that their actions are guided by transparency, fairness, and accountability, thereby safeguarding both their personal integrity and that of the Authority. It covers areas including professional and statutory obligations, conflict of interest, gifts and benefits, financial integrity, impartiality, and the responsible management of official information.

The Board of Directors recognizes that ethical leadership and responsible conduct are the cornerstone of effective governance. This policy is therefore not only a compliance tool but also a guide to foster a culture of ethical decision-making, professionalism, and respect for the rule of law throughout the Authority.

I urge all officers to familiarize themselves with its provisions, to uphold its principles in the execution of their duties, and to actively contribute to an organizational culture where integrity and public service excellence are paramount.

On behalf of the Board of Directors, I commend this Code of Conduct Policy as a critical instrument for promoting ethical conduct, protecting the reputation of the Authority, enhancing operational excellence, and reinforcing public confidence in the services we provide.



.....
Chairman of the Board of Directors

ACKNOWLEDGEMENT

As the Chief Executive Officer of the National Water Harvesting and Storage Authority, I formally acknowledge the adoption of this Code of Conduct as an essential framework for guiding ethical and professional behavior across the Authority.

I recognize that this Code of Conduct Policy provides clear guidance on the standards of conduct expected of all Board members, management, employees, consultants, interns, contractors, and any person acting on behalf of the Authority.

This Code of Conduct Policy serves as a comprehensive reference for promoting integrity, accountability, and professionalism in every aspect of our work. It provides clear standards of conduct, outlines expectations for ethical decision-making, and ensures that all actions by officers of the Authority are aligned with the values and principles of public service enshrined in the Constitution of Kenya (2010) and relevant regulatory instruments.

I commit to upholding its provisions and to leading by example in fostering a culture where the Authority's core values including high standards of professional ethics, efficient and prudent use of public resources, responsive and equitable service delivery, transparency and accountability in decision-making, fairness and merit in appointments and promotions, and representation of Kenya's diverse communities are consistently applied in all decisions and actions.

By consistently following this policy, we reinforce public confidence, protect the Authority's integrity and reputation, and ensure that all our operations uphold the highest standards of ethical and responsible governance.

I implore every officer to internalize the principles of this Code of Conduct Policy, apply them in their daily work, and actively promote an organizational culture that values integrity, professionalism and accountability in fulfilling our mission.



Eng. Julius Mugun. P.E, MIEK, MCIArb
Ag, Chief Executive Officer

INTRODUCTION

The National Water Harvesting and Storage Authority (NWHSA) is committed to maintaining the highest standards of professionalism, integrity, accountability, and ethical conduct in the execution of its mandate.

As a public institution, the Authority is entrusted with managing public resources and delivering services that support sustainable water harvesting and storage across the country. In fulfilling this responsibility, all officers of the Authority must conduct themselves in a manner that upholds public trust and reflects the values of the Authority.

This Code of Conduct establishes the ethical standards and behavioral expectations for all Board members, management, employees, and persons acting on behalf of the Authority. The Code aligns with the values and principles of public service as set out in the Constitution of Kenya 2010, PPADA 2015, PFM Act 2012, the Code of Conduct and Ethics issued by the Public Service Commission of Kenya and the Authority's Human Resources, Policies and procedures Manual.

Purpose of the Code

The purpose of this Code is to:

1. Promote integrity, professionalism, and accountability within the Authority.
2. Provide guidance on acceptable standards of conduct.
3. Ensure consistency with national public service values and principles.
4. Promote ethical decision-making in the performance of official duties.
5. Safeguard the reputation and credibility of the Authority.

Scope of Application

This Code applies to:

1. Members of the Board of Directors.
2. The Chief Executive Officer.
3. All employees of the Authority.
4. Consultants, interns, and contractors engaged by the Authority.
5. Any person acting on behalf of the Authority.

All persons covered by this Code are required to comply with its provisions at all times.

Core Values and Principles

Officers of the Authority shall uphold the national values and principles of public service as provided under the Constitution of Kenya 2010, including:

1. High standards of professional ethics

2. Without limiting the generality of sub-paragraph (1), an officer shall not hold shares or have any other interest in a company, partnership or other body, directly or through another person, if the holding of those shares or having that interest would result in a conflict with his or her official duties.
3. An officer whose personal interests are or may be in conflict with his or her official duties shall declare those personal interests to the Authority.
4. The Authority may give directions on the appropriate action to be taken by the officer to avoid the conflict of interest and the officer shall—
 - a) Comply with the directions;
 - b) Refrain from participating in any deliberations with respect to the matter.
5. Notwithstanding any directions to the contrary under sub paragraph (4), an officer shall not award or influence the award of a contract to—
 - a) Himself or herself, his or
 - b) Her spouse or child; or
 - c) A business associate or agent.
6. In this paragraph, a "conflict of interest" includes the interest of a spouse, a child, a business associate or an agent, or any other matter in which the officer has a direct or indirect pecuniary or non-pecuniary interest.
7. Where an officer is present at a meeting where an issue that is likely to result in a conflict of interest is to be discussed, he or she shall declare the interest at the beginning of the meeting or before the issue is deliberated upon.
8. A declaration of a conflict of interest under sub-paragraph (7) shall be recorded in the minutes of that meeting.
9. The Authority shall maintain a register of conflicts of interest in the form set out in the Third Schedule to this Code in which an affected officer shall register the particulars of registrable interests, stating the nature and extent of the conflict.
10. For the purposes of sub-paragraph (9), the registrable interests include the interests set out in the First Schedule to this Code.
11. The Authority shall keep the register of conflicts of interests for five years after the last entry in each volume of the register.

An officer shall amend the record of his or her registrable interest in the register maintained under sub-paragraph (9) whenever there is a change in those registrable interest and such an amendment shall be made within thirty days of the change in the conflict of interest.

Gifts, Hospitality, and Benefits

1. A gift or donation given to an officer in his or her official capacity shall be treated as a gift or donation to his or her office.
2. Notwithstanding sub-paragraph (1), an officer may receive a gift given in his or her official capacity provided that: -
 - a) The gift is within the ordinary bounds of propriety;

- b) The gift is an ordinary expression of courtesy or protocol, or within the ordinary standards of hospitality;
 - c) The gift is not in monetary form;
 - d) The gift does not exceed such value as may be prescribed by the Ethics and Anti-Corruption Commission and the Authority's Gift Policy.
3. Without limiting the generality of sub-paragraph (2), an officer shall not: -
- a) Accept or solicit gifts, hospitality or other benefits from a person who: -
 - i. Has an interest that may be achieved by the carrying out or not carrying out of the officer's duties;
 - ii. Carries on regulated activities with respect to which the Authority has a role; or
 - iii. Has a contractual or legal relationship with the Authority;
 - b) Accept or offer gifts of jewelry or other gifts comprising precious metals or stones, ivory or any other animal part protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora; or
 - c) Any other type of gift specified by the Ethics and Anti-Corruption Commission and the Authority's Gift Policy.
4. An officer shall not receive a gift which is given with an intention of compromising his or her integrity, objectivity or impartiality.
5. Subject to sub-paragraph (2), an officer who receives a gift or donation shall declare the gift or donation to the Authority.
6. Whereas an officer can accept gifts dictated by custom such gifts shall not be given or accepted in the public office.
7. The Authority shall keep a register in the form set out in the Second Schedule to this Code of: -
- a) All gifts received by officers in the Authority; and
 - b) All gifts given by the Authority.
8. The Authority shall comply with the Ethics and Anti-Corruption Commission Regulations on the receiving and disposal of gifts.

Wrongful and unlawful acquisition of property

An officer shall not use his or her office to wrongfully or unlawfully acquire or influence the acquisition of property.

Misuse of official information

1. An officer shall not use or allow any person under the officer's authority to use any information obtained through or in connection with the office, which is not available to the public, for the furthering of any private interest.
2. Sub-paragraph (1) shall not apply where the information is used for: -

- a) Furthering the purposes of this Code; or
 - b) Education, research, literary, scientific or other purposes not prohibited by law.
3. Notwithstanding the generality of sub-paragraph (1), an officer shall take all reasonable steps to ensure that confidential or secret information or documents entrusted to his or her care are adequately protected from improper or inadvertent disclosure.

Political neutrality

1. An officer shall not, in the performance of his or her duties: -
 - a) Act as an agent for, or further the interests of, a political party or a political candidate at an election; or
 - b) Manifest support for, or
 - c) Opposition to, any political party or political candidate at an election.
2. A public officer shall remain politically neutral during his or her term of employment.
3. Without prejudice to the generality of sub-paragraph (2) an officer shall not: -
 - a) Engage in the activities of any political party or political candidate or act as an agent of a political party or a political candidate at an election; or
 - b) Publicly indicate support for or opposition against any political party or political candidate at an election.

Collections and harambees

An officer shall not: -

1. Use his or her office or place of work as a venue for soliciting or collecting harambees;
 - a) Either as a collector or a promoter of collection harambee, obtain money or other property from a person by using his or her official position in any way to exert pressure;
 - b) Preside at a harambee, or play a central role in the organization of a harambee, or appear as a guest of honor at a harambee; or
 - c) Participate at a harambee in such a way as to reflect adversely on his integrity or impartiality or interfere with the performance of his or her duties.
2. For the purposes of this rule, "collection", "collector" and "promoter" have the same meanings as are assigned to them in section 2 of the Public Collections Act (Cap. 106).

Impartiality

An officer shall: -

1. At all times carry out his or her duties with impartiality and neutrality; and
2. Not practice favoritism, nepotism, tribalism, cronyism, religious bias or any other kind of bias or discrimination, or engage in corrupt or unethical practices.

Submitting of declarations

An officer shall submit any declaration or clarification required under the First Schedule of the Conflict of Interest act 2025

Training and Awareness

The Authority shall implement regular training and awareness programs to ensure that officers understand:

- Their obligations under this policy
- Legal requirements relating to Code of Conduct
- Procedures for disclosure and management of ethical conduct.

Training may include:

- Board induction programs
- Staff ethics training
- Periodic refresher workshops

Enforcement and Disciplinary Action

i. Compliance with Legal and Regulatory Framework

All public officers shall comply with this Code of Conduct in line with:

1. The Constitution of Kenya (Chapter Six on Leadership and Integrity)
2. The Public Service (Values and Principles) Act
3. Applicable circulars and guidelines issued by the Public Service Commission

Supervisors and authorized officers shall ensure enforcement within their respective departments/divisions.

ii. Disciplinary Action

1) Subject to subparagraph (2), a breach of this Code shall be deemed to be an act of misconduct for which the public officer may be subject to disciplinary proceedings.

2) Where an allegation of a breach of this Code has been made against a public officer in respect of whom the Constitution or a written law provides for the procedure of removal or dismissal, the question of the removal or dismissal of the public officer shall be determined in accordance with the Constitution or that other written law

Where misconduct is established, disciplinary action shall be taken in accordance with PSC regulations and may include:

1. Verbal or written warning
2. Surcharge or recovery of lost public funds
3. Suspension or interdiction
4. Demotion or redeployment
5. Dismissal from the public service
6. Referral for prosecution or further action by relevant authorities

All sanctions shall be proportionate, consistent, and in line with due process

iii. Reporting of Breaches

1. Any officer who becomes aware of a breach of this Code shall report promptly through:
 - a) Immediate supervisor
 - b) Authorized officer
 - c) Internal audit or ethics committee
 - d) Established whistleblowing channels
2. Reports may be made confidentially and shall be handled in accordance with PSC and EACC reporting frameworks.
3. Whistleblowers shall be protected from victimization or retaliation in line with public service regulations.

Referral for possible civil or criminal proceedings

If upon investigation under this Part the authorized officer is opinion that civil or criminal proceedings should be preferred against a public officer, the authorized officer shall refer the matter to: -

- (a) The Ethics and Anti-Corruption Commission;
- (b) The Attorney-General;
- (c) The Director of Public Prosecutions; or
- (d) Any other competent authority.

Contravention of the Code

A public officer who contravenes any provision of this Code shall be liable to disciplinary action as may be prescribed in any written law.

A public officer to sign and commit to the Code

1. On appointment to the Authority, an officer shall sign and commit to this Code in the form set out in the Fourth Schedule to this Code.
2. An officer who is in service at the time of the coming into force of this Code shall sign and commit to this Code within seven days of the coming into force of this Code.

Policy Review

The Code shall be reviewed after every three (3) years, or earlier where necessary to ensure alignment with evolving legal and governance requirements and the ethical standards established by the Public Service Commission of Kenya.

Effective Date

The policy shall come to force the date it is signed by the Chairman of the Board and the Chief Executive Officer.

APPENDICIES

FIRST SCHEDULE [para. 17(10)]

REGISTRABLE INTERESTS

1. Directorships in public or private companies, whether or not remunerated directly or indirectly.
2. Remunerated employment, including office, trade, professional, or vocational, or in which the public officer has any pecuniary interest.
3. Securities (shares, bonds, debentures or other similar holding) in a company, enterprise or undertaking the aggregate, nominal or market of a value which exceeds the value prescribed by the public entity.
4. Contracts for supply of goods and services to the public entity.
5. Offers of future employment.
6. Shareholdings in public or private companies amounting to a controlling interest.
7. Landholdings.
8. Gifts, benefits and hospitality, including to a spouse, child, partner or business associate, or other material benefit of a value prescribed by the public entity from a company, organization or person within or outside Kenya which relates to the public office.
9. Pending civil claims against the public officer.
10. Pending criminal charges against the public officer.
11. Citizenship of another country.

SECOND SCHEDULE [para. 15(7)]

REGISTER OF GIFTS

(TEMPLATE)

NAME OF PUBLIC ENTITY

F/Y

Name of Officer	Name of Person or Entity Giving the Gift	Value and Purpose of Gift	Date Gift Given	Date Recorded in the Register	Decision on the Gift - for Officer Organization to Be Returned

THIRD SCHEDULE [para. 17(9)]

REGISTER OF DECLARATION OF CONFLICT OF INTEREST

(TEMPLATE)

NAME OF PUBLIC ENTITY

F/Y

Name of Officer	Date Conflict Recorded	Business Under Transaction	Nature of Conflict	Decision Made on Participation of Officer	Signature of Officer Making Declaration

FOURTH SCHEDULE [para. 34(1)]

COMMITMENT FORM

Name of the Employee

Employee Number

Department:

Job Title:

I,, hereby affirm that I have read, understood, and agree to adhere to the Public Service Code of Conduct and Ethics, 2016, and further affirm that I will comply fully to the extent that it is written.

Signature

Date